



**Special Events Policy**

This document is intended to expand upon and aid in administering Chapter 9.05 of the Town of Truckee Municipal Code relating to special events. It defines, categorizes, and sets a fee structure for Special Events other than Special Events with Expressive Activity, as defined in Municipal Code Section 9.05.020(h).

For regulations regarding Special Events with Expressive Activity please refer directly to Municipal Code Chapter 9.05.

In the event of any apparent conflict between the terms of the Municipal Code and this Special Events Policy document, the terms of the Municipal Code will prevail.

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## I. PURPOSE & GOALS

### A. Purpose

It is the purpose of this policy to regulate special events held on Town property or that impact Town property or right-of-way, so that such events can be held with the health and safety of the participants in mind, the protection of public property considered, and the impact of the event on non-participating citizens minimized. This policy, with limited exceptions, also ensures that those who benefit from an event bear the cost of the event.

Community festivals and special events can enhance community, culture, and the local economy. In recognition of these benefits, it is the policy of the Town of Truckee to encourage events which provide these benefits, while working to minimize impacts on public health and safety, the environment, and quality of life.

Certain short-term commercial activities that do not meet the Special Event definition in Section II below and do not require a Special Event permit may require a Temporary use permit. Examples of temporary use activities include temporary construction yard or seasonal sale lots held on private property. Chapter 18.80 of the Municipal Code (Temporary Use Permits) should be consulted for such activities.

### B. Special Event Program Goals

The Town of Truckee's special event program is committed to:

- Enhancing community art, culture, and history programming for Truckee residents and visitors
- Moderating traffic and parking impacts from special events
- Promoting sustainable special event planning, including waste reduction and participant education
- Providing opportunities for community feedback

## II. DEFINITIONS

**Applicant:** The named person on the Completed Permit who is planning or organizing the event or activity. If permit is issued, Applicant shall be responsible for adherence to all Permit requirements.

**Application:** A written request on forms supplied by the Town of Truckee that sets forth the information required to be provided by this policy.

**Application Fee:** The fee required to be paid for the issuance of a permit to hold a special event. The fee shall not exceed the reasonable cost of providing the service and is included in the Town fee schedule.

**Peak Season:** The third Friday of June through Labor Day; The third Friday in December through the first Sunday in January.

**Service Charge:** A Fee that will be charged to the Applicant to recover the cost of any Town personnel, equipment, or other resources used in connection with the production of the Special Event.

**Special Event:** Means and includes, but is not limited to any organized activity conducted

within the incorporated limits of the Town of Truckee which either (i) requires traffic control measures on a public rights of way, Town staffing, or Town equipment; or (ii) occurs in whole or in part on or within a Town street, trail, parking facility, sidewalk, plaza or other public right-of-way and (a) obstructs, delays or otherwise interferes with the normal flow of vehicular or pedestrian traffic; or (b) does not comply with applicable traffic laws. Examples of special events include, but are not limited to, outdoor concerts, parades, circuses, fairs, festivals, block parties, street fairs, community events, sporting events (such as running or cycling events), and community celebrations and observances conducted on town property or public rights of way.

Town: Town of Truckee, an incorporated municipality.

Traffic Impact Event: An event that will require traffic control measures, including: road closure on an arterial or primary roadway; traffic control points; or personnel required to implement a traffic control plan. The Truckee Chief of Police or designee shall make the final determination regarding whether traffic control is necessary for public safety.

### III. SPECIAL EVENT PERMITTING

#### A. Special Event Applications

Any person or organization desiring to hold a Special Event shall submit to the Town a complete Special Event Application not less than seventy-five (75) calendar days, nor more than six (6) months before the time it is proposed to conduct the Special Event, except Applications for Peak Season Traffic Impact Events, which shall have a specific due date as specified in Peak Season Traffic Impact Events section below.

Applications for the following types of events will be required to complete additional application questions and meet applicable requirements: (1) Downtown events requiring a road closure; (2) Peak Season Traffic Impact Events; and (3) Events requesting a fee waiver.

The Director of Public Works or designee, will approve, approve subject to conditions, or deny the permit within thirty (30) days after receipt of the complete application.

Applications will be considered as received, except in the case of Peak Season Traffic Impact Events for which the process is set forth below. When two or more parties make a request to hold an event in the same area on the same date, a compromise agreement between the parties will be attempted. In the case where a conflict cannot be resolved, the final determination for granting a special event shall be made by the Director of Public Works or designee.

#### B. Peak Season Traffic Impact Events

*\*The Peak Season Traffic Impact Event cap will be effective beginning in the winter 2018-2019 Peak Season.*

**What is a Peak Season Traffic Impact Event?** An event that (1) will require traffic control measures, including: a road closure on an arterial or primary roadway; traffic control points; or personnel required to implement a traffic control plan; and (2) Takes place during summer or winter Peak Seasons.

To mitigate the impacts of Traffic Impact Events that occur during Peak Season when visitation and traffic are typically at their highest, the Town institutes a cap on the number of such events that will be permitted during each summer and winter peak season. The selection process used

to allocate these permits is described below.

**Application Process:** To be considered, the Applicant must complete the Special Event Application including the supplemental Peak Season Traffic Impact Event section.

**Selection process:** The Town has designated below two priority application due dates for all Peak Season Traffic Impact Events during the summer and winter seasons respectively. All applications received by the respective due date will be evaluated at one time. If the number of applications received by the due date exceeds the seasonal cap, town staff will evaluate each application based on selection criteria established below, and the Director of Public Works or designee will select the applications that best meet the criteria set forth below to fill the allowed number of Peak Season Traffic Impact Events under the seasonal cap. For multi-day events, each event day shall be counted as one Peak Season Traffic Impact Event under the seasonal cap.

If the number of applications received by the due date does not exceed the seasonal cap, each application received by this due date will receive a Peak Season Traffic Impact Event opening, provided that the applicant meets all standard permitting requirements and Downtown Special Event Criteria (see below), as applicable. After the due date, applications for remaining slots will be individually considered until all slots are full. Applications must be received no less than sixty (60) days prior to the proposed event date.

#### **Peak Season Traffic Impact Event Selection Factors:**

The Director of Public Works, or designee, will consider the following as positive factors in his/her review of all Applications for Peak Season Traffic Impact Events:

- (1) A Special Event that will provide art, culture, and history programming for Truckee residents and visitors;
- (2) A Special Event that will result in relatively little traffic and/or parking impacts to the community;
- (3) A Special Event that will support local businesses and/or provide economic benefit by generating significant positive tax benefits;
- (4) A Special Event that will provide programs for local youth, seniors, or low income populations; raise funds for organizations that provide free or low-cost programs for local youth, youth organizations, seniors, or low income populations; or has a focus on education, public health, or public safety;
- (5) A Special Event that is differentiated from other types of events in Truckee, and will broaden the range of events and variety of different interests and audiences served by Special Events in Truckee.

#### **Summer Peak Season Traffic Impact Events Details**

*Applicable dates:* The third Friday of June through Labor Day

*Cap:* 17 events

*Application due date:* January 15

#### **Winter Peak Season Traffic Impact Events Details**

*Applicable Dates:* The third Friday in December through the first Sunday in January

*Cap:* 1 event

*Application due date: August 1*

### **C. Downtown Special Event Criteria**

Due to the significant traffic, parking, and business impacts posed by events requiring road closures and/or traffic control in the downtown area, applications for such events will require the Applicant to demonstrate a significant economic and/or community benefit to warrant approval by the Town. To be considered, the applicant must complete the Special Event Application including the supplemental Downtown Special Event section. Applicant may be required to consult with affected parties (adjacent businesses, landowners, etc.) during this review process.

### **D. Denial of Permit**

Any of the following findings by the Director of Public Works shall result in the denial of the application for a permit:

- (1) The person applying for the permit has failed to provide supplemental application information requested by the Town or has otherwise failed to complete the Application;
- (2) The information contained in the Application is found to be false in any material respect;
- (3) The event is a Peak Season Traffic Impact Event and the event was not selected under the Peak Season Traffic Impact Event annual event cap

The following additional factors shall be considered by the Director of Public Works in determining whether the imposition of reasonable permit conditions will satisfy public health, safety, welfare or community impact concerns and allow the event to proceed as modified. If not, the Director of Public Works shall deny the application for a permit. Criteria for permit denial include:

- (1) An Application for another event to be held on the same date as the date requested has been previously filed or approved, and such other event is so close in time and location to the event proposed by the applicant as to cause undue traffic congestion or to place the Town in a position of being unable to meet the needs for police services for both events;
- (2) The time, route or size of the Special Event will substantially interrupt the safe and orderly movement of traffic contiguous to the site or route of the event or disrupt the use of a street at its peak traffic time;
- (4) The concentration of persons, animals or vehicles at the site of the Special Event or at the site of an assembly or disbanding area around the event will prevent proper police, fire or ambulance services from reaching areas contiguous to the event;
- (5) The Special Event will require Town staffing and (a) Given the size and nature of the event, the reasonably available number of Town police officers and other personnel is not sufficient to ensure the safety of participants or the attending public; or (b) The size of the event will require the diversion of so many Town police officers that police protection to the rest of the Town will be seriously jeopardized;
- (6) The event consists of a parade that will not move from its point of origin to its point of termination in three hours or less;
- (7) The location of the event will substantially interfere with construction or maintenance work previously scheduled to take place on or along the Town street, parking facility, sidewalk, trail or other public right-of-way to be occupied by the event;
- (8) The event will occur at a time when a school is in session and along a route or at a location adjacent to the school or a class thereof, and the noise created by the activities of the event will substantially disrupt the educational activity of such school or class;

- (9) The application is not timely submitted and there is insufficient time to investigate and process the application pursuant to the timelines herein;
- (10) The Special Event would require one or more road closures and/or traffic control in the downtown area and the Director of Public Works, or designee, determines that the proposed event will not provide sufficient economic and/or community benefit to warrant such impacts;
- (11) The Director of Public Works, or designee, determines that the Special Event would have substantial negative unmitigated impacts on the environment, including but not limited to pollution, litter, or erosion.

### **E. Application Review**

When the applicant submits an Application for a Special Event, the Application will be reviewed by applicable Town staff (including police, public works, engineering, and community development), as well as key stakeholder representatives from outside organizations and special districts, including, but not limited to, Truckee Fire Protection District, Truckee Downtown Merchants Association, Truckee Chamber of Commerce, Truckee Donner Recreation and Park District, and Truckee Donner Public Utility District. Each party will review the application to determine the impact the event will have on the public, if special Town/district services will be required, and what additional permits, or plans are needed (Alcohol Beverage Control permit, Public Health permit, etc.).

### **F. Fees and Charges**

#### **1. Fee Schedule**

The Town's Fee Schedule provides the current rate for all applicable Special Event-related fees (available on the Town's website).

#### **2. Application Fee**

The Applicant will be required to pay a non-refundable application fee at the time of Application submittal. This fee recovers the cost for the time and resources spent by Town staff to process the Application. There are two tiers of application fees, based on whether Application review will or will not include the review of a Traffic Control Plan and/ or a Security Plan.

- a. Tier I event (does not require Traffic Control Plan or Security Plan)
- b. Tier II event (requires Traffic Control Plan and/or Security Plan)

#### **3. Service Charges**

Each Town department will review the Application to determine what staffing, plans and inspections will be necessary to assure the event will be held with the health and safety of all protected. In most instances, the Applicant will be required to directly contract with a service provider for all necessary traffic control staffing, security staffing, and equipment needed on the day of the Special Event, and these services will not be provided by the Town. In the event that the Town provides any such equipment or staffing for any reason, the Town will bill the Applicant for such services (see Special Event Fee Waiver policy for information on waived fees). Town staff time will be billed at a regular hourly rate for events occurring outside of Peak Season, and at an overtime hourly rate for all Peak Season events.

In the event that the Special Event requires closure of downtown parking spaces managed under the Town's paid parking district program, the Applicant will be billed in advance at the hourly parking rate for such closed parking spaces for the duration of the closure.

In the event that the Director of Public Works or designee determines that additional Town

staffing or services are reasonably necessary during the Special Event, above and beyond those services anticipated at the time the permit was issued, the Town reserves the right to bill the Applicant in arrears for the cost of such additional services.

Any services provided by other agencies, such as Truckee Fire Protection District or Nevada County Public Health, will be billed separately by those agencies.

#### 4. Deposit

The Town may require the Applicant to furnish a security deposit or bond prior to the Special Event. The amount of the deposit, if required, will be determined by the Town in consideration of the attendance at the Special Event, the area involved, and the potential for damage or other liability to the Town.

### G. Special Event Fee Waiver policy

In certain limited circumstances, the Town may approve the waiver of Special Event fees. This policy sets forth the factors that the Director of Public Works or Town Council, as applicable, will consider in administering waivers to ensure that they are approved or denied in a fair, nondiscriminatory and consistent manner.

Eligible fees: The Application Fee and Service Charges are considered eligible for fee waiver. Each fee waiver request will be considered on a case-by-case basis, and the Town may approve a full waiver or partial waiver. Any fee waiver will depend on availability of Town resources.

The Director of Public Works or designee may approve a fee waiver request of up to \$5000. Any fee waiver request exceeding \$5000 will require the approval of Town Council.

The Town will consider the following as positive factors in its review of a request for a fee waiver:

1. A Special Event that will provide programs for local youth, seniors, or low income populations; raise funds for organizations that provide free or low-cost programs for local youth, youth organizations, seniors, or low income populations; or has a focus on education, public health, or public safety;
2. A Special Event that is organized by a nonprofit or community organization, primarily for the benefit of the Truckee community;
3. A Special Event that is non-revenue-generating (i.e. no participant fees or vendor fees will be charged); and
4. A finding that the imposition of special event permit fees will create a financial hardship on the event applicant or will have a detrimental effect on the services provided to the public.

### H. Insurance

The Applicant must furnish a certificate of insurance on a fully paid comprehensive public liability and property damage insurance policy from a licensed broker, protecting the Town, its officers, agents, elected officials and appointed officials, and employees from any and all claims which may result from or in connection to the special event, as well as a policy of workers' compensation insurance covering the Applicant's employees who will be involved in the special event. If the event will include alcohol, liquor liability coverage must be included on the certificate of insurance.

The Town must be named as an 'additional insured' through an endorsement to the policy

for which the certificate is issued. The Applicant's insurance coverage shall be primary insurance as respected the Town of Truckee, its officers, agents, elected and appointed officials, and employees. Any insurance or self-insurance maintained by the Town of Truckee, its officers, agents, or elected and appointed officials, and/or employees shall be excess of the applicant's insurance, and shall not contribute with it, and shall contain standard separation of insured's provisions. The Applicant must produce a copy of the policy with all policy endorsements. All required insurance documents must be submitted to the Town of Truckee at least fifteen (15) days prior to the special event. Limits of insurance are generally \$1,000,000.00 for death or bodily injury and property damage. Limits and types of insurance may change because of the different activities of each special event.

#### **I. Application Approval/Denial Notification**

After review, Town staff shall notify the Applicant of approval or denial of the Special Event Application. If approved, the area will be reserved for the requested party's event, which may include exclusive use for the duration of the Special Event. If the Special Event Application is approved, the Applicant shall assume full responsibility for compliance with all conditions, fees, charges, and applicable local, state and federal laws.

#### **J. Appeal Process**

An Applicant whose Special Event Application is denied may appeal the denial to the Town Manager and then to the Town Council, pursuant to the specific procedures and timelines provided in Town of Truckee Municipal Code Chapter 9.05.

### **IV. EVENT REQUIREMENTS**

#### **A. Accessibility to Persons with Disabilities**

The Applicant must conduct accessible activities and provide provisions for persons with disabilities in compliance with the Americans with Disabilities Act. The Applicant is encouraged to pay special attention to parking needs of those persons with disabilities.

#### **B. Equipment, Barricades, Cones, Structures and Signs**

The Town typically does not provide Applicant with barricades, cones, or other Special Event-related equipment. Procurement and installation of any equipment needed for event, including signage or equipment that may be required by the Town to implement the Special Event's Traffic Control Plan, shall be the responsibility of the Applicant.

The Applicant will be required to submit a map or schematic drawing showing the requested placement or installation of any equipment, signs, decorations, lighting, concessions of any type, staging, other structure or object, or live animals to be allowed as part of the Special Event. The Director of Public Works, or designee, shall make the final determination on the placement or installation of any of the above.

The erection of certain types of structures, such as temporary stages, must pass an inspection for proper fire protection and proper construction.

In no case shall the Applicant remove any Town property from the area.

#### **C. Portable Restroom Facilities**

It is the responsibility of the Applicant to provide for restroom facilities on site during the Special Event. Portable restroom facilities are required to be ADA compliant. The number will be determined by the type of event in consultation with the Town. A portable restroom facility calculator is available on the Special Event webpage.

#### **D. Electricity**

Specific requirements for the use of electricity must be submitted and approved at the time of application for a Special Event. Any electrical requirements beyond those which already exist at the Special Event site must be provided by the Applicant's own licensed electrician. The Town building inspector must approve all additional electrical work on site.

#### **E. Beer and Liquor Licenses**

A California State Alcohol Beverage Control (ABC) license is required for the sales or serving of all alcoholic beverages during a Special Event. Applications must be submitted directly to the California State Office of Alcohol Beverage Control. Please be advised that the ABC permit process may take several weeks.

All persons obtaining permits for the sale or serving of alcoholic beverages shall comply with all state and local laws.

#### **F. Food Sales**

Any event that includes the sale of food or beverages will require a permit from Nevada County Environmental Health Department. All permits shall be clearly displayed. The Applicant is responsible for forwarding a copy of the Special Event Application directly to the Nevada County Environmental Health and arranging all food permits. Health Inspectors may visit each Special Event and have the right to close booths operating outside of health regulations. Please also reference section V.-3 of this policy if Applicant anticipates over 2,000 attendees.

#### **G. Security**

The Chief of Police, or designee, will determine if the Special Event will require a security plan. This determination will consider factors including but not limited to the event type, number of attendees, and whether alcohol will be served. In the event that security services are required, the Town will consult with the Applicant regarding the security plan and the Application will not be approved until the Security Plan has been finalized by the Applicant and approved by the Chief of Police or designee.

In the event that security services are required as part of the security plan, the Applicant will be responsible for contracting for any required security services from a private service provider that is licensed, bonded and insured to provide such services with appropriately licensed employees. In certain circumstances the Chief of Police, or designee, may determine that staffing by sworn Truckee police officers, in addition to or rather than, contracted security personnel is required for public safety and security. Any police staffing provided for the special event will be billed to the Applicant as an additional Service Charge.

#### **H. Road Closures, Detours, and Traffic Control**

For any Special Event that will require road closures, detours, or traffic control (including barricades, cones, or other control devices), the Applicant must submit with the application a Traffic Control Plan. Such plan must include details of all barricade, cone, and sign placements, and all staffing locations (as applicable). Streets in the Town may be closed only with approval of the Chief of Police, Fire Chief, and Public Works Director.

For safety, the Town may require traffic control staffing at certain road closure locations for the duration of the road closure. Please note that availability of Town staff for Special Event traffic control set-up or staffing is limited. The Applicant will be required to contract directly with a licensed, bonded and insured vendor certified in traffic control to place arterial and collector street closing barricades and provide traffic control staffing. Any traffic control staffing provided by the Town will be at the discretion of Chief of Police, or designee and such staffing expenses will be billed to the Applicant as Service Charges.

If a Special Event is considered closed to the public or if streets will be closed, the Applicant will be required to contact neighboring residents and businesses. The Applicant will be required to post closure notifications on affected streets 48 hours prior to the event. Other notification requirements may be required at the discretion of the Director of Public Works or designee.

When a request for closing of streets includes the closing of a State highway requiring a detour route, Applicant must make a request for encroachment directly to the California Department of Transportation.

#### **I. Banner Installation**

Events desiring to hang banners in the Town shall follow the Town's banner policy as described in Municipal Code Section 18.54.050 E.(1).

#### **J. Fireworks**

A Special Event permit is required to display fireworks in the Town.

#### **K. Event Cleanup**

The Applicant must make arrangements for the proper cleanup of the special event site both during and after the special event, including but not limited to the removal of all litter and garbage from the site.

The Applicant shall be held responsible if the area used is not left in the same condition at the end of the Special Event as it was found to be at the beginning. An unkempt Special Event site or damage to Town property will result in forfeiture of the event deposit and/or additional Services Charges to reimburse the Town for the cost of and cleanup, repair, or replacement, to be paid in full no more than thirty (30) days from the billing date. If payment is not received from the Applicant within that time, all future Special Event requests by the Applicant will be denied until such time as payment is received and, in addition, the Town may take legal action to recover costs.

#### **L. Event Survey**

The Applicant will be required to complete a post-event survey which will serve as an opportunity to gather data about the Special Event and provide feedback regarding the Special Event Application process. An online survey will also be available for community members to provide feedback directly regarding a specific event.

### **V. SUSTAINABILITY REQUIREMENTS**

#### **A. Trash and Recycling**

All Applicants must incorporate the practice of waste reduction and recycling into their Special Event planning and implementation. The Town provides resources to assist the Applicant in planning for and carrying out waste reduction strategies and recycling at the Special Event.

##### **1. Waste Reduction Plan**

All Special Events must submit a completed Waste Reduction Plan along with the Special Event Application, which will require approval of Town recycling staff.

Applicants are encouraged to prohibit use of non-reusable items such as plastic water bottles, bags, and utensils. For events that focus on environmental issues it is encouraged that the Applicant provide a booth or table with information regarding local recycling programs.

State law mandates that Applicants plan for the reduction of waste generated at Large Events

(see below), and upon request, report information regarding their waste reduction efforts to the Town.

"Large event means an event that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, including, but not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event, including, but not limited to, a sporting event or a flea market." (California Public Resource Code §42648).

## 2. Event Waste Diversion

All Special Events must provide, at a minimum, appropriate receptacles with signage, for two-bin waste stream diversion into recyclables and landfill waste (See below for large food service events). Town will provide resources to assist Applicants in complying with this requirement.

## 3. Large Food Service Events

Special Events that include food service and have an anticipated attendance of more than 2,000 individuals must provide a third receptacle to capture organic materials (food waste) in addition to the standard two-bin waste stream diversion. Applicant must also provide waste stream monitors for these large events to prevent contamination of waste streams.

## **B. Alternative Transportation Planning**

Applicants are encouraged to promote alternative transportation options for event attendees. This reduces both the impact of the Special Event on the general public as well as the environment. A template alternative transportation plan can be found on the Special Events webpage, including identification of multi-use trails that connect to various event venues, links to local bus schedules and maps, estimated greenhouse gas savings for typical trips that would be avoided, etc. Applicants may be required to include shuttle service and/or offsite parking if the traffic impact is determined by the Director of Public Works to warrant such measures.