



ORDINANCE NO. 5048

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 12.37 Title 12 - Streets, Sidewalks and Public Places of the El Dorado County Ordinance Code is hereby amended to read as follows:

TITLE 12 – STREETS, SIDEWALKS AND PUBLIC PLACES CHAPTER 12.37. – Special Events

CHAPTER 12.37. – Special Events

Section 12.37.010. - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section, unless the context or subject matter otherwise requires:

Director means the Director of the Transportation Division of the Community Development Agency, or designee.

Special Event means any parade, cycling, running, walking, march, ceremony, show, exhibit, pageant, or procession of any kind, or any similar display, consisting of more than ten (10) vehicles or more than twenty (20) persons proceeding on foot or otherwise, in or upon any street, highway, road, thoroughfare, or alley of the County.

Special Event also means any event requiring temporary traffic control or modification of existing parking controls to facilitate vehicle circulation on public roads.

Special Event permit means a permit required by this chapter.

(Prior Code, § 7551; Code 1997, § 12.37.010; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section 12.37.020. – Permit Required.

A. No person shall engage or participate in, aid, form, or start any Special Event in the County unless a Special Event permit has been obtained from the Director.

B. Exceptions to the permit requirement are:

1. A wedding or funeral procession;

2. Students going to and from school classes or participating in authorized educational activities, providing such conduct is under the immediate direction and supervision of the proper school authorities;
3. A governmental agency acting within the scope of its functions;
4. Any vehicular procession conducted within five (5) days of an election, which procession is in support of or in opposition to any candidate or ballot measure to be voted on at the election.

(Prior Code, § 7552; Code 1997, § 12.37.020; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section 12.37.030. - Application required.

A person seeking issuance of a Special Event permit shall file an application with the Director.

(Prior Code, § 7553(part); Code 1997, § 12.37.030; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section 12.37.040. - Application filing period.

An application for a Special Event permit shall be filed with the Director no less than thirty (30) days or more than ninety (90) days before the date on which it is proposed to conduct the Special Event.

(Prior Code, § 7553(1); Code 1997, § 12.37.040; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section 12.37.050. - Application contents.

The application for a Special Event permit shall set forth the following information:

- A. The name, address, email and telephone number of the person seeking to conduct such Special Event;
- B. If the Special Event is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization;
- C. The name, address, email and telephone number of the person who will be responsible for the Special Event;
- D. The date(s) when the Special Event is to be conducted;
- E. The route to be traveled, the starting point, and the termination point;
- F. The approximate number of persons who, and animals and vehicles which, will constitute such Special Event; the type of animals and descriptions of the vehicles;
- G. The hours when such Special Event shall start and terminate;

- H. A statement as to whether the Special Event will occupy all or only a portion of the width of the streets, roads, highways, alleys or thoroughfares proposed to be traveled;
- I. The locations by streets, roads, highways, alleys or thoroughfares proposed to be traveled;
- J. The time at which units of the Special Event will begin to assemble at any such assembly area or areas;
- K. The interval of space to be maintained between units of such Special Event;
- L. If the Special Event is designated to be held by, or on behalf of, any person other than the applicant, the applicant for such permit shall file with the Director a communication in writing from the person proposing to hold the Special Event, authorizing the applicant to apply for the permit on his or her behalf;
- M. Any additional information which the Director finds reasonably necessary to make a fair determination of the regulation and conduct of such Special Event.

(Prior Code, § 7553(2); Code 1997, § 12.37.050; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section. 12.37.060. - Late applications.

The Director, where good cause is shown therefor, shall have the authority to consider any renewal application under this chapter which is filed less than twenty (20) days before the date such Special Event is proposed to be conducted.

(Prior Code, § 7553(3); Code 1997, § 12.37.060; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section 12.37.070. - Conditions for issuance.

- A. Upon receipt of an application for a permit the Director shall forward a copy of the application to the Sheriff, the County Director of Environmental Health Services, the Fire Chiefs of the affected areas, the Office of Emergency Services, the California Highway Patrol and any County department or any other public agency which may be affected by the operation and conduct of such Special Event. The Director shall request comments from said departments and agencies relating to the operation and conduct of the public business and welfare requesting the opinion of said department and agencies of the effect, if any, of the conduct of such Special Event upon traffic control, emergency vehicle movement including, but not limited to, ambulances and the like, the movement of firefighting equipment en route to a fire and such other matters as are or may hereinafter be subject to the control and direction of such departments or agencies .
- B. Written replies shall be submitted to the Director from the departments and agencies involved within ten (10) days before action is required to be taken on such permit and considered in relation to the matter set forth in the application, and in relation to the standards contained in Section 12.37.100. If the written replies or information the Director receives as a result of his or her own investigation of the permit indicate that the operations of the departments involved or the public health, welfare or safety will not be adversely affected by the conduct and operation of the proposed Special Event, the

Director shall issue the permit as applied for. If any of the written replies including any information the Director may receive as a result of his or her own investigation of the permit indicate that the public safety, health and welfare may be materially hampered by the conduct and operation of the proposed Special Event, the Director shall issue a permit altering any of the appropriate items set forth in Section 12.37.050 so as to ensure that the public safety, health and welfare will not be jeopardized by the conduct of such Special Event.

- C. Should the Director determine that temporary closure of a roadway, temporary traffic control, or modification of existing parking controls is necessary for the safety and protection of those participating in the Special Event, the Director may issue a permit authorizing such activities. As a condition of any such permit, the applicant shall do all of the following: (1) file with the Clerk of the Board of Supervisors a certificate of General Liability insurance naming the County as an additional insured in an amount determined by the Risk Manager as sufficient to protect the County from harm; (2) execute an agreement to indemnify, defend, and hold the County harmless from any claims or liability arising out of or related to the Special Event; (3) clean-up the affected roads during and/or after the Special Event; and (4) reimburse the County for any extra traffic control performed by the El Dorado County Sheriff's Office and the Transportation Division as a result of the Special Event.

(Prior Code, § 7554; Code 1997, § 12.37.070; Ord. No. 3189, § 1(part), 1981; Ord. No. 3766, § 53, 1987; Ord. No. 4231, 1992)

Section 12.37.080. - Appeal procedure.

The applicant or any aggrieved person, including, but not limited to, any County officer, department, board or commission affected by the permit, shall have the right to appeal the form of the permit to the Community Development Agency Director. The appeal shall be made within three (3) days after issuance by the Director and shall be presented to the Community Development Agency Director for determination. The Community Development Agency Director may hear additional evidence and may sustain or modify the decision of the Director consistent with the standards set forth in Section 12.37.100 and the matter contained in the application. The decision of the Community Development Agency Director shall be final.

(Prior Code, § 7555; Code 1997, § 12.37.080; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section 12.37.090. - Notice to County and other officials upon issuance.

Immediately upon the issuance of a permit, the Director shall send a copy thereof to the following:

- A. The Chair of the Board of Supervisors;
- B. The Supervisor for the District in which the Special Event is occurring;
- C. The Fire Chiefs of the affected areas;

- D. The Sheriff;
- E. The Director of Emergency Services;
- F. The California Highway Patrol;
- G. Any other County official or department head who has replied to the Director as hereinabove set forth.

(Prior Code, § 7556; Code 1997, § 12.37.090; Ord. No. 3189, § 1(part), 1981; Ord. No. 3766, § 54, 1987; Ord. No. 4231, 1992)

Section 12.37.100. - Contents.

Each permit shall state the following information:

- A. Date, starting and termination time;
- B. The portions of streets, roads, highways, alleys or thoroughfares to be traversed that may be occupied by the Special Event;
- C. Such other information or conditions as the Director finds necessary to the enforcement of the terms and conditions of the permit.

(Prior Code, § 7557; Code 1997, § 12.37.100; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

Section 12.37.110. - Duties of permittee.

- A. A permittee under this chapter shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- B. Possession of permit. The Special Event chair or other person heading or leading such activity shall carry the permit upon his or her person during the conduct of the Special Event.
- C. Issuance of a permit pursuant to this chapter shall not authorize the use of property in a manner inconsistent with other provisions of the El Dorado County Ordinance Code, including, but not limited to Title 130, Zoning. The permittee is responsible for obtaining any other permits or approvals necessary for the conduct of the Special Event.

(Prior Code, § 7558; Code 1997, § 12.37.110; Ord. No. 3189, § 1(part), 1981)

Section 12.37.120. - Public conduct during Special Events.

- A. Interference. No person shall unreasonably hamper, obstruct, or impede or interfere with any Special Event or Special Event assembly or with any person, vehicle or animal participating or used in a Special Event.
- B. Driving through Special Events. Except for emergency vehicles, no driver of a vehicle, bus or trackless trolley shall drive between the vehicles, animals or persons comprising a

Special Event when such vehicles, animals or persons are in motion and are conspicuously designated as a Special Event.

- C. Parking on Special Event route. The Director shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street, highway, road, thoroughfare or alley, or part thereof constituting a part of the route of the Special Event. The Director may authorize posting of signs to such effect, and it is unlawful for any person to park or leave unattended any vehicle in violation thereof.

(Prior Code, § 7559; Code 1997, § 12.37.120; Ord. No. 3189, § 1(part), 1981; Ord. No. 3766, § 55, 1987; Ord. No. 4231, 1992)

Section 12.37.130. - Revocation of permit.

The Director shall have the authority to revoke the permit issued under this chapter when any of the operations or conduct of such Special Event violates any of the conditions listed in the contents of the permit.

(Prior Code, § 7560; Code 1997, § 12.37.130; Ord. No. 3189, § 1(part), 1981; Ord. No. 4231, 1992)

This Ordinance shall take effect and shall become effective thirty (30) days following the adoption hereof.

PASSED and ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 28th day of ~~February~~, 2017, by the following vote of said Board:
March

Ayes: Sue Novasel, Michael Ranalli, John Hidahl,
Shiva Frentzen, Brian K. Veerkamp

Noes: None

Absent: None

Attest:

James S. Mitrison

Clerk of the Board of Supervisors

By:


Deputy Clerk


Shiva Frentzen, Chair, Board of Supervisors