

COUNCIL AGENDA: MARCH 4, 2014

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT – PANCREATIC CANCER ACTION NETWORK AND CROSSFIT 559 - WOD WARS FITNESS COMPETITION - MARCH 15-16, 2014

SOURCE: Finance Department

COMMENT: Pancreatic Cancer Action Network and Crossfit 559 are requesting approval to hold a two-day WOD Wars fitness competition. This is a challenging physical fitness competition and workout to be held on Saturday, March 15, 2014, from 7:00 a.m. to 5:00 p.m., and Sunday, March 16, 2014, from 8:00 a.m. to 2:00 p.m. The applicants are requesting the closure of E Street in front of Crossfit 559, at 25 North E Street and the portion of the alley way directly behind Crossfit 559.

The Police Department does not recommend the requested closure of E Street as this would effectively block the entire city block. In addition, the Planning Department has a concern regarding the parking access for the apartment tenants if the alley is closed. Staff has communicated these concerns to the event representative. In response, the representative withdrew the request for the street closure. He also stated that he has been in communication with most of the neighbors regarding the closure of that portion of the alley directly behind Crossfit 559 which should not affect the access to parking.

This application is submitted in accordance with the Community Civic Events Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all of the departments involved.

RECOMMENDATION: That Council approve the Community Civic Event Application and Agreement, from the Pancreatic Cancer Action Network and Crossfit 559, with the closure of only the portion of the alley way directly behind Crossfit 559, and subject to the Restrictions and Requirements contained in Application, Agreement, Exhibit A and Exhibit B.

ATTACHMENT: Community Civic Event Application and Agreement, Exhibit A, Exhibit B, Map, Outside Amplifier Permit and Certificate of Liability Insurance.

D.D. MB Appropriated/Funded MB C.M. J Item No. 11

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569 www.ci.porterville.ca.us



(Incomplete applications can delay permit process)

APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

DO YOU HAVE? Event Flyer? YES E-mail address? Jerry@crossfit559.com Website? crossfit-559.com
Application date: 1-28-14 Event date: March 15-16
2/19/14 Event time: 8:00 am - 6:00 pm

Name of Event: WOD WARS
Pancreatic Cancer Action Network

Sponsoring organization: crossfit 559 Phone # 920-9343
Address: 25 N. E Street

Authorized representative: Jerry STUMP Phone # 920-9343
Address: 23547 AVE 184 Porterville

Event chairperson: Jerry STUMP Phone # 920-6998
Jerry Crossfit 559

Location of event 25 N. E STREET INCL. ALLEY &/or
Street Frontage (Location map must be attached)

Type of event: FITNESS COMPETITION, vendors, and
spectators

Non-profit organization status: Pancreatic Cancer Action network
(IRS Determination)

City services requested (fees associated with these services will be billed separately):
Barricades (quantity): YES 2? Street sweeping Yes \_\_\_ No X
Police protection Yes \_\_\_ No X Refuse pickup Yes \_\_\_ No X
Other: \_\_\_\_\_

Parks facility application required: Yes \_\_\_ No X Attached \_\_\_
Assembly permit required: Yes \_\_\_ No \_\_\_ Attached \_\_\_

STAFF COMMENTS (list special requirements or conditions for event):

Table with columns for 'Appr.' and 'Deny' and rows for various city departments: Bus. Lic. Spvr., Pub. Works Dir., Comm. Dev. Dir., Field Svcs. Mgr., Fire Chief, Parks Dir., Police Chief, Admin. Svcs. Dir.

# CITY OF PORTERVILLE

## APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

### What constitutes a Community Civic Event?

A non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. Most of the time, Community Civic Events require street or sidewalk closures. This application must be submitted **NO LESS THAN 30 DAYS PRIOR** to the date of the event in order to obtain City Council approval.

**All City Code requirements** are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at [www.ci.porterville.ca.us/govt/CityClerk/](http://www.ci.porterville.ca.us/govt/CityClerk/), Porterville Municipal Codes. For questions or concerns please call 559-782-7451 or 559-782-7457. Any person who violates the provisions in this code, shall be deemed guilty of either a misdemeanor or an infraction, with penalties of one hundred (\$100) for the first violation.

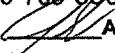
**Liability insurance:** The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. **The City of Porterville and Successor Agency to the Porterville Redevelopment Agency shall be named as additional insured.** A Certificate of Liability Insurance and Additional Insured Endorsement sample forms are enclosed for your convenience. **This original certificate and endorsement shall be submitted to the Finance Department prior to the City of Porterville Council's approval.** *The council shall condition the granting of a CCE permit upon the sponsoring entity's filing with the council a policy of public liability insurance in which the city has been named as insured or coinsured with the permittee. The policy of insurance shall insure the city, its officers, and its employees against all claims arising out of, or in connection with, the issuance of the CCE permit or the operation of the permittee or its agents or representatives, pursuant to the permit. The policy of insurance shall provide coverage of no less than one million dollars (\$1,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)*

 Authorized Representative Initials

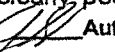
**Alcohol liability insurance:** Organization/Applicant will obtain an alcohol permit if any alcoholic beverages are to be served. The insurance policy shall be endorsed to include **full liquor liability** in an amount not less than one million dollars (\$1,000,000) per occurrence. The City of Porterville shall be named as additional insured against all claims arising out of or in connection with the issuance of this permit or the operation of the permitted, his/her agents or representatives pursuant the permit. **Claims-made policies are not acceptable.**

*N/A* Authorized Representative Initials

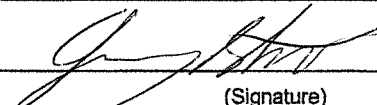
**Health permit:** Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health Department located at 5957 S. Mooney Blvd., Visalia, CA, 93277, call 559-733-6441, or fax information to 559-733-6932; or visit their website: [www.tularehhsa.org](http://www.tularehhsa.org).

 Authorized Representative Initials

**First aid station:** Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

 Authorized Representative Initials

**Agreement:** The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 15-20(e), as amended, and the terms and conditions set forth by City Council and stated in Exhibit 'A.' The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

CROSSFIT 559 (Name of Organization)	 (Signature)	1-29-14 (Date)
--	---	-------------------





# CITY OF PORTERVILLE

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event: WOD WARS

Sponsoring organization: CrossFit 559 + Pancreatic Cancer Action Network

Event date: March 15-16 Hours: SAT 8:00 AM - 5:00 PM  
SUN 9:00 AM - 1:00 PM

**ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:**

Closed			
Street Name	From	To	Activity
SATURDAY			
E Street	7:00 AM	5:00 PM	FITNESS COMP.
	in front of property		Vendors, Spectators
SUNDAY			
E Street	8:00 AM	2:00 PM	FITNESS COMPETITION
	in front of property		Vendors, spectators
Sidewalks	From	To	Activity
E Street	SAME AS ABOVE		
Parking lots and spaces	Location		Activity

Vendors, spectators  
 Alley enclosure in lieu of Est closure <sup>4 of 4</sup>

REQUIREMENTS FOR COMMUNITY CIVIC EVENT  
PANCREATIC CANCER ACTION NETWORK AND CROSSFIT 559  
WOD WARS FITNESS COMPETITION

MARCH 15 – 16, 2014

Finance Director:  
*M. Bemis*

Public Works Director:  
*B. Rodriguez*

No comments.

Community Development Manager:  
*J. Phillips*

Concerned about impact of alley closure to the adjacent land uses, specifically the apartments on North F that have parking accessed through the alley.

Field Services Manager:  
*B. Styles*

Barricades may be obtained and returned at 555 N. Prospect St.

Fire Chief:  
*G. Irish*

No comments.

Parks and Leisure Services Director:  
*D. Moore*

No comments.

Police Captain:  
*D. Haynes*

Please see proposed recommendation and conditions from Exhibit B. The requested closure of E Street will impact the normal flow of vehicular and pedestrian traffic in the area of the event.

Administrative Services Director:  
*P. Hildreth*

Please see Exhibit A, page 2. All participants to sign a waiver releasing City and Successor Agency to the Porterville Redevelopment Agency from any and all liability.

## REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Pancreatic Cancer Action Network and Crossfit 559  
Event: WOD Wars Fitness Competition  
Event Chairman: Jerry Stump  
Location: 25 N. E. Street  
Date of Event: March 15 – 16, 2014  
Time of Event: 8:00 a.m. to 6:00 p.m.

### RISK MANAGEMENT: Conditions of Approval

That the Crossfit 559 provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as "Additional Insured" against all claims arising from, or in connection with, the Permittee's operation and sponsorship of the aforementioned Community Civic Event.

- a. Said Certificate of Insurance shall be an original (fax and xerographic copies not acceptable), the Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than \$1,000.
- a. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A:VII, and the insurance company must be an "admitted" insurer in the State of California.



**CITY OF PORTERVILLE**  
**Community Civic Event Application**

**Cross Fit Competition/March 15 & 16, 2014**

Recommendations:

It is the opinion of the Porterville Police Department that the proposed event is best suited for one of many city parks or other off-street property. In order for the roadway to be blocked effectively, an entire city block will have to be closed, which impact the normal flow of vehicular and pedestrian traffic in the area of the event. Furthermore, event organizers have indicated that there will be a charge for spectators, which will be very difficult in an uncontrolled public area.

If a roadway or alley closure is permitted by the City Council, the following conditions will apply:

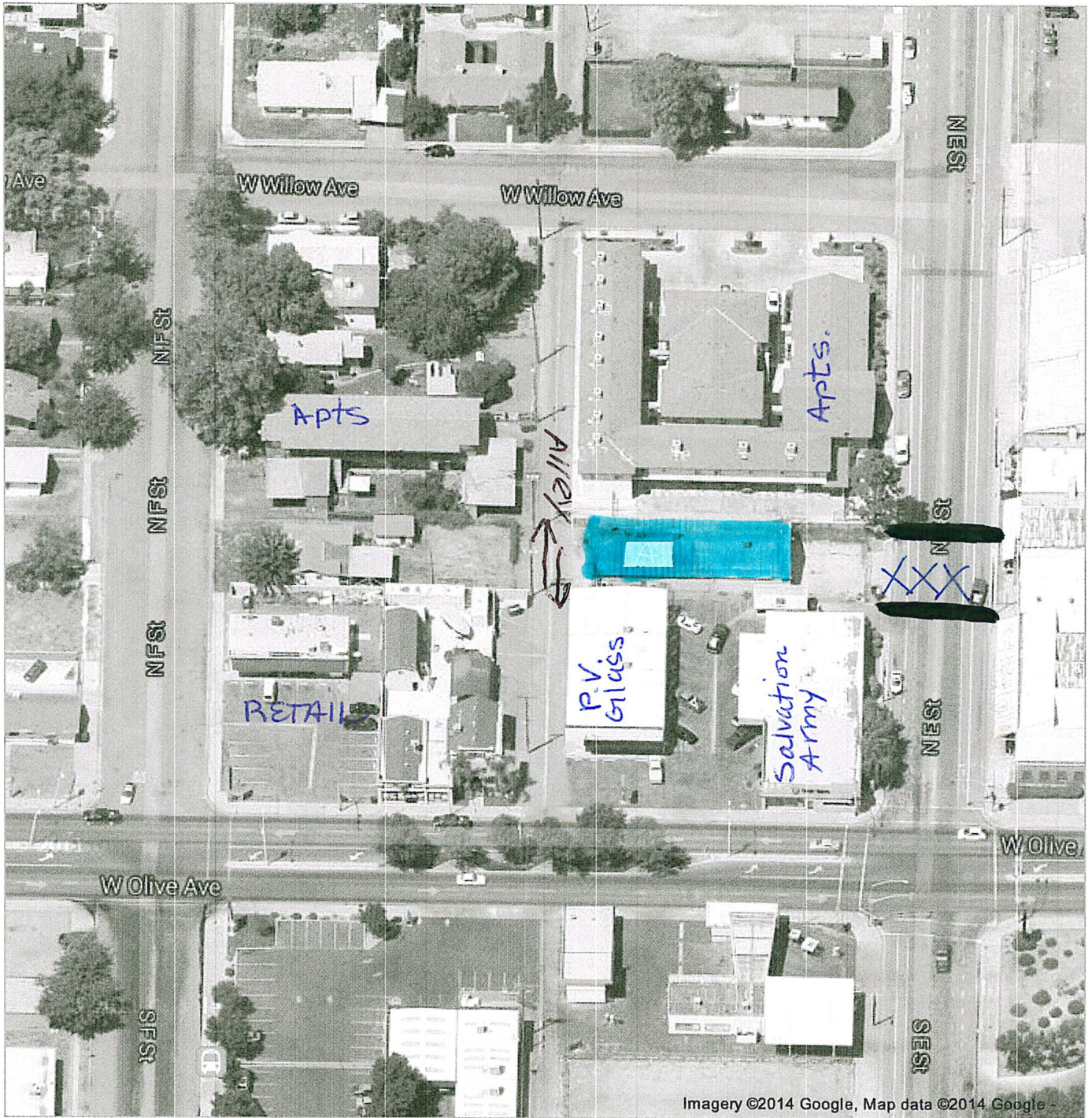
Conditions:

- All street closures in the city require City Council approval.
- Ensure highly visible and adequate barricades/barriers are used to warn motorists of non-access to closed street and prevent vehicle access to those designated areas.
- Vendors should be situated where they minimally block the sidewalk.
- Vendors shall be in compliance with the permit/licensing requirements of the City of Porterville and food vendors should possess inspection certificates from the Tulare County Health Department to ensure safe food products.
- An Outside Amplifier Permit has been approved and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- Amplified music shall not begin before 9:00 a.m. or continue after 6:00 p.m.

Dan Haynes, Captain  
Police Department- Services Division



To see all the details that are visible on the screen, use the "Print" link next to the map.



CITY OF PORTERVILLE  
OUTSIDE AMPLIFIER PERMIT  
(City Ordinances #18-9 & 18-14)



This application must be submitted ten (10) days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

- 1 Name and home address of the applicant: Jerry Stump 23547 AVE 184  
Porterville 93257
- 2 Address where amplification equipment is to be used: 25 N. "E" STREET
- 3 Names and addresses of all persons who will use or operate the amplification equipment: \_\_\_\_\_
- 4 Type of event for which amplification equipment will be used: CROSSFIT COMPETITION
- \* 5 Dates and hours of operation of amplification equipment: 9:00 A.M. THRU 5:00 P.M. SATURDAY  
9:00 AM THRU 12:00 PM SUNDAY
- 6 A general description of the sound amplifying equipment to be used: 500 watt P.A. and MP3  
PLAYER FOR MUSIC

Section 18-9

It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, jukebox, record player, loudspeaker, musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort.

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section.

(Ord. Code § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

Penal Code Section 415 (2)

Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars (\$400), or both such imprisonment and fine: (2) Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.

I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

[Signature]  
Signature of Applicant

1-28-14  
Date

THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.

[Signature]  
City of Porterville, Chief of Police/Designee

2-19-14  
Date



