

# City of Madera - Special Events Application Packet

1. A Special Events Permit is required for any event that will impact vehicular or pedestrian traffic or otherwise encroach on the City's Right of Way. Special Events Application Packets are available from and must be filed with the City of Madera, Engineering Division, 428 E. Yosemite Ave, not less than 3 weeks or more than 364 days prior to the proposed activity date. Application Packets are processed on a first come, first served basis and must be filled out completely. Incomplete Application Packets will not be processed and will be returned to you. Dates will not be held without receiving a complete Application Packet. Please note that acceptance of a completed application does not guarantee approval of an event.
2. FEES:
  - NO FEE for City of Madera Sponsored events and must be endorsed by City of Madera authorized staff.
  - \$30.00 non-refundable processing fee will be required for residential/homeowner sponsored events to cover administrative costs and must accompany application at time of submittal.
  - \$101.00 non- refundable processing fee will be required for business/commercially sponsored events to cover administrative costs and must accompany application at time of submittal.
3. Applicant will be responsible for all cleanups after the event; however, depending on the size and nature of the event, a cleaning deposit may still be required.
4. The applicant will be required to provide applicable insurance depending on the nature of the event. The attached Insurance Requirements are provided as an example of typical coverage required. Coverage limits depend on the type of event and risk factors involved, and the City reserves the right to determine specific insurance requirements based on event information provided in this application packet.
5. The City of Madera will require the applicant to compensate the City for any incidental costs (i.e., supplies, utilities, coordination, monitoring, increased police and fire protection or other staff costs).
6. **NO** activity will be permitted which is in violation of local, state, or federal laws or statutes.
7. Applicants must provide a detailed drawing or map to include area to be used, entry and exits (if closed), set up structures, parade routes and clear traffic control plan to include assembly points at the beginning and end (i.e., bleachers, barricades, fences, etc.).
8. In planning your event, please consider how your event will impact access for emergency vehicles (fire, police, paramedic, or ambulance), conflict with public transportation, or cause interference with access to residential neighborhoods, airport, businesses, places of worship, hospitals or other public facilities.
9. If your event will include a residential street closure in excess of 20 minutes, you will be required to show written approval from residents on the closed street as well as provide continued access to the street from those who require access.
10. City sponsored events will retain first priority for use of all facilities.
11. If the event involves the use of a property that does not belong to the City of Madera it is the applicant's responsibility to contact the appropriate entity regarding the availability and use of the property. You may be required to submit an application for the use of another entity's property that is subject to separate rules, regulations and restrictions.
12. After receipt of the application and the processing fee, the application packet will be forwarded to the Police and other affected departments. The departments will submit conditions or restrictions, if any, and a recommendation for either approval or denial to the City Engineer, who will then issue or deny the permit. This process is usually completed within three weeks.
13. Once the Engineering Department has received all of the comments and recommendations, the applicant will be notified of any conditions to be met and status of the application.
14. It is the responsibility of the applicant to contact Union Pacific Railroad, per the attached Community Event Notification flyer from Union Pacific Railroad, if the event will cross or occur near Union Pacific Railroad's property or tracks.
15. If you have any questions, please call the Engineering Department at (559) 661-5418, between 8:00 a.m. and 5:00 p.m., Monday through Friday.

# City of Madera - Special Events Checklist

Please check YES or NO for each question. Any unanswered question will cause this application to be returned to you, the applicant, as incomplete.

(If additional space is needed, please attach a separate piece of paper labeled "Checklist")

Event:

Date(s) of Event: \_\_\_\_\_

Will your event include:	YES	NO	Details / Location
1. Advertising			
2. Alcohol*			
3. Amplified Music			
4. Barbeque			
5. Beverage Vendors			
6. Bicycle Race			
7. Car Show			
8. Carnival Games			
9. Concert			
10. Dancing			
11. Dunk Tank			
12. Fencing			
13. Fireworks			
14. First Aid Area			
15. Floats			
16. Food Vendors			
17. Foot Race			
18. Inflatables			
19. Information Area			
20. Live Animals <small>(Number &amp; nature of animals, &amp; provisions for sanitation)</small>			
21. Live Performers			
22. Movie			
23. Parade <small>(See attached Community Event Notification form and notify Union Pacific Railroad if event is scheduled to cross or occur near Union Pacific Railroad property or track)</small>			
24. Prize Raffle or Drawing			
25. Retail Sales Booths <small>(How many?)</small>			
26. Sanitation Facilities			
27. Scaffolding			
28. Security <small>(Who's providing?)</small>			
29. Solicitation of Funds			
30. Television Coverage			
31. Trade Show			
32. Traffic Control (e.g. Barricades) <small>(How many &amp; where will they be placed?)</small>			
33. Vehicles			
34. Other <small>(Please Specify)</small>			

\* If you are planning to provide alcoholic beverages at your event, you will need to apply for and receive licensing from the State of California Department of Alcoholic Beverage Control (ABC), as well as provide the City of Madera with proof of liquor liability insurance with an endorsement naming the City of Madera, its officers, employees, volunteers or agents as additionally insured before we can issue your permit. For more information, please call the local ABC office at (559) 225-6334.

**CITY OF MADERA**

**APPLICATION FOR PERMIT TO CONDUCT SPECIAL EVENT**

**This is an application to encroach on the City's Right-of-Way only. If approved, applicant MUST abide by all City, County and State laws and regulations.**

Name of Individual or Organization: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
On Site Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Date of Event: \_\_\_\_\_

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

Nature of Event: \_\_\_\_\_

Location of Event: \_\_\_\_\_  
\_\_\_\_\_

Number of Participants: \_\_\_\_\_

Special Conditions: Yes/No (if yes, specify) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**HOLD HARMLESS AGREEMENT**

The undersigned, on behalf of the applicant group, agrees to indemnify, hold harmless, defend and reimburse the City, its officers, employees, volunteers and agents ("City indemnities") from any liability, damage, penalty, expense or loss of any nature, including but not limited to, liability for injury to or death of persons, or damage to property arising out of or in connection with the special event or approximately caused by the negligent or intentional act or omission of the applicant, or any person who is under the applicant's control, except for such loss or damage arising from the sole negligence or willful misconduct of the City. In the event the City indemnitees are made a party to any action, lawsuit, or other adversarial proceeding arising from or otherwise related to the special event or applicant group, whether the same be groundless or not, the applicant shall defend and indemnify the City, its officers, employees, volunteers or agents for any judgment rendered against it or any sums paid out in settlement or otherwise. The City shall choose its legal counsel in defending the City from any all liability, damage, penalty, expense or loss of any nature arising out of or in connection with the special event or approximately caused by the negligent or intentional act or omission of the applicant, any officer, employee or agent of the applicant, or any person who is under the applicant's control.

Applicant's Printed Name \_\_\_\_\_ Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

The person signing above on behalf of the entity certifies by his/her signature that he/she is duly authorized to sign this Agreement on behalf of the entity and that this Agreement has been authorized by the entity. The applicant further certifies under penalty of perjury under the laws of the State of California that the above information is a complete and accurate representation of the planned event.

**THIS AREA IS FOR OFFICIAL USE ONLY**

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ AMOUNT AND FORM OF PAYMENT: \_\_\_\_\_

APPROVED DENIED \_\_\_\_\_  
Remarks Josiah Arnold, Madera Police Department Date \_\_\_\_\_

APPROVED DENIED \_\_\_\_\_  
Remarks Keith Helmuth, City Engineer Date \_\_\_\_\_

Sign below to certify that the City of Madera is co-sponsoring this event as defined in Resolution 1-09 of the Board of Directors of the Central San Joaquin Valley Risk Management Authority Establishing a Transfer of Risk Policy for Organized Special Events.

Name (Print) \_\_\_\_\_ Signature \_\_\_\_\_ Department \_\_\_\_\_ Date \_\_\_\_\_

PERMIT NUMBER ISSUED:



# INSURANCE REQUIREMENTS

## Special Event in Public Right-of-Way

### Evidence of Coverage

The Applicant must provide a signed original evidence of coverage form for the dates of the Special Event protecting the legal liability of the City of Madera, its officers, officials, employees and volunteers from occurrences related to operations under the Special Event Permit.

### Insurance Certificate

The applicant must provide the City of Madera with a signed original certificate of insurance (the ACORD form is acceptable), lawfully transacted, which sets forth the following:

1. Coverages (the below are minimum standards; your specific event may require additional insurance to be determined by the City after submittal of application and event information):
  - a. General Liability: Commercial General Liability coverage, on an occurrence basis, at least as broad as the Insurance Services Office (ISO) form CG 00 01. A Host Liquor Law Liability endorsement is required for any event serving alcohol. The City of Madera reserves the right to set limits of liability based on the specific event request, but limits shall be not less than:
    - i. \$5,000,000 per occurrence for all events involving fireworks, racing, scaffolding, or an expected crowd exceeding 1,000 persons;
    - ii. \$2,000,000 per occurrence for all events involving street closure of a through-street or an expected crowd exceeding 500 persons;
    - iii. \$1,000,000 per occurrence for all other events.
  - b. Automobile Liability: Commercial Automobile Liability coverage, on a per accident basis, at least as broad as the current ISO form CA 00 01 for Any Auto with limits of not less than \$1,000,000 combined single limits per accident for events involving use of licensed vehicles during the event.
  - c. Worker's Compensation: Worker's Compensation coverage shall be maintained covering applicant's employees as required by law, if applicable.
  - d. Liquor Liability: Liquor Liability coverage with limits of not less than \$1,000,000 per occurrence shall be maintained for events involving the sale of alcoholic beverages.
2. Deductibles: All deductibles or self-insured retentions must be clearly identified and are subject to approval by the City of Madera. At the option of the City of Madera, either (a) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the entity, its officers, officials, employees and volunteers or (b) the Applicant shall provide a financial guarantee satisfactory to the City of Madera guaranteeing payment of losses and related investigations, claim administration or defense expenses.
3. Additional Insured Endorsement: An Additional Insured Endorsement must be provided that includes the following language: "That the City of Madera, its officers, employees, officials and volunteers are covered as insureds with respect to liability arising out of use of the City of Madera's right-of-way."
4. Dates: The dates of inception and expiration of the insurance. This must include all dates for set-up and tear-down as well as the event date(s).
5. Cancellation Notice: The policy shall be endorsed to state that coverage shall not be cancelled or modified without thirty (30) days prior written notice by certified mail to the City of Madera.
6. Certificate Holder: The City of Madera, Attn: Engineering Division, 205 W. 4<sup>th</sup> Street, Madera, CA 93637 shall be listed as the certificate holder.
7. Insurance Company: The company providing insurance coverage must be acceptable to the City of Madera with an AM Best's rating of at least A:VII.
8. Insured: The applicant listed on the application for a special event permit must be specifically listed as the Insured.
9. Description: The certificate must provide an adequate description of the event for which coverage is being provided.

# Insurance Requirements: Special Event in Public Right-of-Way (Cont.)

## General Provisions

Applicant's Insurance is Primary: The Applicant's insurance coverage shall be primary insurance as respects the City of Madera, its officers, officials, employees or volunteers. Any insurance or self-insurance maintained by the City of Madera, its officers, officials, employees or volunteers shall be excess of the applicant's insurance and shall not contribute with it.

Verification of Coverage: The Applicant shall furnish the City of Madera with original certificates and endorsements, including amendatory endorsements effecting coverage required by this document. All certificates and endorsements are to be received and approved by the entity before the event; however, failure to do so shall not operate as a waiver of these insurance requirements. The City of Madera reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

Limits in Excess of Minimum Required: If the Applicant maintains higher policy limits than required by the City of Madera, the City of Madera shall be entitled to coverage at the higher limits maintained by the Applicant.

# Community Event Notification



## Union Pacific Response Management Communication Center (RMCC): 1-888-877-7267



Union Pacific's highest priority is the safety of our employees and the communities we serve. For everyone's safety, Union Pacific strongly encourages event organizers to plan activities so they do not cross railroad tracks or approach railroad property. When a community event or activity is being planned, organizers should contact Union Pacific if those plans call for crossing the railroad's tracks or for activity to occur near the tracks.

Some of the more frequent types of activities include:

- High, wide or low clearance movements, such as house transport or traveling amusement park rides
- Unanticipated events, such as funeral processions or local government agency activities
- Cattle crossings

Only in rare circumstances will train traffic be stopped or rerouted for events that include:

- Sports, such as marathons and bicycle rides
- Motorcades, including car or motorcycle parades
- County or state fairs, carnivals and farmers markets
- Parades, celebrations, concerts, rallies, marches or other large gatherings

Organizers who plan/conduct events on or near railroad property without notifying Union Pacific could be putting participants at risk. Union Pacific Response Management Communication Center (RMCC) is available 24/7 at 1-888-877-7267