

City of Cupertino

Community Special Events in Memorial Park

PURPOSE

To establish policies governing special events held within Memorial Park, City of Cupertino.

DEFINITIONS

Special Events are events that take place within or contiguous to Memorial Park, City of Cupertino, and are likely to:

- Interfere with the normal flow of pedestrian or vehicular traffic
- Require special accommodations, regulation of, or waiver of the usual traffic laws or controls
- Generate a crowd of spectators sufficient in size to obstruct, delay, or interfere with the normal flow of pedestrian or vehicular traffic
- Generate a crowd of sufficient size to restrict access to parks, recreation areas, city facilities, or other public areas
- Result in the need for police regulation, monitoring, or control

POLICY

1. The City encourages special events and activities that benefit the community.
2. The City acknowledges that various groups and organizations plan special events in Cupertino.
3. The sponsor of the event must submit an application for exclusive use of Memorial Park to the Director of Parks and Recreation up to one year before the event and no later than six (6) months prior to the event date.
4. Special event applications shall be awarded only to local tax exempt or civic organizations that provide services to residents of Cupertino. An event producer

may be retained by the tax-exempt organization to coordinate an event; however, the tax-exempt organization will be considered the event applicant and will be responsible for all costs, permits, requirements, regulations, etc. A two-week period between events is preferred to allow turf an opportunity to recover from the impacts of events. A two-week period between events is required.

5. Due to the parking impacts of De Anza College's Flea Market, special events will not be allowed in Memorial Park the first Saturday of every month.
6. When reviewing the applications, the Director of Parks and Recreation, or designee, will approve or deny the request using the following general guidelines, and other factors specific to the event proposal:
 - Is the application complete, and was it filed on time?
 - Will the event provide cultural, social, recreational or educational activities for Cupertino residents? New events (not previously held in Memorial Park) will need to demonstrate that there will be a significant benefit to Cupertino residents before a permit is issued.
 - What benefits and impacts will the event create for businesses and residents in Cupertino?
 - Will the event conflict with other activities planned for Memorial Park, the Quinlan Center or the Senior Center on the same day? Priority will be given to events that have annually been held on the particular date(s).
 - Is there a two-week period in between special events (for the turf to recover from earlier events)? To the extent possible, three weeks should be allowed between events.
 - How will the event benefit charitable causes in Cupertino? For returning events, what do you give to charitable causes in Cupertino?
 - If this is a returning event to Memorial Park, did it
 - i. Comply with the Special Event Policies last year?
 - ii. Provide cultural, social, recreational or educational benefits to the community?

7. Applicants shall comply with all applicable laws, ordinances and regulations. Sound measured at the property line during an event must be within allowable limits stated in the City's noise ordinance.
8. Event Organization shall provide insurance against claims for injuries to persons or damages to property which may arise from or in connection with the event arising from work or activities performed by the Event Organization, its agents, representatives, employees or subcontractors. The minimum limits of insurance are \$1,000,000 general liability with "City of Cupertino, its City Council, boards and commissions, officers, employees and volunteers" listed as additional insured.
9. Upon the director's approval of the special event application, event organizers shall meet with City staff from Public Works and Parks and Recreation Departments to review special conditions for exclusive use of Memorial Park.
10. The Director of Parks and Recreation, or designee, may add special conditions for exclusive use.

SPECIAL CONDITIONS

1. Special event organizers must meet insurance requirements for public liability, automobile liability and workers compensation liability as outlined in the City's special event insurance packet. An applicant must provide evidence of tax-exempt status. The City of Cupertino Exclusive Use Permit Application must be approved by the Director of Parks and Recreation or designee.
2. Event set-up shall begin no earlier than 7:00 a.m. on Friday and all activity must cease no later than 12:00 p.m. on Monday. Vendors will be permitted to unload supplies and equipment from Stevens Creek Boulevard and Anton Way during Saturday and Sunday, 7:00 a.m. to 10:00 a.m. and 4:00 p.m. to 7:00 p.m. At all other times, Stevens Creek Boulevard and Anton Way are a NO STOPPING /NO PARKING ZONE.
3. Event volunteers will monitor the Quinlan Community Center front parking lot, Sports Center parking lot and both entrances to the Commons, Christensen Drive and Oaks Shopping Center during the event's hours of operation to prohibit event parking. The monitors are required to be adults (over the age of 18), and to have a cell phone to communicate with event organizers and Sheriffs' Department.

4. Tents will be secured using water barrels or concrete blocks. Absolutely no stakes will be driven into the ground. Inflatables will be the only exception to this policy and the location must be approved by the Parks & Recreation and the Public Works Department.
5. Day of event promotional signs may be displayed in the interior of Memorial Park. Signs may not be placed on the sidewalk or in the public right of way.
6. Event advertisement in Memorial Park may take place no earlier than two weeks before the event. Tying banners to park trees is not allowed.
7. Clearly marked debris, recycle, and compost containers are required in Memorial Park (must contact Recology). Organizers are responsible for ordering, paying for, and emptying trash receptacles in Memorial Park on event days.
8. An event layout must be submitted to the Parks and Recreation Department in writing fourteen (14) days prior to event.
9. Off-site parking plans must be submitted in writing thirty (30) days prior to event.
10. Golf carts may be used to transport supplies through Memorial Park. No other motorized vehicles (except wheelchairs) will be allowed. Golf carts must be driven by licensed drivers over the age of 18 years old.
11. Organizers are required to have Sheriff's Department Deputies to patrol the park during the event. The schedule for the Deputies will be approved by the Director of Parks and Recreation or designee. The deputies shall enforce city and park ordinances, and in particular, prevent vehicles from driving into the park. The Parks and Recreation Director, or designee, shall determine the number of officers needed to patrol the event.
12. Portable toilets and ADA portable toilets with hand washing facilities will be required.
13. Event organizers shall provide written notification thirty days in advance of the festival to adjacent neighbors on Christensen Drive and the Commons. Mailing labels will be provided. Event organizers are required to notify the Oaks Shopping Center management of expected event impacts.
14. Only water-soluble material for marking booth spaces may be used.

15. The maximum number of booths shall be approved by the Parks and Recreation Department representative. Organizers must obtain a Festival and Fair Permit from County of Santa Clara Department of Environmental Health and an Outdoor Fairs Permit from Santa Clara County Fire Department in advance of festival date. If alcohol is being sold, organizers must obtain a license from the Department of Alcoholic Beverage Control.
16. Festival organizers must provide, in advance of festival date, the “City of Cupertino Regulations for Festival Vendors in Memorial Park” to all festival vendors.
17. Festival organizers must abide by Fire Code requirements.

CRITERIA FOR CUPERTINO SUPPORT OF A SPECIAL EVENT

The City of Cupertino encourages special events and activities that benefit the community. The following criteria must be met for Cupertino support of a special event to be considered. The special event should:

- Provide cultural, social, recreational or educational activities for Cupertino residents.
- Demonstrate significant benefit to Cupertino residents.
- Benefit charitable causes in Cupertino and/or Cupertino businesses
- The City may request a copy of the event budget, volunteer hours, and list of sponsors
- Demonstrate compliance with the Cupertino Special Event Policy as well as applicable laws, ordinances and regulations (returning event only).
- Submit letters of support along with its permit application (new event only). Neighbors of the special event should be notified in advance of a City Council decision on the proposed new special event.

Approved by the City Council 8/15/05; 4/2/13; 7/2/14