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2 **ORDINANCE NO. ORD13- 02**
3 **AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS**
4 **CREATING CHAPTER 5.50 OF THE MONO COUNTY CODE**
5 **PERTAINING TO SPECIAL EVENTS**

6 **WHEREAS**, Events conducted by private persons or entities using public roads,
7 facilities and services provide benefits to residents and visitors of Mono County that are
8 not normally provided as part of local government services; and

9 **WHEREAS**, Mono County does not currently have a comprehensive process for
10 permitting and regulating such events; and

11 **WHEREAS**, A comprehensive process for such events will help ensure the
12 success of such events as it relates to the utilization of public resources involved in
13 permitting the event and protecting the general public.

14 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**
15 **MONO ORDAINS** as follows:

16 **SECTION 1:** Chapter 5.50 shall be added to the Mono County Code and read as
17 follows:

18 **"SPECIAL EVENTS**

19 **SECTION 5.50.010 Purpose**

20 The purpose of this chapter is to provide a comprehensive process for permitting
21 and regulating events conducted by private persons or entities using County
22 streets, facilities, services, or otherwise requiring County permission. It is
23 recognized that such events provide benefits to residents and visitors to Mono
24 County through the creation of unique venues for expression and entertainment
25 that are not normally provided as part of local government services.

26 This ordinance is intended to supplement land use regulations; provide a
27 coordinated process for the regulation of activities conducted in conjunction with
28 a special event or other public event; ensure the Health and Safety of the patrons
of a special event or other public event; prohibit unlawful activity from taking
place at a special event or other public event; protect the rights and interests
granted to a special event or other public event permit holder; protect the rights
and interests of the community where the special event or other public event is
held; provide reasonable cost recovery from commercial events; and to
encourage non-profit beneficial events.

SECTION 5.50.020 Definitions

- A. "Amplified Public Entertainment" means any type of performance or
speech where any sound, including the human voice, musical instrument,
or any other activity is amplified by means of mechanical or electrical
amplification using microphones, amplifiers, speakers, or other similar
equipment.

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- B. "Attendee" means any person who does or who is anticipated to attend a special event or a County Facility Event.
- C. "Board of Supervisors" means the Mono County Board of Supervisors.
- D. "County" means the County of Mono, a political subdivision of the State of California.
- E. "County Facility Event" means an event that is to be held on or within County property, including, but not limited to, County Community Centers, facilities, parks, ball fields, roads or rights of way, or any other county property.
- F. "Director" means the County Chief Administrative Officer or designee, and/or the Community Development Director when the event is to be held on a facility subject to a use permit to hold special events.
- G. "Health Department" means the County Department of Public Health.
- H. "Outdoor Festival" means any music festival, dance festival, open theatrical festival, "rock" festival, or similar musical or other performance activity held at a place other than in a permanent building or permanent installation that has been constructed for the purpose of conducting such activities, and to which members of the public are invited or admitted for a charge or free of cost.
- I. "Sheriff" means County Sheriff or his designee.
- J. "Special Event" means any organized activity, event, procession, or assemblage of persons for which there is not an outstanding use permit, which is held over a temporary or limited number of days. A Special Event is any event that anticipates seventy five (75) or more invitees or attendees, or an event anticipating any number of people when the event includes the sale of food and/or alcohol. Examples of special events include, but are not limited to, musical concerts and other amplified public entertainment events, parades, fairs, celebrations, marches, receptions, carnivals, festivals, rodeos, athletic events using public roads, rights-of ways, or facilities, community and/or long-term garage sales, flea markets, swap meets, and other similar activities.

SECTION 5.50.030 PERMIT REQUIRED

- A. A Special Event Permit shall be required as specified in this Chapter for every Special Event held in the unincorporated area of the County.
- B. A Special Event Permit may be issued no more than one hundred eighty (180) days prior to the first date of the event, unless the Director finds that circumstances and good cause require a permit to be issued prior to that time. An application for a Special Event Permit must be submitted to the Director, but may not be submitted less than thirty (30) days prior to the first date of the event, unless a shorter time is specifically authorized by the Board of Supervisors after finding that good cause exists and that all

1 necessary staff review and mitigation conditions can be identified and
2 provided for. The County will make its best effort to process the
3 application for a Special Event Permit within ten working days after
4 receiving the complete application.

5 SECTION 5.50.040 EXEMPT EVENTS

6 The following events are exempt from this Chapter:

- 7 A. Garage Sales. Garage Sales located at a private residence where items
8 from that residence are the sole items for sale.
- 9 1. Garage Sales conducted on any parcel for longer than seventy two
10 (72) hours at a time and/or more than twice per calendar year are
11 not exempt events within the meaning of this Section.
- 12 2. Community garage sales and/or garage sales organized by several
13 households, flea markets and swap meets are not exempt events
14 within the meaning of this Section.
- 15 B. Private Parties. Private parties, receptions, or gatherings located on a
16 private property and do not include the sale of food and/or alcohol.
- 17 C. Designated Facilities Events. Facilities that operate as locations for
18 parties, receptions, or gatherings that have been issued a current and valid
19 use permit are not required to obtain a Special Even Permit for any
20 specific event so long as that event falls within the parameters of the
21 current use permit. Any event held at a designated event facility where it
22 is anticipated to exceed the specific parameters of the current use permit
23 shall require a Special Event Permit.
- 24 D. Seasonal Sales Lot: Any lot or space used for the sale of seasonal products,
25 such as Christmas trees, pumpkins, or similar items that are regulated by
26 the Mono County General Plan.
- 27 E. Commercial filming and still photography permits are issued pursuant to
28 Chapter 5.42 of the County Code.
- 29 F. Funeral procession by licensed mortuary.
- 30 G. Activities conducted by a governmental agency within the scope of its
31 authority.
- 32 H. Expressive activity in, on or at any public place, property or facility, that is
33 not likely to interfere with the use of public ways, violate traffic
34 regulations, pose a threat to public safety, and does not interfere with the
35 County's regulating competing uses of such public areas. Due to the
36 substantial likelihood that the above described types of interference will
37 occur, this exception does not apply to a demonstration or protest that is
38 expected to involve more than seventy five (75) persons.

- 1 1. Organizers of demonstrations or protests involving more than 75
2 persons and/or likely interfere with the use of public ways, violate
3 traffic regulations, pose a threat to public safety, and/or likely to
4 interfere with the County's regulating of competing uses of the
5 public areas at issue shall notify the Sheriff and County
6 Administrator in writing at least twenty four (24) hours in advance
7 of such activity, and may be subject to reasonable restrictions as to
8 the time, place, and manner of such activities depending on the
9 specific type and level of interference at issue.

6 **SECTION 5.50.050 GENERAL REQUIREMENTS FOR SPECIAL EVENTS**

- 7 A. A Special Event shall not be allowed on or within a parcel or lot, shopping
8 center, professional center, business park, or any other location for more
9 than thirty (30) days in any calendar year.
- 10 B. Building permits shall be required when any new structure is built, an
11 existing structure is modified, or when new utility service connection is
12 made otherwise requiring a building permit.
- 13 C. Approval from the Health Department, including, but not limited to,
14 obtaining a Temporary Food Permit, shall be obtained in the form issued
15 by the Health Department for all temporary uses involving the
16 preparation or handling of food, and when determined by the Health
17 Department during the permit review process. All temporary food
18 vendors shall comply with temporary food stand requirements.
- 19 D. Parking shall be on-site whenever possible and adequate temporary
20 parking facilities, pedestrian and vehicle circulation, and vehicle and
21 pedestrian ingress and egress, shall be sufficient to handle the number of
22 anticipated attendees. Parking attendants may be required. Off-site
23 parking, satellite parking facilities, shuttle and other off-site
24 transportation, and a traffic control plan shall be required when necessary
25 as determined by the Director, and shall be subject to approval by the
26 Department of Public Works, Sheriff, and California Highway Patrol as
27 deemed necessary by the Director.
- 28 E. Pedestrian and display areas not located on a paved surface may be
 required by the Director to be covered with a temporary surface that may
 include, but is not limited to, green grass, artificial turf, or a minimum of
 two inches of sawdust, wood shavings, or other surface materials.
- F. Signs used within a Special Event, used to direct attendees to the Special
 Event, or to advertise the Special Event shall comply with the sign
 guidelines set forth in Chapter 7 of the Mono County General Plan, and
 shall be erected in approved specified locations not more than twenty (20)
 days prior to the event and shall be removed at the conclusion of the
 event. "Signs" for this purpose include flags, pennants, lighting, and any
 other device or method used to advertise or provide direction or
 information regarding the Special Event.
- G. Site restoration and clean-up: The subject site shall be restored to its
 original condition within three days from the date the event has

1 concluded, unless an extension of time has been granted in writing by the
2 Director. Site restoration includes, but is not limited to: removal of all
3 temporary structures; portable sanitary and water facilities; temporary
4 utility hook-ups; litter, garbage, waste and debris generated by the Special
5 Event; temporary parking barriers, equipment, and signs; and temporary
6 surface covering. Any temporary roadblocks, detours or road signage
7 shall be removed immediately upon the completion of the event.

1. The Director may require the posting of a security bond, cash
deposit, or other form of security in an amount that is sufficient to
cover any expenses likely to be incurred by the County in
performing the required site restoration in the event the site is not
completely restored to its pre-event condition as required above.

8 H. Operating hours shall be specified in the permit and may be set by the
9 Director in a manner specifying a time(s) that is necessary to facilitate the
10 event activities and purposes, and that does not interfere with the health,
11 safety, and general welfare of the surrounding community. Except as set
12 forth in subsection I below, Special Events must not operate between the
13 hours of 10 p.m. and 7 a.m..

14 I. Nuisance conditions shall be avoided or mitigated to an insignificant
15 amount pursuant to conditions required by the Director addressing the
16 prevention of dust, dirt, noise, vibration, odors, heat, smoke, waste, glare,
17 or direct illumination on adjoining parcels and/or parcels in close
18 proximity to the event. Notwithstanding any other provision of the Mono
19 County Code, the Board of Supervisors may, by resolution, grant an
20 exemption to authorize a Special Event, including those expected to
21 otherwise create nuisance conditions, to be conducted later than 10 p.m.
22 and/or earlier than 7 a.m..

23 J. Security and public safety measures shall be required that are appropriate
24 considering the nature and size of the Special Event. Security
25 requirements shall be determined by the Sheriff and may include
26 requiring on-site professional security approved by the Sheriff, or
27 specially assigned Sheriff personnel. Any event using state highways
28 shall comply with any security or safety requirements as may be
determined by the California Highway Patrol.

K. First aid and emergency safety measures shall be required that are
appropriate with the nature and size of the special event. Such
requirements may include the presence of trained medical professionals, a
staffed first-aid facility, and/or the standby presence of County
paramedics.

L. Fire safety measures shall be required that are appropriate with the nature
and size of the Special Event. Such requirements may include placement
of personnel and equipment from a fire protection district, water supplies,
placement of fire extinguishers, and/or creation of defensible space
around the special event site.

M. Water supplies for human consumption, sanitation facilities, and solid
waste receptacles shall be required that are appropriate with the nature

1 and size of potable domestic water and sanitation facilities shall be
2 approved by the Health Department. Any solid waste items that may be
recycled shall be disposed of in a manner that facilitates their recycling.

3 N. Pets, other than animals trained to assist the physically impaired, may be
4 prohibited from any Special Event depending on the nature of the Special
5 Event. Pets that may be allowed shall be leashed and subject to the direct
6 control of the pet's owner. Any pet waste must be immediately removed
and placed in appropriate receptacles. A pet shall be removed
immediately upon the request of the permit holder or designee, any
county employee, or any public safety personnel.

7 O. Notwithstanding any other provision of the Mono County Code, all
8 Special Event permit holders, and any vendors or others participating in
9 the Special Event, shall be exempted from the requirements of Chapter
10 5.16 of the Mono County Code (business license requirements), to the
11 extent they would only otherwise be required to obtain a business license
12 for their participation in the Special Event.

13 P. All vendors selling or distributing food or beverages shall be required to
14 have all necessary licenses, permits, or certificates, including, but not
15 limited to, any licenses required by the State Department of Alcoholic
16 Beverage Control. Any required licenses, permits, or certificates shall be
17 present and available for display and inspection at all times during the
18 course of the event.

19 Q. Setbacks shall be maintained to ensure adequate separation from
20 adjoining land uses, and to provide a safe environment for pedestrians
21 and vehicles, in a manner determined by the Director.

22 R. Cost of Special Events shall be the responsibility of the applicant/permit
23 holder, and may include costs associated with County services related to
24 the Special Event. An applicant may apply, in writing, to the Board of
25 Supervisors for co-sponsorship of a Special Event. An applicant for an
26 event conducted by a non-profit entity may apply to the Director for a fee
27 and/or cost waiver if the Special Event is to be conducted by the non-
28 profit entity, concerns a matter of community interest, or is of substantial
public interest and benefit, which request may be granted or denied by the
Director or referred to the Board of Supervisors for consideration.

S. Other conditions may be required by the Director depending on the
nature and size of the Special Event in order to protect the health, safety
and general welfare of the participants of the event and the surrounding
community.

T. Alcohol may be sold, distributed, and/or consumed at a Special Event
only upon the prior approval of the Director, after considering the nature
and size of the event, and subject to any regulation by the Department of
Alcohol Beverage and Control.

U. Any Special Event that may be held, or continues to operate, after dark
shall include sufficient lighting to ensure that all occupied areas are
continuously and adequately lighted to ensure the safety of the event

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participants. Any such lighting scheme is subject to the approval of the Director.

V. Issuance of a Special Event Permit does no obligate the County to provide any equipment, personnel, or other services."

SECTION TWO: This ordinance shall become effective 30 days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance in the manner prescribed by Government Code section 25124 no later than 15 days after the date of its adoption and final passage. If the Clerk fails to publish this ordinance within said 15 day-period, then the ordinance shall not take effect until 30 days after the date of publication.


PASSED, APPROVED and ADOPTED this 11th day of June, 2013, by the following vote, to wit:

AYES: Supervisors Alpers, Fesko, Hunt, Johnston, Stump
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Byng Hunt, Chair
Mono County Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

COUNTY COUNSEL