

Regulations for Paseo and Plazas**X.X.X****PART I - GENERAL PROVISIONS****SECTION 1-1. PURPOSE AND AUTHORITY.**

Chapter 13.14 of the San Jose Municipal Code sets forth the permitting requirements and procedures for the use of outdoor special events on or at City streets, paseos, plazas and parks. These regulations supplement the provisions of Chapter 13.14 and are issued by the Director pursuant to Chapter 13.14. Chapter 13.14 will be referred to as the "Special Event Ordinance" and these regulations will be referred to as the "Paseo/Plaza Regulations."

A copy of the Special Event Ordinance in its entirety is available on the City of San Jose website, www.sanjoseca.gov, and click on Municipal Code.

SECTION 1-2. ADMINISTRATION.

The Director of Economic Development of the City of San Jose, through the Director of Cultural Affairs (Director) or Director's designee, is charged with the responsibility of administering the Special Event Ordinance and Paseo/Plaza Regulations.

SECTION 1-3. APPLICATION PROCESS.

- A. Applicants for a Paseo/Plaza Use Permit (PUP) must complete the One Start Outdoor Special Event Permit Application ("Application") which is available online at www.sanjoseculture.org, click on Special Events. The requirements for the application are set forth in the Ordinance, Section 13.14.280 with detailed application requirements available online at www.sanjoseculture.org.
- B. Permits are issued on a first come, first served basis. Except as provided below, applications for use of a paseo/plaza may not be submitted more than a year in advance of the proposed date of use. An applicant who has held the same activity at the same paseo/plaza for three consecutive years with no violations of the permits issued for the permitted activity may submit an application for the use of the same paseo/plaza up to two years in advance.
- C. Applications for use of a paseo/plaza in conjunction with the use of a park or street for the same event may be submitted on the same One Start Outdoor Special Event Permit Application form. No separate application will be required. If the Office of Cultural Affairs authorizes use of one or more paseos/plazas in conjunction with other public venues for the same event, the issuance of the PUP will be incorporated in the Special Event Letter of Authorization to conduct the event.
- D. When the applicant has complied with all the requirements for issuance of the PUP Permit, the Director or Director's designee will issue the PUP Permit to the applicant upon applicant's payment of the PUP Permit Fee and any applicable cleaning/damage deposit for each paseo or plaza for which a PUP Permit is being requested. The PUP Permit may be incorporated into a Special

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- Event Letter of Authorization or it may be issued in a separate document. The PUP permittee is required to abide by the terms and conditions set forth in the Special Event Letter of Authorization for holding the paseo/plaza special event.
- E. The fee schedule for use of the paseos/plazas is set forth in **Attachment 1**. The fee schedule is subject to annual adjustment in the City Council's Fees and Charges Resolution.
- F. Should an activity be canceled, cancellation charges as established by the City Council's Fees and Charges Resolution will apply as set forth in **Attachment 1**.

SECTION 1-4. EVENT DEFINITIONS.

- A. A Limited Special Event is a special event on a plaza or paseo that involves placement of no more than four tables, 10 chairs and a battery-operated lectern. Damage deposits and insurance certificates are not required for limited special events, however execution of the Hold Harmless & Indemnification declaration listed within the Outdoor Special Event Application is required.
- B. A Simple Assembly is defined as an activity held on a single day with equipment set-up of no more than one table and two chairs; hand held sound systems, such as a bullhorn are allowed for amplification. Lecterns are not allowed for simple assembly activities. Simple assembly activities do not require an executed Hold Harmless & Indemnification declaration, an insurance certificate or a damage deposit. To *reserve* use of space on a paseo or plaza for a simple assembly, the limited special event permit fee will apply.
- C. A Special Event is an event or activity on a plaza or paseo that consists of any of the following:
 - 1. an organized assemblage of one hundred fifty (150) or more persons at a plaza or seventy-five (75) or more persons on a paseo which is to gather for a common purpose under the direction or control of a person;
 - 2. the placement or erection of equipment or temporary structures other than one portable table and two chairs, including but not limited to: a booth, tent, canopy, stage, barricade, fencing, generator, heating equipment, sound amplifier, vehicle or float;
 - 3. involves the use of live animals, fireworks, pyrotechnics, electrical power, cabling, or equipment or materials that create a substantial risk of damage to public or private property or injury to persons;
 - 4. cooking or sale, preparation for sale or commercial distribution of food or beverages; and
 - 5. the sale of commercial merchandise.

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- A. A minimum 8 foot wide, unobstructed access for pedestrian passage must be maintained at all times during the course of a paseo/plaza special event. The PUP permittee must place signage at the permit site during the course of the paseo/plaza special event which clearly designates the location of the pedestrian access. The required public access must be clearly designated on the site diagram submitted with the application.
- B. Public access to the properties and businesses adjacent to the paseo/plaza, including any access ramps, must be maintained at all times during the course of a paseo/plaza special event. The manner in which a PUP permittee sets up equipment and displays at the permit site must not block the window displays or signage of any adjacent property unless the PUP permittee has obtained the prior written consent of the owner or manager of the adjacent property.
- C. Due to the extended impact to businesses and pedestrian pathways, events permitted with a non-peak extended permit on Paseo One, Two, Three and Four will have additional restrictions. Please refer to Section 2-3 for additional restrictions.

SECTION 1-6. COOKING, FOOD SERVICE AND BEVERAGE SERVICE.

- A. PUP permittees may cook at the permit site. Limitations on the method, equipment and facilities for cooking food on Paseo One, Two, Three and Four may be required to ensure retail business operations are not adversely affected with cooking vapors or smoke.
- B. The method, equipment and facilities for cooking food must be approved by the San Jose Fire Department and must conform to the San Jose Fire Department Regulations set forth in the Special Event Guidelines, available at the Office of Cultural Affairs or online at www.sanjoseculture.org.
- C. PUP permittees may use food warming equipment for the purpose of maintaining foods and beverages at a warm temperature as approved by the San Jose Fire Department.
- D. As determined by the Director, protective covers may be required to be placed on the paseo/plaza surface underneath and extending 3 feet around any area where cooking or food and/or beverage service equipment is located. Acceptable covers are plywood or flame-retardant tarps. Protective covers other than these must be approved in advance by the Director. All protective covers must be of sufficient thickness and weight so that pedestrian passage is not impeded by the covering. The PUP permittee is responsible for securing the protective covers in a manner that does not impede pedestrian passage.
- E. Food and beverage service at a paseo/plaza special event must comply with the requirements established by the Santa Clara County Health Department.

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- A. The sale and service of alcohol at a paseo/plaza special event is limited to beer and wine.
- B. The sale and service of alcoholic beverages at a paseo/plaza special event must comply with the requirements of California Department of Alcoholic Beverage Control and the City's written policy on the Alcohol Distribution Requirements attached as **Attachment 2**.

SECTION 1-8. SIGNS AND DECORATIONS.

- A. PUP permittees may install temporary signs and banners at the permitted paseo/plaza site for the duration of the PUP. All temporary signs and banners must comply with the provisions of these regulations and any other requirements on the PUP.
- B. All A-frame signs must be designed and/or weighted as necessary to resist tip-over during windy conditions.
- C. Signs, banners and decorations may not be attached to trees, decorative architectural details, or public works of art. Signs, banners and decorations may not be affixed to any building adjacent to the paseo/plaza unless the PUP permittee has obtained the written consent of the owner or manager of the building.
- D. Signs, banners and decorations may be attached to light standards as long as the method of attachment does not damage the light standard or pose a hazard due to excessive wind load.
- F. The release of balloons in conjunction with a PUP is prohibited.

SECTION 1-9. PROTECTION OF SURFACES AND DRAINS.

- A. As determined by the Director, if the weight, material or design of equipment has the potential to damage the surface of a paseo or plaza, protective covering may be required to be placed under the equipment to prevent potential damage.
- B. As determined by the Director, if fluids generated by equipment, such as water, oil, antifreeze, gasoline, or any other liquid, are likely to leak from equipment onto the surface of a paseo or plaza and/or flow into storm drains or other drains, protective barriers and absorbing materials may be required to be placed to prevent potential leakage.

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Event Organizers conducting an event on public property (City-owned street, park, facility or site, etc.) with a daily attendance of at least 500 attendees or greater are required to collect recycling (plastics, metals, glass & cardboard) at their event and meet the product requirements (e.g. cups, plates, cutlery, etc) for food and beverage distribution and sales.

Event Organizers can contact the Environmental Services Department (ESD) a minimum of 30 days prior to an event to request recycling services from the City's Special Event recycling service provider at no cost, or can contract for collection services directly with a service provider at their cost. The Director of Environmental Services or his/her designee will establish the level of service provided for the event by ESD. For assistance, refer to the City's website at www.sjenvironment.org/events.

SECTION 1-11. CLEAN-UP AND REPAIR PROCEDURES.

- A. Within 24 hours of the conclusion of a paseo/plaza special event, the PUP permittee must remove all trash, litter, equipment and signage related to the paseo/plaza special event and restore the paseo/plaza to its condition prior to the paseo/plaza special event.
- B. The PUP permittee must meet with City staff and the entity responsible for maintenance of the permit site, if different from the City, to review the clean-up of the permit site and to determine if additional clean-up measures need to be taken and/or if repairs are needed. Permittee must complete the additional clean-up within 24 hours of the City staff's determination that it is necessary. Permittee shall be solely responsible for all costs associated with additional clean-up.
- C. If the surface of the paseo/plaza requires steam cleaning or another specific cleaning procedure because of stains resulting from the permittee's activities, the permittee must make arrangements for the most effective cleaning method with the City and the company responsible for maintenance of the paseo, if different than the City. Stain removal must be completed within 24 hours of determination. Permittee shall be solely responsible for all costs associated with stain removal.
- D. If any repairs to the permit site are needed due to damages resulting from the permittee's activities, the City or the entity responsible for maintenance, if different than the City, shall perform the repairs. Permittee shall be solely responsible for all costs associated with the repairs.

SECTION 1-12. INSURANCE REQUIREMENTS.

The applicant for a PUP that qualifies as a special event must provide a certificate of insurance naming the City of San Jose as an additional insured. The minimum insurance requirements are available and set forth in the Special Event Guidelines,

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available at the Office of Cultural Affairs or online at www.sanjoseculture.org, click on Special Events. Insurance certificates are due 14 days prior to the first event day.

SECTION 1-13. VEHICLE ACCESS.

- A. Unless otherwise allowed by these regulations, no vehicle shall be permitted onto a paseo/plaza in conjunction with a paseo/plaza special event.
- B. The Director may permit vehicle access onto a paseo/plaza in conjunction with a paseo/plaza special event if he/she determines that:
 - 1. The weight and size of each vehicle including its load will not cause damage to the paseo/plaza;
 - 2. The presence of the vehicle will not unduly interfere with pedestrian passage;
 - 3. The vehicle adheres to all Fire Department regulations and is operated by a licensed driver; and
 - 4. The vehicle is either necessary for public safety or public health reasons or the vehicle is for stationary display purposes.
- C. As determined by the Director, protective covers may be required to be placed on the paseo/plaza surface underneath vehicles that have been approved by the Director. Acceptable covers are plywood, heavy plastic, cardboard or carpeting. Protective covers other than these must be approved in advance by the Director. All protective covers must be of sufficient thickness and weight so that pedestrian passage is not impeded by the covering. The PUP permittee is responsible for securing the protective covers in a manner that does not impede pedestrian passage.

SECTION 1-14. AMPLIFIED SOUND.

- A. Unless otherwise stated in these regulations or specified in the PUP, the use of amplified sound is limited to the following time periods:
 - 1. Weekdays: Between the hours of 7 a.m. and 11 p.m.
 - 2. Holidays and Weekends: Between the hours of 9 a.m. and 11 p.m.
- B. Notwithstanding any other section of these regulations, during the period between the observed holidays of Thanksgiving Day and Martin Luther King, Jr. Day (Holiday Season), the permitted time period for amplified sound is extended as follows:
 - 1. Weekdays: Between the hours of 7 a.m. and 12 midnight.
 - 2. Holidays and Weekends: Between the hours of 9 a.m. and 12 midnight.

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All applicants for a PUP must submit a security plan for the proposed paseo/plaza special event for the approval of the San Jose Police Department. The approval by the San Jose Police Department will be based on the following issues: service of alcohol, traffic control requirements, the number of anticipated attendees, and the history of security issues at the same event in prior years. The plan submitted by the PUP applicant must list the number of security personnel, their location, duties, and hours of service and whether they are San Jose Police Officers or private security personnel.

SECTION 1-16. TIME PERIOD REQUIRED BETWEEN EVENTS.

- A. A minimum of 24 hours is required between each PUP, including set-up, event activity and teardown, to allow for clean-up and damage repair.
- B. Based on the nature and event period for an activity, the Office of Cultural Affairs may extend the number of days between activities to ensure clean-up and damage repairs are addressed.

SECTION 1-17. DISTRIBUTION OF FOOD ITEMS OR ARTICLES OF CLOTHING

Distribution of any food items or articles of clothing to the general public within a paseo or plaza is not allowed, except as part of a permitted special event and where the distribution of food and/or clothing is subordinate to the primary purpose of the event.

SECTION 1-18. CAMPING.

No PUP will be issued for the purpose of camping on a paseo/plaza. By way of example only, "camping" means the construction, placement or use of a temporary or permanent shelter in a paseo/plaza including, but not limited to, tents, huts, lodges, cabins, blankets, sleeping bags or bedrolls.

SECTION 1-19. CANCELLATION FEES.

Cancellation fees of an event activity on any and each paseo/plaza will be applied as specified in the Fees and Charges Resolution as set forth in Attachment 1.

PART II - SPECIFIC REGULATIONS**SECTION 2-1. APPLICATION OF SPECIFIC REGULATIONS.**

The regulations set forth in this Part II are intended to apply to specific plazas and paseos. Unless otherwise stated, these regulations are in addition to the regulations set forth in Part I.

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- A. The capacity of the Circle of Palms is limited to a maximum of 1,000 persons seated or 2,000 persons standing.
- B. The equipment set up of a paseo/plaza special event at the Circle of Palms must not allow any event equipment to come into contact with the California State Seal located in the center of the Circle of Palms area or the "Figure Holding the Sun," located in the surface of the Fairmont Plaza. A 5 foot clearance radius is recommended for all public art to prevent damaging the artwork.
- C. The equipment set up of a paseo/plaza special event at the Circle of Palms must not allow any event equipment to come into contact with any vegetation including planter boxes and trees.
- D. The equipment set-up of a paseo/plaza special event at the Circle of Palms must not obstruct access to any City-issued Café Permit areas. For the most current Café Permits issued for the Circle of Palms, contact the Office of Cultural Affairs.
- E. A diagram of the Circle of Palms is available at the Office of Cultural Affairs or online at www.sanjoseculture.org.

SECTION 2-3. PASEO DE SAN ANTONIO ONE, TWO, THREE AND FOUR.

- A. Because pedestrian access through the Paseos de San Antonio One, Two, Three and Four would be unduly limited by activities which impede pedestrian traffic flow, use of these paseos for paseo/plaza special events such as concerts, theatrical performances or other events likely to draw sufficient attendance that may impede pedestrian traffic flow and access to adjacent businesses are not permitted.
- B. Pedestrian access at Paseo de San Antonio One, Two, Three and Four is significantly limited due to the proximity of retail shops, restaurants, Café Permits, theater, etc. Equipment placement for use of these paseos for paseo/plaza special events must adhere to required access requirements for the businesses in the area.
- C. Non-Peak Extended Permits: Events permitted with a non-peak extended permit must adhere to the additional requirements to ensure business and pedestrian access is maintained for the term of the event that include:
 - 1. The minimum 8' foot wide required unobstructed access for pedestrian passage may be expanded to ensure access to businesses is maintained throughout the event period during the course of a paseo/plaza special event.

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2. Exhibits and displays allowed on Paseo One, Two, Three and Four are limited to a maximum 14 feet in height while allowing for permeable visibility to businesses throughout the event period during the course of a paseo/plaza special event
- D. The equipment set up for a paseo/plaza special event at the Paseos de San Antonio must not allow any event equipment to come into contact with the public art located in the area including: "Man of Fire" on Paseo de San Antonio One and "Jump Cuts" on Paseo de San Antonio Two. A 5' clearance radius is recommended for all public art to prevent to damage to the objects. Additionally, the bronze/terrazzo ribbons woven throughout the Paseo de San Antonio areas must be protected from damage including: a) placing equipment over the ribbons and not on the ribbons and b) not moving heavy equipment over the ribbons.
 - E. The set-up of a paseo/plaza special event at the Paseo de San Antonio One, Two, Three and Four must not obstruct access to any City-issued Café Permits. For the most current Café Permits issued for the Paseo de San Antonio area, contact the Office of Cultural Affairs.
 - F. Any permanent furniture such as benches, bike racks, trash cans and flower pots located on a paseo must be retained throughout the event. Removal of the benches are not allowed.
 - G. A diagram of the Paseo de San Antonio One, Two, Three and Four is available at the Office of Cultural Affairs or online at www.sanjoseculture.org click Special Events.

SECTION 2-4. FOUNTAIN ALLEY.

- A. Because pedestrian access through Fountain Alley would be unduly limited by activities which impede pedestrian traffic flow, use of Fountain Alley for paseo/plaza special events are limited to the display of exhibits and booths.
- B. A diagram of Fountain Alley is available at the Office of Cultural Affairs or online at www.sanjoseculture.org click Special Events.

SECTION 2-5. ALMADEN WALKWAY.

- A. To maintain access to the Convention Center Facilities, use of the Almaden Walkway for paseo/plaza special events may not block the driveway to the City National Auditorium courtyard and loading docks.
- B. A diagram of Almaden Walkway is available at the Office of Cultural Affairs or online at www.sanjoseculture.org click Special Events.

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- A. Because pedestrian access through Repertory Plaza would be unduly limited by activities which impede pedestrian traffic flow and for the protection of the public art in the area, the use of Repertory Plaza for special events and performances will be permitted with the provision that an 8' wide public passageway be clearly marked and maintained throughout the event, and that access to adjacent businesses is maintained.
- B. The equipment set up of a paseo/plaza special event at Repertory Plaza must not come into contact with the public art including "Convergence and Oionos." A 5 foot clearance radius is recommended for all public art to prevent to damage to the objects.
- C. A diagram of Repertory Plaza is available at the Office of Cultural Affairs or online at www.sanjoseculture.org click Special Events.

SECTION 2-7. PARQUE DE LOS POBLADORES (formerly Gore Park)

- A. The equipment set up of a paseo/plaza special event at Parque de los Pobladores must not allow any event equipment to come into contact with the public art including "Commemoration of the Founding of the Pueblo San Jose de Guadalupe" located at the southern tip of the area. A 5 foot clearance radius is recommended for all public art to prevent to damage to the objects.
- B. The equipment set up of for a paseo/plaza special event at Parque de los Pobladores must not allow any event equipment to come into contact with any vegetation including planter boxes and trees.
- D. The equipment set-up of a paseo/plaza special event at Parque de los Pobladores must not obstruct access to any City-issued Café Permits. For the most current Café Permits issued for the area, contact the Office of Cultural Affairs.
- E. A diagram of Parque de los Pobladores is available at the Office of Cultural Affairs or on line at www.sanjoseculture.org, click Special Events.

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ATTACHMENT 1

FEES & CHARGES

PASEO/PLAZA PERMIT FEES (excludes Parque de los Pobladores)

Use Short-Term Permit Fee-\$275

Permit fee is charged for each paseo/plaza permitted for an event not to exceed 28 days including set-up, event activity and teardown.

Paseo/Plaza Use "Non-Peak" Extended Permit Fee-\$275 plus 275 per each 28 day period (or portion thereof), after the first 28 day period. Available only during "non-peak" periods of October through February.

Paseo/Plaza Series Use Permit Fee-\$420

Permit fee is charged for a maximum of four events of the same description, set-up and time and in location, within a three month period

Paseo/Plaza Use Permit Amendment Fee-\$235

Limited Special Event or Reserved Simple Assembly-\$40 (pending)

PARQUE DE LOS POBLADORES PERMIT FEES

Event Permit Fee-\$60

Permit fee allows for use of the site for a one to three day period (on consecutive days) for the same event, including set-up, event activity, and teardown.

Series Permit Fee-\$100

Allows for a series of up to four events held within a three month period. Each event is for a one to three day period (on consecutive days), including set-up, event activity, and teardown. To be eligible, the series of events must take place in the same location, consist of essentially the same activities, is of similar size and involves the same set-up. Only one event in the series may occur in a single week.

Permit Amendment Fee-\$30

Limited Special Event or Reserved Simple Assembly-\$40 (pending)

FEES APPLICABLE TO ALL PASEOS/PLAZAS & PARQUE DE LOS POBLADORES

Refundable Cleaning and Damage deposit-\$1,500

Cancellation charge

- | | |
|--|-------------------|
| a) More than 30 days prior to activity | 25% of permit fee |
| b) Within 30 or fewer days | 50% of permit fee |

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Clean-up or damages charge-Amount of actual cost

Power Washing/ Stain removal (if necessary)-Amount of actual cost

Event day inspections-Amount of actual cost

The Fee Schedule is subject to annual adjustment in the City Council's Fees and Charges Resolution.

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The sale of alcohol at outdoor events in the City of San José will be by permit only. Applicants intending to sell or distribute alcoholic beverages (beer and wine only) at an event are required to:

- Denote the intent to sell or distribute alcoholic beverages on the One-Start Outdoor Special Event Application.
- Complete the San Jose Police Department One-Day Liquor Application located within the One-Start Outdoor Special Event Application at: http://www.sanjoseculture.org/cms_auth/
- If your event is in a park: obtain SPU permission to distribute alcohol (beer and wine only) in a park then obtain approval and authorization to serve alcoholic beverages from SEU (408) 277-4980. The SEU approval and authorization will be denoted on the One-Day Liquor Application.
- If your event is not in a park: make an appointment to obtain an authorization letter from SEU (408) 277-4980.
- Obtain a permit from the:

**STATE OF CALIFORNIA
ALCOHOLIC BEVERAGE CONTROL (ABC)
100 Paseo de San Antonio, Room 119
San José, CA 95113
Tel: (408) 277-1200**

The applicant must take the Approved One Day Liquor Application and the Special Temporary ABC License Conditions document issued by the San Jose Police Department to the State of California ABC Office. The Special Temporary ABC License Conditions will denote special conditions and requirements from the City of San Jose's SEU and VICE Unit.

- Submit Liquor Liability Insurance naming the City of San José, its officers, employees and agents must be provided.

APPLICANT RESPONSIBILITIES

The applicant that submits and signs the San Jose Police Department One-Day Liquor License, the Temporary Beer/Wine License Conditions from the State of California Department of Alcoholic Beverage Control and the San Jose Police Department Special Temporary ABC License Conditions must be the same applicant on each document.

The applicant listed on the above documents is the responsible person for maintaining controls to ensure the conditions for alcoholic beverages services are met throughout the event.

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The San Jose Police Department will require a minimum of one (1) person with LEAD, TIPS, TEAM, or any Responsible Beverage Service training to be present and responsible for the alcoholic beverage services per event booth during the entire time the booth is open. This person should have their certification card available for presentation, if requested, and is responsible for the training and supervision of all persons, selling, serving or pouring alcoholic beverages during the outdoor special event. As the Organizer of an outdoor special event, you and/or your organization are responsible for ensuring the training requirement is met for each individual server and providing written documentation that a server training was provided.

The San Jose Police Department reserves the right to expand or reduce this staffing requirement for any event.

To ensure your ability to obtain a minimum of one person with certified training within your organization per expected booth, please contact the Office of Cultural Affairs for a list of organizations that provide trainings throughout the year.

In addition to the above requirement to ensure only trained staff is serving alcohol during your event, additional typical standards to expect for alcohol service during an outdoor special event includes the following and may be specifically modified by the San Jose Police Department:

1. 1. Persons who serve or sell alcoholic beverages shall be 21 years of age.
Events will be required to visually identify persons who can legally purchase alcoholic beverages with an observable, distinctive hand stamp or a wristband.
2. All persons while working inside the alcohol booths may not consume alcohol in or around the booth until their shift is completed.
3. No person under the age of 21 years is served.
4. No person is served who appears to be intoxicated.
5. Alcoholic beverage servers are prohibited from consuming alcohol while working.
6. Prohibit booth participants from bringing in alcohol except for cooking purposes.
7. Alcohol is consumed only with designated areas and may not be carried out of the event area.
8. Alcohol is limited to beer and wine only. The following alcoholic beverages are not permitted to be sold during the event: Alcopops like Mike's Hard Lemonade, fortified wines, and agave-based wines.
9. No cans or bottles of alcohol are brought into the designated event area by attendees or the public. To enforce this rule, the Organizer must provide adequate licensed private security, as determined by the Police Department.
10. No more than two alcoholic beverages may be sold per customer, per sale.

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11. Alcohol is served in clear flexible (soft) number 1 plastic cups only. (Police staff may make an exemption to this policy in advance for unique circumstances such as wine tastings with a commemorative glass).
12. If alcohol is not being served, cans of soda may be distributed; glass may only be used under circumstances with catered event staff where organizer can quickly clean up any broken glass to prevent safety concerns.
13. Beer or wine will only be poured upon order and will not be stacked waiting for orders.
14. There will be at least one private security guard located at each booth serving alcoholic beverages.
15. No cans or bottles of alcohol are brought into the designated event area by attendees.
16. Hours of sale will be determined by the Police Department. In general the service of alcoholic beverages will cease no later than one-half hour prior to the event (or stage) closing time and all ticket sales will cease one hour prior to the event (or stage) closing time.
17. Commencement of alcohol service/sales shall not begin prior to start time of the event.
18. Police may close alcohol sales at any time if they determine that controls are not being adhered to or in the interest of public safety.
19. Upon demand of any peace officer, licensee shall immediately surrender the license and cease all sales of alcoholic beverages.
20. Supervision of the distribution, sales and operation of alcoholic beverage concession area(s) shall at all time be under the control of the licensed organization. No other person or entity shall have authority to sell, pour, or distribute alcoholic beverages.
21. All monies generated from the sale of alcoholic beverages derived from the exercise of the license shall be directed to the temporary licensee only.
22. A copy of the City of San Jose Special Temporary ABC License Conditions and the Department of Alcoholic Beverage Control License Conditions will be maintained and posted at every beer/wine booth during the event. (24046 B&P Code)
23. Applicant must follow all times and conditions of the Authorization Letter provided by the Office of Cultural Affairs.

Approved:



Department Director

9/20/14

Date



City Manager/Assistant City Manager

9/23/2014

Date