
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

**ORDINANCE AMENDING OAKLAND MUNICIPAL CODE CHAPTER
9.52 SPECIAL EVENT PERMITS TO ADD A LATE FEE FOR TIERS TWO,
THREE, AND FOUR SPECIAL EVENT APPLICATIONS**

WHEREAS, the City's Economic Workforce Development Department (EWDD) receives special event applications and coordinates interdepartmental review of the application on behalf of applicants; and

WHEREAS, special event applicants must submit a complete application to the City Administrator by designated timeframes set forth in Section 9.52.050 of the Oakland Municipal Code; and

WHEREAS, special event applications for Tiers Two, Three, and Four require additional involvement among department heads and additional staff to expedite approvals becomes necessary to ensure public health; and

WHEREAS, the proposed ordinance would authorize the City Administrator to add a Special Event Late Application Fee of Three Hundred Seventy-Seven Dollars (\$377), as proposed to be established and updated by the City's Master Fee Schedule for Fiscal Year 2025-2026, for Tiers Two, Three, and Four to applications submitted after the established deadlines set forth in Section 9.52.050; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Title 9, Chapter 9.52 of the Oakland Municipal Code is hereby amended to read as follows (additions are shown in underline; deletions are shown as ~~striketrough~~):

9.52.050 - Application procedure—Fee.

A. Application shall be made to the City Administrator in advance of the special event, and must execute a written agreement in which applicant agrees to pay the costs of such services, pursuant to Section 9.52.110.

B. Special event permit applicants shall submit their applications to the City Administrator by the following timeframes:

1. Tier One special event applicants must submit a complete application no later than twenty-one (21) days in advance of the event.

2. Tier Two special event applicants must submit a complete application no later than forty-five (45) days in advance of the event.

3. Tier Three special event applicants must submit a complete application no later than ninety (90) days in advance of the event.

4. Tier Four special event applicants must submit a complete application no later than one hundred twenty (120) days in advance of the event.

5. ~~City staff will attempt to process~~ Complete special event permit applications for Tier Two, Tier Three, and Tier Four submitted less than after the timelines proscribed in Subsections 9.52.050 A.1.2—4., ~~however, the City cannot guarantee these applications~~ will be assessed ~~processed in time to issue~~ a special event permit late application fee as established by the City's Master Fee Schedule.

6. Special event applicants may submit an application for one (1) or more repeat event(s) at the same time as their initial special event application by listing all special event dates within twelve (12) months on the special event permit application. The City may conditionally approve repeat special event(s) at the time of approving the initial special event, however, the City reserves the right to add permit conditions or rescind approval(s) for the repeat event(s) if an initial permitted event required extraordinary police services or resulted in a public safety incident.

C. Application forms submitted pursuant to Subsection A. of this Section shall be fully and truthfully completed by the applicant. Failure to fully and truthfully complete the application form shall be grounds for denial or revocation.

D. If admission fees or donations are to be collected and/or food, liquid refreshments or physical articles are to be sold at the event, the applicant must present proof of Federal and/or State tax exemption status or present a copy of a valid City of Oakland business license and tax certificate and a food handling permit if applicable before the permit may be issued.

E. If music, dance or any other form of entertainment activity requiring sound amplification equipment is to be provided or allowed at the event, the applicant must so state on the application form and must provide assurance that the City's noise ordinance will not be violated as a result of the activity.

F. Upon application, the applicant shall state the name and address of the facility, and identify the type of facility where the event will take place. Before the permit may be issued, the applicant shall be required to present a photocopy of a valid City of Oakland dance hall, cabaret, or other applicable permit or license which authorizes the use of the facility for this type of activity or event. Further, the applicant shall complete the portions of the application which require identification of any occupancy restrictions or other conditions for use imposed by the City on the designated facility.

G. Upon application, the applicant shall pay a fee as established by the City's Master Fee Schedule. For the next three (3) years following passage of this chapter, community events shall only pay half the required special event application fee and pay a reduced fire inspection fee of one hundred dollars (\$100.00) per hour unless the City Council has not included funding to subsidize these reduced rates in the budget. In order to qualify as a "community event," events need only satisfy Subsections 9.52.040 A. and B. for one (1) year following the passage of the chapter. Thereafter in order to qualify for a discounted fee, community events must satisfy all three (3) Subsections.

H. If food and beverages will be sold, the applicant must submit an Events Recycling Plan that details how the event will ensure food and beverages are served in reusables or approved single use disposables pursuant to Chapter 8.07, Chapter 8.28, and State law, including the large events recycling provisions of the Public Resources Code.

I. Special events that are held on public property, consist of two thousand (2,000) or more people, or charge an entrance fee shall also submit plans to manage excess edible food for donation. This shall include an agreement with a local food recovery organization or service to accept excess edible food after the event pursuant to Chapter 8.28, and determine how event discards will be sorted and collected between trash, recycling, and compost. The City shall require documentation of compliance as outlined in Section 9.52.060.

SECTION 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

NOTICE AND DIGEST

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE CHAPTER 9.52 SPECIAL EVENT PERMITS TO ADD A LATE FEE FOR TIERS TWO, THREE, AND FOUR SPECIAL EVENT APPLICATIONS

This Ordinance amends Oakland Municipal Code Chapter 9.52, the Special Events Permitting Ordinance, to add a Special Event Late Application Fee of Three Hundred Seventy-Seven Dollars (\$377), as proposed to be established and updated by the City's Master Fee Schedule for Fiscal Year 2025-2026, for Tiers Two, Three, and Four to applications submitted after the established deadlines set forth in Section 9.52.050 to encourage timely submittal of applications.