

APPROVED AS TO FORM AND LEGALITY

DRAFT

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

**ORDINANCE AMENDING THE CITY OF OAKLAND MASTER FEE
SCHEDULE (ADOPTED BY ORDINANCE NO. 13678 C.M.S., AS AMENDED) TO
MODIFY SPECIAL EVENT PERMIT FEES**

WHEREAS, in 1999 the City of Oakland enacted a special events ordinance, codified as Oakland Municipal Code (OMC) Chapter 9.52, to establish procedures for applying for extraordinary police services for special events in the City of Oakland; and

WHEREAS, in 2020 the City Council adopted Resolution No. 88236 CMS, which requested that the City Administrator (1) submit to the Council amendments to OMC Chapter 9.52, and other ordinances that establish criteria, processes, and regulations for approving and permitting special events, to move special events permitting functions from the Oakland Police Department to the City Administrator's Office; and (2) designate personnel, in alignment with civil service processes, who can handle street closures and related duties for parades, festivals and similar events; and

WHEREAS, following the passage of Resolution No. 88236 CMS an interdepartmental team of City staff reviewed past efforts to improve the City of Oakland's special events permitting process, conferred with the City of Oakland's Cultural Affairs Commission, and drafted amendments to the City's special event permit ordinance, OMC Chapter 9.52, and the City of Oakland's encroachment ordinance, OMC Chapter 12.08; and

WHEREAS, staff's proposed amendments establish a one-stop shop approach to special event permitting allowing special event applicants to submit one application and engage with representatives with multiple departments at once to ensure safe and successful events; and

WHEREAS, staff in the Economic and Workforce Development Department, Fire Department, Police Department and Department of Transportation analyzed the resource requirements to implement the new one-stop shop approach to special event permitting and incorporated those costs in the special event related fees proposed herein; and

WHEREAS, to the extent the fees proposed below do not fully recover the City's costs regulating special events, the General Purpose Fund shall fund the difference;

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

Section 1: Recitals. The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this ordinance.

Section 2. Findings. Based upon all written and oral reports and presentations to the City Council, including the Agenda Report accompanying this Ordinance, the City Council finds and determines that the proposed modifications to the Master Fee Schedule set forth herein are not more than necessary to reimburse the City for the costs of performing the various municipal functions.

Section 3: Master Fee Schedule. The Master Fee Schedule adopted by Ordinance No. 13678, as amended, is hereby amended to modify the Special Event Application and Short-Term Encroachment Permit Fees, authorized pursuant to Oakland Municipal Code Chapters 9.52 and 12.08, as set forth in *Exhibit A* attached hereto and incorporated herein by reference (new fees are indicated in underline text and deleted fees are indicated in ~~strikeout~~ text, fees not included in *Exhibit A* or not shown in underline or strikeout text are not changed).

Section 4: California Environmental Quality Act. This action is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (general rule for projects that have no direct or reasonably foreseeably indirect physical change to the environment).

SECTION 5. 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 6. 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 – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –
ABSENT –
ABSTENTION –

ATTEST: _____

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

Date of Attestation: _____

EXHIBIT A



City of Oakland
Master Fee Schedule
Effective July 1, 2022

SPECIAL EVENTS

Effective July 1, 2022		CURRENT FEE FY 2021-2022	PROPOSED FEE FY 2022-23		Justification for Fee Change
FEE DESCRIPTION	FEE UNIT	FEE	UNIT	%Change	
SPECIAL EVENT FEES (As allowed under OMC 9.52)					
1 Encroachment Permits	50.00				
2 Special Event	50.00				
a. Small Event (50 to 100 people)	50.00				
b. Medium Event (101 to 300 people)	135.00				
c. Large Event (301 or more people)	\$200				
d. Parade/Festival Permit	450.00				
Special Event Application Fees					New Fees Reflect New One-Stop Shop
Tier One (less than 300 people)			77.16		
Tier Two (300 or more)			395.85		
Tier Three (2,500 or more people/parade)			\$1,620		
Tier Four (marathons)			4,563.90		
Application Fee Discount for Community Events as defined by OMC 9.52.040			50 percent off otherwise required application fee		
Repeat Special Events as defined by OMC 9.52.040			25 percent reduced fee for each repeat event, up to a maximum of 75 percent reduced fee		
Events That Include Cannabis Vendors			546.89 for up to 15 vendors		
			88.22 for each additional 15 cannabis vendors		
INSPECTION CONDUCTED BY FPB INSPECTOR		441	P/H- 1 HR Min		
AFTER HOURS INSPECTION CONDUCTED BY FPB INSPECTOR		663	P/H- 2.5 HR Min		
Fire Inspection Rate for Community Events as defined by OMC 9.52.040		100	P/H		

NOTICE AND DIGEST

ORDINANCE AMENDING THE CITY OF OAKLAND MASTER FEE SCHEDULE (ADOPTED BY ORDINANCE NO. 13678 C.M.S., AS AMENDED) TO MODIFY SPECIAL EVENT PERMIT FEES

This Ordinance would amend the City's Special Event Application and inspection fees to reflect a new one-stop shop interdepartmental approach to special event permitting, a new tier-based approach that distinguishes events in four categories based on their complexity, introduces fees for events that include the sale of cannabis, and a reduced fire inspection fee for special events that support historically marginalized communities.