

Additions are underlined.  
Deletions are ~~struck through~~.  
Revision markers are noted in left or  
right margins as vertical lines.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS,  
STATE OF CALIFORNIA, AMENDING PORTIONS OF CHAPTER 10.24  
(SPECIAL EVENTS ON PUBLIC ROADWAYS) OF  
THE NAPA COUNTY CODE**

**WHEREAS**, Chapter 10.24 of the Napa County Code establishes the requirements for conducting special events on public roadways under the jurisdiction of Napa County; and

**WHEREAS**, on February 9, 2016, the Board of Supervisors adopted Ordinance No. 1411, making various revisions to Chapter 10.24; and

**WHEREAS**, following the first year of implementation of the revised provisions of Chapter 10.24, it is desired to make additional changes to improve customer service and increase the clarity of the new regulations;

The Napa County Board of Supervisors, State of California, ordains as follows:

**SECTION 1.** Section 10.24.010 (Definitions) of Chapter 10.24 (Special Events on Public Roadways) of the Napa County Code is amended to read in full as follows:

**10.24.010 Definitions.**

For purposes of this chapter, the following words and phrases shall be defined as set forth in this section, unless it shall be apparent from the context that a different meaning is intended.

“Aggrieved person” means any person who objects to the actions of the director in processing an application for a special event permit, whether such action constitutes the granting of a permit, the denial of a permit, or the imposition of conditions thereon. “Aggrieved person” is not limited to the applicant ~~himself or herself~~.

“Arterial roadway” means any roadway designated Rural Throughway on the Circulation Map of the Napa County General Plan.

“Director” means the director of public works of the county.

“Filming activity” means the use of any facilities owned by the county, including

buildings, land and highways, for the purpose of motion picture filming.

“Highway” means the entire width of the right-of-way of any street, highway, road, thoroughfare or alley under the jurisdiction of the county.

“Maximum participant load” means the total number of participants associated with all event(s) at a particular location.

“Relay events” means events in which multiple participants act as a team, whereby one participant hands off active status to another.

“Special event” means an organized procession or assemblage of more than fifty people on a highway ~~which~~ that would significantly affect traffic or create a safety problem. Examples of special events include, but are not limited to, walkathons, runs, marathons, trail rides, bicycle events and races, fairs, celebrations, parades, and other similar activities. ~~Bicycle events for which there are expected to be more than fifty participants, but for which participants are required to comply with the California Vehicle Code as it applies to persons riding a bicycle upon a highway, are subject only to Sections 10.24.050 and 10.24.060 of this chapter. Organizers of such bicycle events shall notify the director in writing at least thirty days before the event.~~

“Special event monitor” means a person who has completed a traffic-control program approved by the California Highway Patrol in accordance with the provisions of Section 21100 of the California Vehicle Code.

“Special events permit” means a permit issued pursuant to this chapter.

**SECTION 2.** Section 10.24.040 (Permit - Application - Fee) of Chapter 10.24 (Special Events on Public Roadways) of the Napa County Code is amended to read in full as follows:

**10.24.040 Permit - Application - Fee.**

A. Any person desiring to conduct a special event shall file with the director a reservation request ~~to reserve a date up to one year in advance of the requested date. This request shall include~~ including the preferred date(s) requested, a map depicting the course of the event, and the expected number of participants. Requests may first be filed during the first seven days of the calendar month being requested in the year preceding the preferred date (e.g. a request for a May 26 event can first be requested May 1 through May 7 of the preceding year). If at the end of this seven-day period, there are more requests than can be approved consistent with the provisions of this chapter for a given date or location, priority shall be given based on the number of years the event has been conducted on a similar date in the past (for example, the second Saturday in May). Following this initial seven-day period, dates shall be assigned consistent with the provisions of this chapter on a first-come, first-served basis.

~~B. A deposit equal to one-half of the base fee established by resolution of the board of supervisors shall be submitted to the director no less than six months in advance of the event date.~~

B.C. Notwithstanding any other provision of the county code or policies, a waiver of the fee for special events shall not be approved by the director unless (1) the applicant is a local 501c(3) organization or has designated a local 501c(3) partner; and (2) a minimum of twenty-five percent of net revenues are designated for said local organization or local partner. The deposit required in subsection (F) below shall not be waived.

C.D. A complete application for a special event permit, including full payment of the base fee or approval of any request for waiver of the fee, shall be submitted to the director ~~not~~

~~less than~~ no later than ninety calendar days before the event, nor ~~more than twelve months in advance of the proposed special event~~ earlier than the first day that a request for a reservation can be filed pursuant to subdivision A of this section. Upon a showing of good cause, late applications may be accepted if filed sufficiently in advance of the date of the proposed special event to enable the director to thoroughly consider and investigate the application, ~~but no special events permit shall issue upon such late applications unless~~ and the local commander of the California Highway Patrol informs the director ~~in writing that the shortened time period will not prevent said agency from~~ there is sufficient time to entering into ~~any~~ all traffic control contracts ~~determined by that agency to be~~ deemed necessary by that agency.

~~E. Applications for permits pursuant to this chapter shall be accompanied by that fee established by resolution of the board of supervisors.~~

DF. Applications for permits pursuant to this chapter shall also be accompanied by a deposit established by resolution of the board, to ensure cleanup of the event course of litter, debris or damage associated with the conduct of the event. Said deposit shall be used to perform cleanup or repair if the course is not left in satisfactory condition, as determined by the director. Balance of said deposit shall be refunded to applicant within thirty days of the completion of the event.

### **SECTION 3.** Section 10.24.070 (Permit - Application – Review by director) of Chapter

10.24 (Special Events on Public Roadways) of the Napa County Code is amended to read in full as follows:

#### **10.24.070 Permit – Application – Review by director.**

Before issuing a special event permit, the director shall confer with the California Highway Patrol and such other governmental agencies or county departments as the director deems appropriate to fully review the application. The director shall issue a written permit as provided for in this chapter when, from a consideration of the application and from such other information as may otherwise be obtained, the director finds that:

A. The special event will not substantially interrupt the safe movement of other traffic or agricultural equipment and/or products, and is not reasonably likely to cause injury to persons or property on or adjacent to the route of the special event; and

B. The concentration of persons, animals and vehicles will not unduly interfere with proper fire and police protection of, or ambulance service to, areas where the special event will take place, or contiguous thereto, or the movement of any emergency equipment en route to an emergency; and

C. No other special event has been previously approved for the same time and place, or so close in time and place as to cause undue traffic congestion, or cause safety personnel to be unable to meet the safety and security needs of both special events; and

D. The special event is not to be held solely to advertise the goods or services of a particular business establishment or vendor; and

E. The special event has met all medical equipment, standby, and transportation requirements, and has paid all fees as established by guidelines and policies of the Napa County Emergency Medical Services Agency. The requirements may include first-aid stations, physician support, ambulance transportation, and access to emergency medical supplies and equipment.

Emergency medical requirements will be based on the size, location, and duration of the event. Medical response plans must be approved by the Emergency Medical Services Agency prior to issuance of a special event permit; and

F. There will be a maximum of two events per month at any location on an arterial roadway; and

G. There will be a maximum of one event per weekend at any location on an arterial roadway.

H. Notwithstanding the provisions of subsections (F) and (G) above, one additional event may be permitted on a given date if the combined maximum participant load of all special events occurring on that date at any location does not exceed three thousand.

I. Relay events are not permitted on State Route 29 or on Silverado Trail north of Trancas Street.

J. The special event or applicant for said special event has not, within the last five years, been in violation of a particular requirement of a permit for two special events in a row. This finding shall not prohibit the director from denying a permit as a result of any singular violation of a permit if the director, based on that violation, is unable to make any other finding required by this section.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

**SECTION 5.** This ordinance shall be effective thirty (30) days from and after the date of its passage.

**SECTION 6.** A summary of this ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Napa

County Board of Supervisors, State of California, held on the \_\_\_\_ day of \_\_\_\_\_, 2017, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the \_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

AYES:	SUPERVISORS	_____
		_____
NOES:	SUPERVISORS	_____
ABSTAIN:	SUPERVISORS	_____
ABSENT:	SUPERVISORS	_____

NAPA COUNTY, a political subdivision of the State of California

\_\_\_\_\_  
ALFREDO PEDROZA, Chair of the Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: _____ Deputy County Counsel</p> <p>By: _____ County Code Services</p> <p>Date: <u>February 28, 2017</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>Deputy Clerk of the Board</p>	<p>ATTEST: GLADYS I. COIL Clerk of the Board of Supervisors</p> <p>By: _____</p>
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I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON \_\_\_\_\_.

\_\_\_\_\_, DEPUTY  
GLADYS I. COIL, CLERK OF THE BOARD