

Rules and Regulations

I. INDOOR AND OUTDOOR EVENTS

These rules and regulations supplement Council Policy 7-2 and provisions in Chapter 13.23 of the San Jose Municipal Code and are issued by the City Manager pursuant to the Policy and Chapter 13.23.

DEFINITIONS

Admission Fees: Fees charged for entry or admission to an event, including the monetary value of complimentary tickets. The value of complimentary tickets is determined by the City, and is based upon the ticket price for tickets sold for the event (Fee Resolution 72749).

Aggressive Solicitation: The act of soliciting, asking or begging by using the spoken, written, or printed word, or bodily gestures, signs or other means with the purpose of obtaining an immediate donation of money or other thing of value, in a manner intended to cause or reasonably likely to cause fear of bodily harm or intimidation; intentionally touching in the course of soliciting; intentionally blocking or interfering with passage; using violent or threatening gestures; persisting in closely following after being informed that the person does not want to donate; or using profane, offensive, or abusive language likely to provoke an immediate violent reaction.

Bamboo Courtyard: The courtyard area located on the Southern edge of the Facility bounded by the Council Wing to the west, Tower to the east and curved face of the battered wall to the north (Fee Resolution 72749).

Business Hours: Business hours are defined as 8:00 a.m. through 5:00 p.m. on any Monday through Friday that the City Hall is open to the public to conduct normal City business functions (Fee Resolution 72749).

Catering Pantry: Council Wing room W-148 intended for the support of food service for Meetings and Indoor and Outdoor Events at City Hall (Fee Resolution 72749).

City Hall Plaza or Plaza: The exterior public open areas located adjacent to the San José City Hall located at 200 E. Santa Clara Street, San José, CA., which area is bounded by Santa Clara Street on the north, Fourth Street on the west, Sixth Street on the east, and on the south, starting from Fourth Street going eastward along the southernmost wall of the City Hall and continuing to the cement wall marking the southern property line of the City Hall Property. The City Hall Plaza is owned and controlled by the City and includes the adjacent sidewalks (Fee Resolution 72749).

City Hall Plaza Event: An outdoor public gathering, celebration or other event on any portion of City Hall Plaza which is further described in Section 13.23.260 of the Municipal Code as either a City Hall Outdoor Event or a Limited Outdoor Event in Section 13.23.270 (Fee Resolution 72749).

City Manager: The City Manager, or such other person designated by the City Manager to fulfill the responsibilities identified as City Manager's responsibilities hereunder (Fee Resolution 72749).

Commercial Activities: The sale or exchange of goods or services for profit or for other business considerations (Fee Resolution 72749).

Committee Room(s): Rooms W-118, W-119, and W-120 of the Council Wing of City Hall (Fee Resolution 72749).

Council Chambers: Council Room W-166 of the Council Wing of City Hall (Fee Resolution 72749).

Community Groups and Neighborhood Associations: Neighborhood Associations, Neighborhood Advisory Committees and Project Area Committees (PAC) that are partners in the Strong Neighborhoods Initiative of the City of San José, citizens groups, and community organizations doing business with the City (Fee Resolution 72749).

Director: The Director of Public Works, or such other person designated by the City Manager to administer the duties of Director (Fee Resolution 72749).

Expressive Display Areas: Space for a person or limited number of persons to stand and communicate their views to those entering or exiting City Hall (SJMC 13.23.330).

Facility: The entire area (including interior restrooms, parking, hallways, and exterior areas) bounded by Fourth Street and East Santa Clara Street, Sixth Street and the southern property line of the City Hall campus (Fee Resolution 72749).

Facility Use Agreement: The written and executed agreement between the User and the City of San José for use of indoor space for events at City Hall (City Council Policy 7-2).

Facility Use Rules and Regulations: The formal set of rules and regulations issued and published by the City Manager necessary for the management of public use of the City Hall Facility (SJMC 13.23.310, SJMC 13.23.340, City Council Policy 7-2).

Government Agencies: Federal, state, and local government agencies other than the City of San José (Fee Resolution 72749, City Council Policy 7-2).

Rules and Regulations

Gross Admission Receipts: The total admission fee revenue including taxes (Fee Resolution 72749).

Holiday: Those days so designated by the City Council on which City employees are entitled to paid holiday leave (Fee Resolution 72749, City Council Policy 7-2).

Indoor Event: Any banquet, dinner, show, entertainment, amusement, dance, exhibition, lecture, concert, auction, performance or other similar activity held in a Committee Room, the Council Chambers or the Rotunda whose requirements exceed that of a meeting (Fee Resolution 72749, City Council Policy 7-2).

Integral Government Function: Is defined as 1) a duty which the City is required by law to perform; 2) an activity reasonably necessary to conduct the City's business, such as employment relations and public employee related services; 3) public educational activities engaged in traditionally by the City and information related to the functions and activities of City Departments, and information regarding facilities or programs operated by the City or funded by the City; 4) Official Proclamations of the City, as approved by the City Council, such as "Month of the Child," and; 5) information regarding Sister Cities of the City (City Council Policy 7-2).

Lobbies and Walkways: The interior portions of City Hall which are open to the public, including but not limited to the areas inside the doors to City Hall, areas next to City Hall elevators, sitting areas in open and public areas of the City Hall, and the public walkways, balconies and hallways in City Hall (City Council Policy 7-2).

Limited Outdoor Event: Is defined in SJMC Chapter 13.23, and means a City Hall Plaza Event if all of the following apply:

1. No food or beverages are cooked, prepared or served;
2. No sale or distribution of food, beverages or other commercial merchandise occurs, whether for compensation or free of charge;
3. At least one (1) but no more than five (5) booths or tables (or a combination thereof) are used;
4. Up to but no more than 19 chairs are used;
5. No stage, barricades or other temporary structures are used or placed on the Plaza;
6. No vehicles are driven or placed on any area of the Plaza;
7. No other equipment is used other than a hand carried microphone/loudspeaker, and;
8. The event is open to the public at no charge, and lasts for no longer than one day.

Meeting: Groups gathered to conduct organizational or program meetings, discussion groups, panels, conferences, seminars, study groups, planning sessions, training programs, and related activities and to discuss items of mutual interest or engage in professional development through learning activities that involve no more than the use of tables, chairs, a podium, audio visual equipment, and light refreshments (Fee Resolution 72749, City Council Policy 7-2).

Multiple-Day Outdoor Event: A City Hall Outdoor Event held over two or more consecutive days (Fee Resolution 72749).

Nonprofit Groups: Nonprofit (tax-exempt) organizations with proof of Federal or State tax-exempt status or proof of organized structure - by-laws or articles of incorporation (Fee Resolution 72749).

Official City Business: The official business of the City (Fee Resolution 72749, City Council Policy 7-2).

Outdoor Event: Is defined in SJMC Chapter 13.23, and means a City Hall Plaza Event which involves any of the following:

1. Cooking, preparation, serving, sale or distribution of food, or beverages;
2. Sale or distribution of commercial merchandise,
3. Erection of a stage, barricades, or generators;
4. Use of six (6) or more tables or booths (or a combination thereof), 20 or more chairs, the placement or use of other equipment or temporary structures on the Plaza;
5. Driving or placing vehicles on the Plaza, or
6. Public Access to the event is limited such as by invitation or by requiring payment as a condition to entry.

Rotunda: The main atrium space (Room W-101) of City Hall (Fee Resolution 72749, City Council Policy 7-2).

Rotunda Mezzanine: The second floor of the Rotunda (Rooms R-202, R-203 and R-204) of City Hall (Fee Resolution 72749, City Council Policy 7-2).

Simple Assembly: An assembly of persons on an unreserved area of the Plaza, if the assembly does not include equipment, temporary structures, sales or distribution of commercial merchandise, food or beverages, or any of the other characteristics of a City Hall Plaza Event as described in Chapter 13.23 of the Municipal Code, with the exception of a hand carried microphone/loudspeaker and further provided that the assembly remains within the capacity limits of the applicable area of the Plaza.

Rules and Regulations

ELIGIBILITY

1. Event spaces may be used by groups for any banquet, dinner, show, entertainment, amusement, dance, exhibition, lecture, concert, auction, performance or other similar activity whose requirements exceed that of a meeting.
2. The City Manager reserves the right to refuse use of a room for any activity that is deemed in violation of federal, state or local laws, codes or ordinances, or for past failure to comply with any of the stated rules and regulations.
3. Applications must be submitted by an adult, 18 years or older.
4. Each Facility Use Agreement or Plaza Permit issued by the City for an event shall be for a defined length of time. Facility Use Agreements and Plaza permits shall be valid for no more than five (5) consecutive days including time to load and set up and take down any permitted event related items on the Plaza (unless otherwise approved by the Director of Public Works) and shall be subject to the payment of all applicable fees for each day of the permit.
5. No City Hall Facility Use Agreement or Plaza Permit shall be issued to any person or organization who has been issued two (2) use agreements or Permits during the course of the one month period immediately preceding the proposed date for the City Hall Event (unless otherwise approved by the Director of Public Works). For purposes of this provision, the one month period will be calculated on a calendar month basis.
6. No more than four (4) City Hall Plaza Outdoor Events during which food is served or sold may be held at the City Hall Plaza during the course of any one month period (unless otherwise approved by the Director of Public Works). For purposes of this provision, the one month period will be calculated on a calendar month basis. For example, four City Hall Plaza Outdoor Events during which food is sold or served may be held at the same permit site during the month of August, four in September, etc.

PRIORITY

1. Official City Business, programs and activities shall have priority use of all City Hall Facilities. Reservations are made based on availability and with the understanding that the City of San José reserves the right to cancel with a full refund, or make changes to facility agreements.
2. Except as below, all reservations shall be processed on a first come, first served basis.
3. Use of the Committee Rooms and the Council Chambers for meetings will take precedence over their use for Indoor Events.
- 4.
5. Use of the Rotunda's main floor shall take precedence over use of the Rotunda Mezzanine, unless the events reasonably allow multiple occupancy of the Rotunda.
6. Use of the catering pantry in support of indoor events in the Rotunda will take precedence over all other uses.

RESERVATION PROCEDURES

1. Reservations for indoor events and outdoor events can be made up to one year in advance and must be made no later than 30 days prior to an event. Recurring regular events cannot be scheduled out more than 90 days in advance.
2. Limited Outdoor Events can be made up to one year in advance and no later than two business days prior to the event
3. Recurring regular events cannot be scheduled out more than 90 days in advance.
4. Event guidelines and application will be available at the City of San José Event Services Office.
5. Applications must be submitted to:

City Hall Event Services Manager
City of San José
Public Works
200 East Santa Clara Street, 116a
San José, CA 95113
Fax 1-408-924-0650

6. Reservations must include a completed application, and any applicable fees or deposits due at the time of application.

Rules and Regulations

7. The application shall contain the following information and any additional information that the Director of Public Works may reasonably require:
 - a) A narrative description of the proposed activity, including the name of the proposed activity, if any, expected attendance, a description of any proposed food, beverage or alcohol service, the schedule of events to be included in the activity, and a clean-up plan, and if required by the regulations, a security plan.
 - b) A detailed drawing depicting the layout of the proposed activity, including the number and location of any booths, cooking equipment, tables, tents, canopies, stages, fencing, waste receptacles, signage, portable toilets, generators, any other event equipment proposed to be placed on the facility; exit routes; and the flow of event participants into and out of events on the Plaza.
 - c) The date or dates and the specific times that use of the City Hall Plaza is requested, including set-up and breakdown.
 - d) The name, address, e-mail address and telephone number of the applicant and the person to be contacted regarding the application.
 - e) The types of City services, if any that are requested by the applicant.
8. A Facility Use Application will not be deemed complete until the applicant submits the following items in addition to the completed form:
 - a) The Use Fee and cleaning and damage deposit as prescribed by the Schedule of Fees established by Council Resolution # 72749.
 - b) A copy of IRS determination of non-profit-status (if applicable).
9. Upon submission of a completed application, tentative Reservations for Indoor Events will be held for a maximum of two weeks. A written request shall be submitted to extend the tentative reservations for another two weeks. The tentative reservation is subject to cancellation if the tentative reservation is not extended within the two week period. Tentative reservation extensions may be granted at the City's discretion, until the date is confirmed or the date is challenged as outlined below.
10. An organization may challenge a tentative reservation date held by another party for an indoor event by submitting a completed City Hall Use Application and submitting a deposit of 50% of the estimated Facility Use Fees. The organization with the Tentative Reservation will be notified of the challenge and will have two business days to submit a completed application and a non-refundable deposit of 50% of the estimated Facility Use Fees.
11. Tentative Reservations for Outdoor and Limited Outdoor Events can be made up to 90 days in advance of an event and will be held until full payment of fees are received according to the following:
 - a) Tentative reservations made up to 90 days but more than 60 days prior to an event will be held for a maximum of two weeks;
 - b) Tentative reservations made up to 60 days but more than 30 days prior to an event will be held for a maximum of one week;
 - c) Tentative reservations made 30 or less prior to an event will be held for two business days.
12. An organization may challenge a tentative reservation date held for an Outdoor or Limited Outdoor Event by submitting a completed City Hall Use Application and submitting the applicable Permit Fees in full. The organization with the Tentative Reservation will be notified of the challenge and will have two business days to submit a completed application and applicable Permit Fees in full.
13. Use of City Hall facilities are subject to the execution of a Facility Use Agreement or issuance of a Plaza Use Permit. The Facility Use Agreement and/or Plaza Permit will be considered fully executed after having been reviewed and signed by the applicant and the City.
14. Events may not be announced and tickets may not be sold prior to the full execution of the Facility Use Agreement or Plaza Permit is issued.
15. The Director of Public Works, or designee, will issue use agreements for indoor meeting event spaces and use permits for outdoor events on the Plaza.
16. An individual or an organization may challenge the City's denial or revocation of a Plaza permit as set forth in the procedures provided in Exhibit 3D. All decisions regarding use of Indoor facilities are deemed final and may not be appealed.

Rules and Regulations

17. The Director of Public Works shall grant or deny an application for a Plaza permit at City Hall within the following time frames:
 - a) No later than five (5) business days of the Director's receipt of a complete application for a City Hall Limited Outdoor Event.
 - b) No later than twenty (20) business days of the Director's receipt of a complete application for a City Hall Outdoor Event.

CONDITIONS OF USE

Hours of Use

1. City Hall facilities are available for reservation Mondays - Sundays between the hours of 8:00 a.m. and 10:00 p.m. with the exception of the East Plaza which may *NOT* be reserved during normal business hours. Use of the facilities prior to 8:00 a.m. and after 10:00 p.m. is subject to approval by the Director of Public Works. Reserved hours must be consecutive.
2. Set-up for weekend and evening events on the Plaza or in the Rotunda may NOT begin until 4:00 pm on a Monday through Friday, unless prior approval is granted by the Director of Public Works.
3. All set-up and clean-up must be accomplished within the reserved time.

Control of the Facility

1. The Facility, including keys thereto, shall be at all times under control of the Director of Public Works who shall have the right to enter the Facility, and all portions thereof, at all times during the period covered by this Agreement. The entrances and exits of the Facility shall be locked and unlocked by the Director at such times as may be required for Client's use of the Facility.

Event Representation

1. The City will provide an Event Manager who shall be present at the facility during the entire event.
2. Users shall designate an Event Representative who shall be present at the facility during the event.
3. The event shall be under the direction and responsibility of the User's Event Representative at all times.

Minors

1. Groups composed of persons under the age of twenty-one (21) must be supervised by adults over the age of twenty-one (21).
2. Two persons over the age of twenty-one must be present at all times for every twenty-five (25) persons under the age of twenty-one (21).

Code Compliance

1. Users of the Facilities are required to comply with the requirements of all applicable county, state and federal codes (including health, fire and life safety), laws, regulations, as well as the ordinances and regulations of the City of San José. Users that fail to comply with the above are subject to cancellation of the event.
2. Users will be required to provide evidence that they have obtained the appropriate permits (e.g. fire, health, alcoholic beverage, tow zone, street closures) for their events.
3. Food and beverage service at events must comply with the requirements established by the Santa Clara County, Department of Environmental Health.
4. Users shall observe the established room capacities and any decreases in the room capacity caused by the nature of the event or configuration of the space, as determined by Public Works staff, San José Police Department and/or the San José Fire Department personnel.
5. Smoking is not permitted in any City Hall facility. Smoking is permitted in the outdoor areas of the Plaza 20 feet away from entrances and exits of buildings.

Rules and Regulations

Public Access to City Hall

1. During regular business hours the primary purpose of City Hall is to provide for the legislative and administrative operations and programs of the City for the community.
2. Event related material, equipment or set-ups must not block City Hall displays or signage.
3. Users are responsible for maintaining unobstructed access to entrances, exits, and doorways and maintaining pedestrian pathways through the facility at all time.
4. Outdoor Event Users shall be responsible for maintaining a minimum 8 foot wide, unobstructed access for pedestrian passage across the Plaza at all times during the course of an Outdoor Event, providing pedestrian passage to and from each door to the City Hall, through and along each passageway on the Plaza, and from each sidewalk. The Director of Public Works may establish additional guidelines detailing the pedestrian pathways through the City Hall Plaza.
5. Outdoor Event Users must provide signage at the event site during the course of the event which clearly designates the location of the pedestrian access. The required public access must be clearly designated on the Event Diagram submitted with the User's application.
6. Access to or use of event spaces requires the prior arrangement with the City Hall Event Manager.

Clean-up and Damage

1. Groups or individuals will be responsible for clean-up of the facilities used and removal of all trash, litter, equipment and signage placed for the event.
2. Beginning immediately after an event, the User must remove all trash, litter, equipment and signage placed by the user and must repair any damage to City Hall caused by the user's activities.
3. All trash generated by the event must be removed from the facility after the event.
4. To facilitate proper disposal of recyclable, bins may be provided by the City.
5. Upon completion of the event, Users shall meet with City Staff to review the clean-up of the facility and to determine if additional clean-up measures need to be taken or any repairs are needed. Client agrees to pay costs of repair or replacement for any and all damages to the Facility and other property of City, caused by Client's officers, agents, employees, contractors (including independent contractors), exhibitors, registrants or other persons attending the Event with the express or implied permission or invitation of Client. Such responsibility shall not cover damage caused by the negligence or willful misconduct of City, its officers, agents, contractors or employees. Any final repair costs shall be determined by the Director of Public Works in his or her sole discretion, subject to the approval of the City Manager. In addition, the City shall select and approve the contractors that will conduct any repair work at the City Hall, in City's sole discretion. All repair costs approved by the Director and City Manager will be billed to Client and shall be paid by Client within 10 calendar days of receipt of such invoice.
6. If the surface of the Plaza requires steam cleaning because of stains resulting from the User's activities, the User must make arrangements for steam cleaning with Public Works. The User shall be solely responsible for all costs associated with the steam cleaning.
7. In no case shall Users be permitted to physically alter the facilities without the written approval of Public Works. Nothing shall be attached in any way to the walls, doors, floors, ceiling, or fixtures of City Hall without the written approval of Public Works.
8. Users are required to provide appropriate protection of floor and wall surfaces to prevent damage related to event use of the facility.
9. Users are required to use caution to protect all art installations.
10. If any repairs are needed for damages resulting from the User's activities, the City or the entity responsible for maintenance, as appropriate, shall perform the repairs. The User shall be solely responsible for all costs associated with the repairs.
11. The City agrees to repair or replace, as the case may be, any defects or damage to the Facility that are identified in the walk through by Client and City and agreed to by City as likely to interfere with Client's use and occupancy of the Facility.

Rules and Regulations

Insurance

1. In general, insurance will not be required for meetings that do not involve food or the sale of merchandise. However, the City has the right to require insurance based upon the level of activity of an event and potential for damage.
2. All indoor and outdoor events at City Hall are required to have liability insurance coverage.
3. Risk management, or a designee, will review proposed event activities and determine insurance requirements.
4. Users shall obtain and maintain for the duration of the event insurance as required by the City.
5. The cost of the insurance shall be the responsibility of the user.
6. The City's standard insurance requirements apply. Prior to commencing any event activity on public property, Users shall obtain and maintain for the duration of the event (including setup and dismantling times) insurance against claims for injuries to persons or damages to property which may arise from or in connection with the event and related work performed by the User, his agents, representatives, employees or subcontractors; products and completed operations of the User; premises owned, leased or used by the User; or automobiles owned, leased, hired or borrowed by the User. The cost of such insurance shall be the responsibility of the User. The City maintains the right to require higher limits based on the activities of an event. Full insurance requirements are available at City of San Jose Event Services office.

Loading, Unloading and Deliveries

1. The scheduling of deliveries must be approved in advance by the City Hall Facilities Management. The schedule must note the carrier, items and point of delivery.
2. Specific areas will be designated for loading and unloading to support events at City Hall.
3. Alternative locations for loading and unloading for events may be coordinated with City Hall Facilities Management.
4. Unless approved of in advance, a representative of the User must be present at time of delivery. In no case shall the City be responsible for delivered items.
5. Users are responsible for arranging appropriate personnel or equipment for unloading, loading and transportation of deliveries.
6. Users are responsible for maintaining sufficient clearance in passageways and shall maintain exiting requirements.

Vehicle Access

1. No vehicle shall be permitted onto the Plaza in conjunction with a City Hall Event, except as authorized by the Director of Public Works.
2. The Director may permit vehicle access onto the City Hall Plaza in conjunction with a City Hall Event if
 - a) The weight and size of the vehicle(s) including its load will not cause damage to the Plaza or sidewalk, and;
 - b) The presence of the vehicle(s) will not unduly interfere with pedestrian passage, or;
 - c) The vehicle(s) is (are) necessary for public safety or public health reasons.

Security

1. All applicants for a City Hall Plaza Permit for an Outdoor Event must submit a security plan for the approval of the San José Police Department. The plan must list the proposed number of security personnel, their location, duties, hours of service and whether they are San José Police officers or private security personnel.
2. Security may also be required for large scale events in the Rotunda or combined use of the Rotunda and Plaza.
3. The San José Police Department shall consult with the Event Manager and Event Users on the Police Department's security requirements for indoor and outdoor events.
4. Users may be required to maintain a list of working personnel. Working personnel may be required to sign-in at times when City Hall is not generally open to the public.
5. After City Hall has been closed to the public, Users are restricted to the event space(s) and the designated corridors used to leave the building.

Rules and Regulations

Open Flame

1. Use or storage of propane, butane or liquid fuel is prohibited inside City Hall.
2. Users must present appropriate permits prior to use of heating sources (e.g. electric, Sterno® or other open flame). Users are responsible for providing one fire extinguisher at each location where a heating source will be used.
3. Users may use food warming equipment for the purpose of maintaining foods and beverages at a warm temperature if approved by the San José Fire Department.
4. Cooking is not permitted within interior spaces of City Hall.
5. Cooking may be permitted in designated areas of the Plaza, provided that cooking is identified in the permit application and subject to the approval of the City.
6. The location, method, equipment and facilities for cooking food must be approved by the San José Fire Department and the Director of Public Works and must conform to the San José Fire Department Regulations. Users must present an appropriate Santa Clara County, Department of Environmental Health permits prior to cooking on the Plaza.

Food and Beverage Sales

1. A temporary food facility permit is required to sell food or drinks to the public. Permits are issued by the County of Santa Clara, Department of Environmental Health.
2. Users must obtain and present an appropriate Santa Clara County Department of Environmental Health permit prior to selling food or drinks to the public.

Catering

1. The catering pantry may be reserved in conjunction with an event reservation.
2. A facility use security deposit is required for use of the catering pantry. Upon inspection of the City and approval of the condition of the pantry, the deposit will be refunded, minus any additional clean-up costs. The deposit will be fully refunded if the catering pantry is left clean, appliances and equipment are undamaged, and the pantry is vacated at the scheduled time.
3. The City does not guarantee the availability or the condition of the equipment provided in the catering pantry.
4. With the exception of light refreshments that include non-alcoholic beverages, a licensed caterer must provide all prepared food. Caterers must be certified as a food service establishment or caterer with the Santa Clara County Health Department and must have a current Santa Clara County Department of Environmental Health Permit.
5. All caterers must be pre-approved by Public Works for service at City Hall. To obtain pre-approval, caterers must provide a copy of their business license, proof of insurance, tour City Hall event space, and review the catering pantry guidelines with a City Hall Event Manager.

Alcoholic Beverages

1. The service or sale of alcoholic beverages related to an event requires prior City approval. All events at City Hall involving alcohol require authorization from the Police Department.
2. Alcoholic beverage service is limited to beer and wine in outdoor areas of City Hall with the exception of events in the Rotunda that extend into a boundary area outside the Rotunda whereby distilled spirits may be served.
3. The sale or service of alcoholic beverages shall be in compliance with all applicable laws, including regulations of the State of California, Department of Alcoholic Beverage Control. Users are required to obtain all appropriate licenses, permits and insurance related to the distribution or consumption of alcoholic beverages.
4. Only a licensed caterer or event planner may provide the service of alcohol. Authorization from the San José Police Department, proof of Liquor Liability Insurance and an appropriate permit from the State of California, Department of Alcoholic Beverage Control is required.
5. Users selling or serving alcohol outdoors on the Plaza must comply with the City's rules and regulations on alcohol use at indoor and outdoor events at City Hall.

Rules and Regulations

Amplified Sound

1. Noise generated by a person using the City Hall Plaza, including without limitation, amplified sound, shall not be in a manner to create a disturbance of the peace, as described in San José Municipal Code Section 10.16.010 and Section 10.16.020. In determining whether a disturbance of the peace has occurred, the San José Police Department may take into account the nearby residences and offices (including offices in City Hall).
2. Use of amplified sound for events is subject to the approval of the Director of Public Works. Use of amplified sound in the outdoor areas of City Hall must be limited to the following time periods:
3. Weekdays: Between 9 a.m. and 10 p.m.
4. Holidays and weekends: amplified sound must not commence before 10 a.m. and must end no later than 10 p.m.
5. In instances where there is a conflict between restrictions imposed by the San José Police Department in issuing an amplified sound permit and these regulations, the San José Police Department restrictions will prevail.
6. If any of the doors or openings to the plaza remain open past 10:00 p.m. All amplified sound in the Rotunda must cease by 10:00 p.m.,
7. Other functions may be scheduled in different portions of the Facility, at the same time. Amplified sound used in connection with events shall not disrupt or interfere with other events or persons using the Facility. Furthermore, Users shall immediately comply with Director's request to reduce the noise generated by their event.

Signage and Banners

1. Nothing may be taped, nailed, tacked or otherwise affixed to ceilings, painted surfaces, columns, fabric and decorative walls, or fire sprinklers. All decorative materials must be flameproof in accordance with fire regulations.
2. Users may not paint, draw, attach or install signs or banners on the Plaza or City Hall, with the exception that Users may temporarily affix (in a manner approved by the Director) no more than twelve (12) directional signs (no larger than 2' by 2'), containing words and symbols reasonably necessary to provide information to pedestrians of the public ingress and egress pathways, or to provide information to pedestrians regarding the location of the Event.
3. All A-frame signs must be designed and/or weighted as necessary to resist tip-over under windy conditions.
4. Signs, banners and decorations may not be attached to trees, decorative architectural details, or public works of art.
5. Signs, banners and decorations may not be affixed to any building adjacent to City Hall unless the User has obtained the written consent of the owner or manager of the building. All such signs must comply with all laws, rules and regulations, including without limitation, the City's Sign Ordinance set forth in Title 23 of the San José Municipal Code.
6. All other signs and decorations of Outdoor Events shall be placed only upon Users equipment, booths, stage or other similar items comprising a permitted portion of the Outdoor Special Event.

Parking

1. The City does not provide parking for events. Parking is not permitted along Santa Clara, Fourth and Sixth Streets adjacent to the City Hall facility without prior permitting from the San José Police Department.
2. Paid Parking is available in the underground parking facility at City Hall from 7:00 a.m. until 11:00 p.m. Monday through Friday. Pre-paid parking arrangements can be made with the Department of Transportation.

Animals

1. Client may not bring or allow any animals to be brought into the Facility, without the prior written consent of Director, except trained service animals, may enter the Facility without the Director's prior consent. If any animal is brought into the Facility in connection with the Event, Client shall ensure that the animal is adequately controlled and supervised and that all other appropriate safety measures are in place to protect persons in and out of the Facility. Furthermore, Client shall ensure that any animal brought to the Facility is treated in a humane manner and in compliance with all laws regarding transportation and handling of animals and Client shall obtain any additional insurance coverage required by City's Risk Manager prior to allowing an animal to enter the Facility.

Rules and Regulations

Filming

1. Persons who wish to engage in commercial filming or photographing at the City Hall Facility and require special access to or use of specialized equipment at the Facility in a manner which restricts or blocks access to the City Hall Facility by the public or which otherwise disrupts Users of the City Hall Facility must (1) obtain the permission of the Director, and (2) pay a fee to the City as established by the Director.
2. With the approval of the Director, the fee may be paid with an in kind promotional trade provided the City receives, at a minimum, the value of the fee.

ADDITIONAL REGULATIONS FOR OUTDOOR PLAZA EVENTS

In order to preserve City Hall for the purpose which it was designed and to serve and to promote public health and safety, the following regulations are adopted:

1. Activities on the City Hall Plaza cannot be inconsistent with the preservation of access to and from City Hall nor with the health and safety of the persons using City Hall and its grounds.
2. Unless closed by order of the City Manager or Director of Public Works, the City Hall Plaza is generally open to the public on weekdays from sunrise and shall close no later than:
 - a) 11 pm, or
 - b) ½ hour after the end of any public meetings conducted by the City in City Hall, or
 - c) ½ hour after the end of any permitted event on the Plaza, in the Rotunda event or in the Committee Room, as identified in the permit approval.
3. No person shall remain on the City Hall Plaza after closing unless authorized by permit, or by the City Manager or the Director of Public Works.
4. The Director of Public Works or the City Manager, may enact additional administrative guidelines which are related to the use of the Plaza but without regard to content or message of the Users of City Hall, which may include without limitation, maximum load capacities for elevators and other areas of the City Hall and Plaza, designated loading and unloading zones, maintenance schedules, opening and closing times for City Hall and similar operational items.
5. No person may move any of the City's tables or chairs on the Plaza nor any other equipment placed on the Plaza by the City without prior authorization from the Director of Public Works.
6. No person shall leave any item on the Plaza overnight, unless it is necessary to leave the item overnight in conjunction with a multi-day Plaza Outdoor Event, and subject to the prior approval of the Director of Public Works. The City shall not be responsible for any loss, damage, or vandalism to any item placed or left on the Plaza.
7. The City's Director of Public Works may establish the boundaries of areas which would be covered by an Outdoor Event Permit or a Limited Event Permit.
8. Use of tents or marquees on the City Hall Plaza are subject to approval by the Director of Public Works and requires a Plaza Outdoor Event permit. Users are responsible for obtaining fire and health permits as necessary.
9. No City Hall Plaza Permit will be issued for the purpose of camping on City Hall Plaza. By way of example only, "camping" means the construction, placement or use of temporary or permanent shelter on the Plaza, including but not limited to, tents, huts, lodges, cabins, blankets, sleeping bags or bedrolls.
10. No skates, skateboards, bicycles, or similar devices may be used on the City Hall Plaza.
11. No soccer, basketball, Frisbee® or similar recreational or sporting activity may occur on the Plaza without the permission of the Director of Public Works.
12. No bathing (including sponge baths) washing clothes, dishes or cooking equipment may occur in conjunction with the water feature.
13. It shall be unlawful for a person to engage in Aggressive Solicitation on the Plaza. Aggressive Solicitation is defined on page 1.

Rules and Regulations

II. COMMITTEE MEETING ROOMS (W-118, W-119, W-120) AND COUNCIL CHAMBERS

These rules and regulations supplement Council Policy 7-2 and provisions in Chapter 13.23 of the San Jose Municipal Code and are issued by the City Manager pursuant to the Policy and Chapter 13.23.

ELIGIBILITY

1. Meeting rooms may be used by groups gathered to conduct organizational or program meetings, discussion groups, panels, conferences, seminars, study groups, planning sessions, and to discuss items of mutual interest or engage in professional development through learning activities.
2. The City reserves the right to refuse use of a room for any activity that is deemed in violation of federal, state or local laws, codes or ordinances or for demonstrated past failure of the User to comply with any of the stated rules and regulations.
3. Groups or individuals that have reserved meeting rooms in advance are subject to cancellation or changes to room assignments in the event rooms are needed for official City business. In such an event, every effort will be made to locate another meeting room for a displaced group and to notify User of a cancellation or room change at the earliest possible date.

RESERVATION PROCEDURES

1. All room reservations require submission of a meeting reservation request form and use agreement. Forms can be obtained by calling emailing event.services@sanjoseca.gov and must be submitted to Event Services. Applicants must be 18 years of age or older.
2. The applicant will be notified within ten (10) days from the date of the application as to the approval or denial of the application.
3. Room reservations may be made up to 6 months in advance.
4. Use of the Facility for multiple meetings may be granted to the public for a period not to exceed three consecutive months, additional reservations can be made after the end of the three-month period.
5. Reservations must be made no later than 30 days prior to the meeting.
6. Cancellations must be made no less than 24 business hours prior to the meeting or a cancellation fee of \$80 will be charged to your VIS Code.

FEES AND DEPOSITS

1. Groups or individuals may use the Committee Rooms at no charge during the week (Mondays-Fridays, 8am-10pm), on an as-available basis. During the weekends (Saturdays and Sundays) and on Holidays, *all* uses other than for Official City Business, will incur a fee.
2. Where fees apply, the minimum charge is the fee equivalent to two hours use for meetings held Monday through Friday and the fee equivalent of four hours use for meetings held on weekends and Holidays.
3. Uses, other than for Official City Business, will incur a fee and other applicable charges for City services for use of the Council Chambers due to the complexity of the equipment and the audio visual system.
4. All groups claiming non-profit status are required to include a copy of their IRS determination with their application.
5. Any group making a reservation may be charged a cleaning and damage deposit within 24 hours of making the reservation request. Upon inspection by the City and approval of the condition of the room, the deposit will be refunded minus any additional clean-up costs. The City Manager may reduce or suspend collection of the deposit if the group has a history of using the meeting rooms and has consistently left the areas in good condition.
6. Where fees apply, full payment of the use fee must be made at the time of the request. If denied, all payments will be refunded. Reservations are not confirmed until full payment is made. A receipt for payment is the confirmation of booking.
7. A use fee is required for use of the catering pantry. Upon inspection by the City and approval of the condition of the pantry, the deposit associated with the reservation will be refunded, minus any additional clean-up costs. The deposit will be fully refunded if the catering pantry is left clean, appliances and equipment are undamaged, and the pantry is vacated at the scheduled time.

Rules and Regulations

CONDITIONS OF USE

1. Groups or individuals may use meeting rooms for the hours approved. All set-up and clean-up must be accomplished within the reserved time.
2. Light refreshments may be served during meetings with the exception of the Council Chambers. The group using the room must provide supplies and equipment for serving refreshments. The room must be cleaned and cleared of all items brought in before vacating.
3. The Council Chambers may only be used by public Users under the supervision of City personnel.
4. Each Committee Room has a standard furniture configuration. The furniture may be rearranged, but must be returned to its original position.
5. Requests for additional City services and equipment must be made 5 business days in advance of the meeting.
6. After City Hall has been closed to the public, groups or individuals using meeting rooms are restricted to the meeting room and the designated corridors used to leave the building.
7. A/V equipment may be available from the City's portable pool under staff supervision. Equipment may only be reserved and operated by City personnel.
8. Pay public parking is provided on-site in the underground parking garage until 11:00 pm during the weekday evenings and is closed during the weekend.
9. Meeting room capacities must be observed at all times.

PROHIBITIONS

1. Use of City meeting rooms must not interfere with the conduct of City business or be unduly disruptive to others present in the building.
2. Meeting rooms are not available for commercial activities unless otherwise authorized by appropriate permit, license, or agreement with the City.
3. Smoking or burning of items (incense, candles, etc.) is prohibited.
4. No signs, posters, displays, or decorations may be put up without permission of the Public Works Director. Use of nails, screws, tape, staples, etc. on walls is prohibited.
5. Alcohol is not permitted in public meeting rooms unless authorized by appropriate permit.
6. All food and beverages consumed by the public are prohibited in the Council Chambers with the exception of water.
7. Permission to use a meeting room is not transferable from one individual or organization to another. The person signing the application will be held responsible for proper use of the room.
8. Failure to comply with any of the stated rules and regulations will result in the immediate cancellation of the reservation, and may lead to suspension of meeting room privileges.
9. Any activity in the meeting room that is deemed in violation of federal, state, or local laws, codes, or ordinances is prohibited.

LIABILITY

1. All groups or individuals using meeting rooms must agree to indemnify, defend, and save harmless the City of San José, its Boards, its Commissions and their respective officers, agents, and employees from and against any and all claims, losses, injuries, suits or judgments arising from, or in connection with my/our meeting.
2. All groups or individuals may be required to obtain and maintain insurance, for use of the Council Chambers, against claims for injuries to persons or damage to property that may arise in connection with the event.
3. Groups or individuals are responsible for the cost of repairing damage to equipment, furniture, or the building caused by people in attendance at their meeting.