

1 B. Each of the major commercial events noted in paragraph A. above shall continue
2 their assigned locations, and the Contemporary Hispanic Market shall be allocated the space
3 along Lincoln Avenue between Palace Avenue and Federal Place.

4 (1) In order to accommodate the Spanish Market's growth requirements, this
5 subsection will allow the Spanish Colonial Arts Society use of East San Francisco Street
6 from Don Gasper to Cathedral Place and Palace Avenue from Grant Avenue to Cathedral
7 Place. The Spanish Market will also extend thirty-three feet, six inches (33' 6") onto the
8 east side of Lincoln Avenue. This will allow the Spanish Colonial Arts Society the
9 similar configuration as the Southwest Indian Arts' annual Indian Market.

10 (2) This subsection will allow the Contemporary Hispanic Market use of
11 Lincoln Avenue from Palace Avenue intersection starting at thirty-three feet six inches
12 (33' 6") on the east side and twenty feet (20') from the fire hydrant on the west side all the
13 way to Federal Place. This will allow the Contemporary Hispanic Market the ability to
14 provide for their immediate and future growth needs. Depending upon the number of
15 booths, as an alternative to using Lincoln Avenue between Marcy Street and Federal
16 Place, the city may require booths to be located on Marcy Street between Lincoln Avenue
17 and Sheridan Street.

18 C. Each of the major commercial events noted in paragraph A. above shall submit a
19 preliminary site plan for their event to city staff for their review and approval no less than three
20 (3) months prior to the event. Adequate access for public health, safety and welfare shall be
21 maintained. Access to existing businesses shall be considered. The city may require specific
22 booth layouts. The city shall provide written comments to the event sponsor on the preliminary
23 site plan within thirty (30) days of receipt of the plan. A final site plan shall be submitted to city
24 staff no less than one (1) month prior to the event for their review and approval. City staff shall
25 conduct inspections at the time of event setup.

1 D. commUNITY DAYS FESTIVAL may occur on the Plaza the Friday, Saturday
2 and Sunday preceding the Memorial Day Weekend.

3 E. No other event shall occur on the Plaza unless it qualifies as a noncommercial
4 use. Sponsoring organizations shall comply with the fees as authorized in subsection 23-4.7
5 SFCC 1987 and established by resolution, unless the event is sponsored by the city.

6 F. Except for the authority to issue Plaza Park artist/artisan licenses for sales
7 activity on the Plaza Park pursuant to subsection 23-5.3 SFCC 1987, a permit or authority to use
8 the Plaza Park shall be granted only to a nonprofit organization and not an organization for profit
9 or an individual.

10 G. The governing body shall, by resolution, authorize either a committee or city
11 staff to receive, review and approve or deny requests for any function of a commercial or
12 noncommercial use on the Plaza or Plaza Park.

13 H. Applicants for use of the Plaza or Plaza Park shall follow and be subject to the
14 procedures, requirements and restrictions adopted by the governing body.

15 I. Any decision by the city manager or the city manager's designee may be
16 appealed to the governing body within thirty (30) days of the decision. This provision does not
17 apply to Plaza Park artist/artisan licenses that shall comply with Section 23-5.3 SFCC 1987.

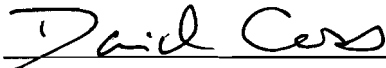
18 J. The city shall appoint a staff liaison for all major commercial events or
19 noncommercial uses on the Plaza to oversee the administration of city regulations as they apply to
20 each event.

21 K. Fees for the major commercial events shall be established by the governing body
22 by adoption of a resolution. Fees shall not be waived.

23 L. Sponsors shall obtain a special event sponsor license and special event sponsor
24 certificate of approved use. Sponsors shall be responsible for insuring that all vendors in their
25 event have individual special event licenses and that all food vendors in their event have

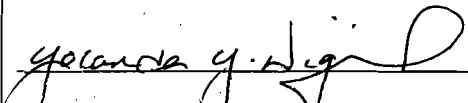
1 individual certificates of approved use, special event food vendor licenses, and temporary food
2 certificates from the state health and environment department. Special event license applications
3 and special event food vendor license applications shall include a statement signed by the
4 applicant that the applicant agrees to file and pay applicable gross receipts taxes on receipts from
5 the special event. Sponsors shall file with the city the informational material they distribute to the
6 vendors regarding the vendor's responsibility to file and pay gross receipts taxes on their sales at
7 the special event.

8 PASSED, APPROVED and ADOPTED this 14th day of May, 2008.

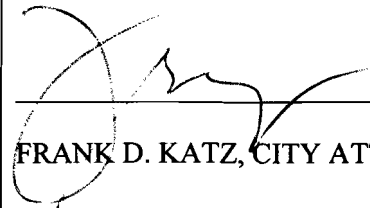
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11 DAVID COSS, MAYOR

12 ATTEST:

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14 
15 VOLANDA Y. VIGIL, CITY CLERK

16
17 APPROVED AS TO FORM:

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19 
20 FRANK D. KATZ, CITY ATTORNEY

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22
23
24
25 mdb/ndrive/2008 ordinances/plaza event CRS tax