

1 RESOLUTION NO. 47-20  
2 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING  
3 CHAPTERS 12R.08 AND 12R.10 OF THE CHICO MUNICIPAL CODE RELATED TO  
4 PARK RESERVATIONS AND EVENTS

5 **WHEREAS**, pursuant to Section 12.16.010 of the Chico Municipal Code (“CMC”), the  
6 Bidwell Park and Playground Commission (“BPPC”) has authority to establish regulatory rules  
7 governing the City of Chico (“City”) parks and playgrounds, which such rules become effective  
8 upon approval by the City Council;

9 **WHEREAS**, CMC Title 12R. “Rules and Regulations of Bidwell Park and other Parks  
10 and Playgrounds”, Chapters 12R.08 and 12R.10 authorize and establish procedures for reserving  
11 facilities within the city's parks and playgrounds for the exclusive use of a person, or group of  
12 persons, and public events requesting reservation of same;

13 **WHEREAS**, the BPPC reviewed proposed revisions to CMC Chapters 12R.08 and  
14 12R.10, and recommended combining these two CMC Chapters into one new chapter and  
15 several other changes to the park facility reservation procedures and policies;

16 **WHEREAS**, at its meeting on February 11, 2020, the City Council approved the BPPC’s  
17 recommendations regarding the proposed revisions to CMC Chapters 12R.08 and 12R.10.

18 **NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Chico as  
19 follows:

20 **SECTION 1. REPEAL OF CODE.** Chico Municipal Code Chapter 12R.08 entitled  
21 “Permits Authorizing Public Events Conducted in City Parks and Playgrounds” shall be repealed  
22 and deleted in entirety.

23 **SECTION 3. AMENDMENT OF CODE.** Chico Municipal Code, Title 12R Rules and  
24 Regulations of Bidwell Park and Other Parks and Playgrounds, Chapter 12R.10 entitled  
“Reservation of Facilities in City Parks and Playgrounds” is hereby replaced by a new Chapter

1 12R.10 entitled “ Permits Authorizing Events Conducted In City Park Facilities” to read as  
2 follows:

3 Chapter 12R.10

4 PERMITS AUTHORIZING EVENTS CONDUCTED IN CITY PARK FACILITIES

5 Section:

6 12R.10.010 Definitions.

7 12R.10.020 Purpose.

8 12R.10.030 Findings.

9 12R.10.040 Designation of city park facilities as intensive and exclusive use areas.

10 12R.10.050 Permit requirements

11 12R.10.060 Exceptions to permit requirements.

12 12R.10.070 Director permits authorizing private and public events conducted in city park  
13 facilities.

14 12R.10.080 Park commission permits authorizing private or public events conducted in city  
15 park facilities.

16 12R.10.090 Applications for a director or park commission permit-form and content.

17 12R.10.100 Applications for a director or park commission permit-place and time of filing.

18 12R.10.110 Park use fees.

19 12R.10.120 Director action on applications for a permit - permit alternatives.

20 12R.10.130 Park Commission action on applications for a permit -timing.

21 12R.10.140 General permit conditions.

22 12R.10.150 General permit conditions - Indemnification agreement.

23 12R.10.160 General permit conditions - liability insurance.

24 12R.10.170 Special permit conditions - Bidwell Bowl.

1 12R.10.180 Compliance by permittee with other city laws and regulations.

2 12R.10.190 Notice of the approved permits for city park facilities.

3 12R.10.200 Action on applications for a director and park commission permit - denial of  
4 permit.

5 12R.10.210 Revocation of permits.

6 12R.10.220 Emergency suspension of an event.

7 12R.10.230 Interference with public events or persons occupying and using reserved city park  
8 facilities.

9 12R.10.010 Definitions.

10 Unless the contrary is stated or clearly appears from the context, the following definitions shall  
11 be given the construction of the words and phrases used in this chapter:

12 A. City Park Facility. The term “city park facility” or “city park facilities” shall mean any  
13 park, playground, greenway, or open space owned by the City of Chico.

14 B. Director Permit. The term “director permit” means a permit issued pursuant to section  
15 12R.10.070 authorizing a private or public event in a city park facility.

16 C. Commission Permit. The term “commission permit” means a permit issued by the park  
17 commission pursuant to section 12R.10.080 authorizing a private or public event in a city  
18 park facility.

19 D. Exercise of Free Speech Rights. The phrase “exercise of free speech rights” means the  
20 articulation of a verbal statement, distribution of literature and/or the conduct of some other  
21 activity, the purpose of which is to convey a religious, political, philosophical or  
22 ideological message to others.

23 E. Park Commission. The term “park commission” means the Bidwell Park and Playground  
24 Commission.

1 12R.10.020 Purpose.

2 This chapter is adopted pursuant to Chapter 12.16 of the Chico Municipal Code to authorize and  
3 establish a procedure for reserving city park facilities for the exclusive use of a person or group  
4 of persons and for public events requesting reservation of same. The purpose of this chapter is  
5 also to ensure that such events are carried out in a safe manner, in a manner that does not  
6 unreasonably interfere with the use of such park facilities by other members of the general public  
7 not participating in the events, and in a manner which does not damage city park facility property  
8 including, but not limited to, park infrastructure, landscaping, or natural vegetation.

9  
10 12R.10.030 Findings.

11 The park commission finds as follows:

- 12 A. That the reservation of facilities within the city park facilities for the exclusive use of a  
13 private or public event, by an individual, persons, groups, or organizations is appropriate  
14 and should be permitted in those situations where the exclusive use of the reserved  
15 facilities would not unreasonably interfere with the right of the general public to the use  
16 and enjoyment of the city park facilities;
- 17 B. That in establishing procedures to be followed by a private or public event by an  
18 individual, persons, groups, or organizations seeking to reserve city park facilities for their  
19 exclusive use, it would be proper to delegate to the director authority to approve such  
20 reservations in those cases in which the facilities to be reserved are within that portion of  
21 the city park facilities previously determined by the commission to be particularly suitable  
22 for such use, and where the reserved facilities are to be used for a period of time not  
23 exceeding fifteen consecutive hours in length, all in the manner hereinafter provided by this  
24 chapter;

1 C. That in establishing the procedures to be followed by an individual, persons, groups, or  
2 organizations seeking to reserve city park facilities for their exclusive use, it would also be  
3 proper for the commission to retain the exclusive right to approve such reservations in  
4 those cases in which the facilities to be reserved are not located within that portion of the  
5 city parks previously determined by the commission to be particularly suitable for such use  
6 and/or where the reserved facilities will be used for a period of time which does exceed  
7 fifteen consecutive hours in length, provided that the commission also finds, in each such  
8 case, that reservation of such facilities is in the public interest and will not unreasonably  
9 interfere with the general public's use and enjoyment of the city park facilities;

10 D. That in regulating the use of the city park facilities for events, recognition must also be  
11 given to the fact that certain park facilities or portions of such park facilities, such as  
12 portions of Bidwell Park and city creekside greenways, have historically been used as open  
13 space, dedicated to passive recreational uses requiring peace, quiet and tranquility, or  
14 dedicated to recreational uses which may be incompatible with the conduct of certain  
15 events, and that by reason thereof, the conduct of events in city park facilities or portions of  
16 such park facilities, described in this chapter as "non-intensive use areas," can best be  
17 regulated by providing for the issuance of discretionary permits authorizing such events by  
18 the park commission in those cases in which the commission finds that approval of the  
19 event is in the public interest and will not unreasonably interfere with the use of such non-  
20 intensive use areas of the city park facilities by other members of the general public not  
21 participating in the event, also in the manner hereinafter provided by this chapter.

22  
23 12R.10.040 Designation of city park facilities as intensive and exclusive use areas.

24 A. Initial Designation of Intensive and Exclusive Use Areas. For purposes of this chapter, the

1 following city park facilities, or portions of such facilities are initially designated as  
2 intensive and exclusive use areas:

3 1. The following portions of Bidwell Park, as more particularly delineated in Exhibits  
4 “C”, “F”, and “J” attached to Chapter 12R.04 of this Title:

- 5 a. The One-Mile Recreation Area.
- 6 b. The Caper Acres Playground Area.
- 7 c. The Cedar Grove Area.
- 8 d. The Five-Mile Recreation Area.
- 9 e. The Campfire Council Ring Area.
- 10 f. Picnic Site 37 (Redwood Grove)

11 2. The following roads or portions of roads within Bidwell Park:

- 12 a. Petersen Memorial Drive.
- 13 b. South Park Drive from 4th Street east to Centennial Avenue.
- 14 c. Upper Park Road from Wildwood Avenue east to end of the road (Lot U).

15 3. The following additional parks and playgrounds as delineated in Exhibits “A”, “D,” and  
16 “E” attached to Chapter 12R.04 of this Title:

- 17 a. Children's Playground.
- 18 b. City Plaza.
- 19 c. Depot Park.
- 20 d. Bidwell Bowl Amphitheater.

21 B. Additional Designation of Intensive and Exclusive Use Areas. Whenever a new park or  
22 playground is acquired by the city or whenever there is a substantial change in the character  
23 or use of an existing city park facility or portion thereof, the park commission shall  
24 designate such park, playground or park facility, or portion thereof, as an intensive and/or

1 an exclusive use area whenever the park commission finds such designation would be in  
2 the public interest.

3 C. Non-intensive/Nonexclusive Use Areas. For purposes of this chapter any city park facility  
4 or portion of such city park facility not designated as an intensive and/or exclusive use area  
5 in the manner provided by this section shall be deemed a non-intensive and nonexclusive  
6 use area.

7  
8 12R.10.050 Permit requirements.

9 Except as otherwise provided in this chapter, it is unlawful for any person, or group of persons,  
10 to sponsor or conduct a private or public event in a city park facility unless authorized by a  
11 permit issued by the director or the park commission in the manner hereinafter provided by this  
12 chapter.

13  
14 12R.10.060 Exceptions to permit requirements.

15 Notwithstanding the provisions of this chapter to the contrary, a permit shall not be required for  
16 the following events conducted in a city park facility:

17 A. Any event conducted in a city park facility or portion of such park facility which is  
18 sponsored or carried out by another public agency, a private organization, or an individual  
19 that has a lease or other agreement between the city and such public agency, private  
20 organization or individual for the exclusive use of a city park facility;

21 B. Any event conducted in a city park facility or portion of such park facility which the  
22 agency, organization or individual operating the Chico Creek Nature Center is the sole  
23 organizer and sponsor of the event and in which the predominant purpose of the event is for  
24 the education and observation of park vegetation, wildlife, streams, geological formations

1 and other natural resources.

2 C. Any event held for the purpose of exercising free speech rights, as defined in Section  
3 12R.10.010(D), and that does not include any of the following:

- 4 1. Food and beverage sales or consumption, or the selling of any goods;
- 5 2. Admission charges or solicit donations.
- 6 3. Setting up any tents, tables, structures, or the use of electricity or other park or City  
7 resources.
- 8 4. Exclusive use of or access to the event location.

9  
10 12R.10.070 Director permits authorizing private and public events conducted in city park  
11 facilities.

12 The director shall have exclusive authority to approve any permit required by this chapter for all  
13 private and public events conducted in city park facilities or portion of a city park facility which  
14 is designated as an intensive and/or exclusive use area and runs for a period of time not  
15 exceeding fifteen consecutive hours in length.

16  
17 12R.10.080 Park commission permits authorizing private or public events conducted in city  
18 park facilities.

19 The park commission shall have exclusive authority to approve any permit required by this  
20 chapter when the permit authorizes a private or public event:

- 21 A. Conducted in a city park facility or portion of a city park facility not designated as an  
22 intensive and/or exclusive use area;
- 23 B. That will exceed fifteen consecutive hours in length; or
- 24 C. Deemed by the director to require park commission approval.



1 12R.10.090 Applications for a director or park commission permit - form and content.

2 Applications for a director or park commission permit shall be filed by a natural person who is  
3 18 years of age or older, shall be in a form and at the time and location prescribed by the  
4 director. Such applications shall describe the city park facilities to be reserved, shall set forth the  
5 dates and times such facilities are sought to be reserved, and shall otherwise be in the form and  
6 include such other information as may be required by the director. In addition, such applications  
7 shall be accompanied by park use fees in an amount established by the park commission and  
8 approved by resolution of the city council.

9  
10 12R.10.100 Applications for a director or park commission permit – place and time of filing.

11 A. Applications requiring a director permit shall be filed in the office of the director at least  
12 35 days prior to the date of such event in order to ensure adequate time for an appeal of a  
13 decision of the director on such application to the park commission in the manner  
14 provided for by Chapter 12R.02 of this title.

15 B. Applications for a director permit may be considered and acted upon if filed in the office  
16 of the director less than 35 days prior to the date of such event if the director waives the  
17 35-day filing time for good cause shown. However, if an application for a director permit  
18 is not filed at least 35 days prior to the date of such event, any right to appeal the decision  
19 of the director on such application to the park commission shall also be waived if the  
20 director determines there is insufficient time for such appeal. Director permit applications  
21 must be filed at least three days prior to the event in order to be considered.

22 C. Applications requiring a park commission permit shall be filed in the office of the  
23 director at least 85 days prior to the date of such event in order to ensure adequate time  
24 for an appeal of a decision of the park commission on such application to the city council

1 in the manner provided for by Chapter 12R.02 of this title.

2 D. Applications for a park commission permit may be considered and acted upon by the park  
3 commission if filed in the office of the director less than 85 days prior to the date of such  
4 event if the park commission waives the 85-day filing time for good cause  
5 shown. However, if an application for a park commission permit is not filed at least 85  
6 days prior to the date of such event, any right to appeal the decision of the park  
7 commission on such application to the city council shall be deemed waived if the director  
8 determines there is insufficient time for such appeal.

9 E. Unless otherwise approved by the park commission, no application for a director or park  
10 commission permit shall be filed more than 1 year or 365 days prior to the proposed date  
11 of such event.

12  
13 12R.10.110 Park use fees.

14 A. Fee Requirements. As a condition precedent to the issuance of a director or commission  
15 permit, the permittee shall pay to the city park use fees in an amount established by the  
16 park commission and approved by resolution of the city council.

17 B. Waiver of Fees. Fees may be waived by the park commission or director for commission  
18 permits and director permits, respectively, in the following circumstances:

- 19 1. When the permittee is a public agency and the event is being conducted by such  
20 public agency in furtherance of its powers and purposes.
- 21 2. When the permittee is a non-profit organization which is conducting an event  
22 primarily for the purpose of raising funds for the benefit of city park facilities.
- 23 3. When the application is filed for a public event in which the dominant purpose of the  
24 event is the exercise of free speech rights and the applicant establishes that he or she

1 does not have the financial resources to pay such fee by filing with the director  
2 financial statements demonstrating such inability to pay, and by filing with the  
3 director a declaration executed by or on behalf of applicant under penalty of perjury  
4 attesting to such inability to pay.

5  
6 12R.10.120 Director action on applications for a director permit -permit alternatives.

7 A. When, following the filing of an application for a director permit, the director determines  
8 that there are grounds for denying such application, but that such grounds would not exist if  
9 there was a change in the date, time and/or location of such event in a manner which does  
10 not unreasonably interfere with the exercise of free speech rights, the director shall propose  
11 approval of a permit authorizing the event at such alternative dates or times and/or at such  
12 alternative locations.

13 B. Promptly following such action, the director shall cause a notice proposing such permit  
14 alternatives to be served on the permit applicant. In such notice, the director shall state the  
15 reasons for the director's determination not to approve a permit for the public event  
16 proposed by the application on the date and time or at the location set forth therein and  
17 shall set forth the right of the applicant to appeal such determination in the manner  
18 provided for by Chapter 12R.02 of this title.

19 C. Any applicant desiring to accept such permit alternative shall file a written notice of  
20 acceptance with the director not later than 7 days after service of the notice of permit  
21 alternatives. In the event the applicant fails to accept such permit alternatives in the manner  
22 and within the time provided for herein, then the permit application shall be deemed  
23 denied.

24 //

1 12R.10.130 Park commission action on applications for a commission permit – timing

2 The park commission shall consider the application filed at its first regular or adjourned regular  
3 meeting following the filing of the application. Thereafter, the park commission may approve the  
4 application and authorize the permit if the commission determines that the permitted event is in  
5 the public interest and will not unreasonably interfere with the general public's use and  
6 enjoyment of the city park facilities.

7  
8 12R.10.140 General permit conditions.

9 When acting on a director or commission permit application, the director or park commission  
10 may condition such permit or the issuance thereof on the permittee's compliance with reasonable  
11 requirements concerning the conduct of such event which are necessary to ensure that the event  
12 is carried out in a manner that will not threaten the health and safety of those persons  
13 participating in the event and in a manner which will not damage city park facility property  
14 including, but not limited to, city park facility landscaping or natural vegetation; provided,  
15 however, that such requirements shall not unreasonably restrict the exercise of free speech rights.

16 Such conditions may include, but shall not be limited to, requirements concerning the  
17 following:

- 18 A. Accommodations for the parking of vehicles used by those persons attending or  
19 participating in the event;
- 20 B. Accommodations for pedestrian traffic in and around the site of the event;
- 21 C. Inspections and approval by city personnel of structures and equipment to be used in the  
22 event to ensure that such structures have been safely constructed and that such equipment  
23 can be safely operated;
- 24 D. Provision of electrical power to be utilized during the event;

- 1 E. Provision of signage and barricades as may be necessary in order to avoid conflicts
- 2 between persons participating in the event and other persons using park facilities in and
- 3 around the site of the event or which may be necessary to protect city park facility
- 4 landscaping or natural vegetation in and around site of the event;
- 5 F. Provisions of monitors and security personnel as may be necessary to safely carry out the
- 6 event;
- 7 G. Access to the site of the event through park gates at times when such gates are normally
- 8 closed in order to prepare for such event or to clean up and remove equipment and
- 9 structures at the conclusion of the event;
- 10 H. Overnight camping by persons engaged in preparing for the event or providing overnight
- 11 security for equipment and structures utilized in such event;
- 12 I. Provision and operation of first aid stations and/or sanitary facilities, including
- 13 handicapped-accessible sanitary facilities;
- 14 J. Provision and use of garbage containers, and the cleanup and restoration of the site of the
- 15 event at the conclusion of such event;
- 16 K. Use of sound amplification equipment during the course of the event; or
- 17 L. Provision of a notice of permit conditions to event participants.

18  
19 12R.10.150 General permit conditions - indemnification agreement.

20 As a condition precedent to the issuance of a permit authorizing an event in a city park facility

21 the permittee shall enter into an agreement with the city which shall be in a form approved by the

22 city attorney and which shall set forth the undertaking of the permittee to indemnify the city,

23 hold the city harmless and reimburse the city from and for any liability, damage or loss occurring

24 during the course of such event where such liability, damage or loss is allegedly caused by the

1 negligent or intentional act or omission of the permittee or any person who is under the  
2 permittee's legal control. In addition, such agreement shall provide that where a claim is made  
3 against the city by suit or otherwise, whether the same be groundless or not, arising out of such  
4 negligent or intentional act or omission, then the permittee shall defend the city and shall  
5 indemnify the city for any judgment rendered against it or any sums paid out in settlement or  
6 otherwise. Such agreement shall be filed with the director prior to the issuance of the permit.  
7

8 12R.10.160 General Conditions - liability insurance.

9 A. Incident to and as a condition of the approval of an application for the reservation of city  
10 park facilities for the exclusive use of a group of persons which number more than 150  
11 persons, the applicant shall obtain comprehensive general liability insurance from an  
12 insurance company licensed to do business in the state of California and having a financial  
13 rating in Best's Insurance Guide of at least "B," which provides insurance coverage against  
14 liabilities for any death, personal injuries or property damage arising out of or in any way  
15 connected with the use of such facilities.

16 Such insurance shall be in a form approved by the city's risk manager, shall name the city  
17 and the city's officers, employees and agents as additional insureds under the coverage  
18 afforded, shall be primary with respect to any other insurance available to city and shall  
19 include a severability of interest (cross-liability) clause.

20 Proof of such insurance in a form approved by the city's risk manager shall be filed in the  
21 office of the director prior to undertaking the use of the reserved facilities and such  
22 insurance shall be maintained in full force and effect at all times throughout the course of  
23 the reservation or public event authorized by the permit.

24 B. Waiver of Insurance Requirements. The insurance required by this section shall be waived

1 by the director for any permit authorizing an event in a city park facility or portion of a city  
2 park facility designated as an intensive or exclusive use area which does not exceed fifteen  
3 consecutive hours in length where the director determines that the dominant purpose of the  
4 use of reserved facilities is the exercise of free speech rights.

5  
6 12R.10.170 Special permit conditions - Bidwell Bowl.

7 All events conducted in that part of Children's Playground known as the Bidwell Bowl pursuant  
8 to a permit issued in the manner provided by this chapter shall comply with the following  
9 additional requirements:

10 A. All events shall be carried out only during the following times:

- 11 1. Monday through Thursday during the months of September through and including  
12 May: 5:00 p.m. - 9:00 p.m.
- 13 2. Monday through Thursday during the months of June through and including  
14 August: 8:00 a.m. - 9:00 p.m.
- 15 3. Fridays during the months of September through and including May: 5:00 p.m. -  
16 10:00 p.m.
- 17 4. Fridays during the months of June through and including August: 8:00 a.m. -  
18 10:00p.m.
- 19 5. Saturdays: 9:00 a.m. - 10:00 p.m.
- 20 6. Sundays: 9:00 a.m. - 9:00 p.m.

21 B. Amplified sound shall comply with and be subject to the following limitations:

- 22 1. Amplified music shall be permitted during the event if and only if it is played during  
23 the event for a cumulative period of time not exceeding more than 20 minutes in  
24 length.

- 1        2.    Events utilizing amplified sound shall be limited to one per weekend and a total of
- 2            three other times during the week.
- 3        3.    Monday through Friday, amplified sound shall be permitted only between 5:00 p.m.
- 4            and 9:00 p.m.
- 5        4.    Saturday and Sunday, amplified sound shall be permitted only between 10:00 a.m.
- 6            and 9:00 p.m.
- 7        5.    All speakers shall be directed in a southerly direction towards the audience.
- 8

9    12R.10.180    Compliance by permittee with other city laws and regulations.

10    The issuance of a permit authorizing an event in the manner provided by this chapter shall not

11    release the permittee from the obligation of complying with the provisions of Chapter 3.32 of

12    Chico Municipal Code, which prohibits persons from transacting and carrying on any business in

13    this city without procuring and obtaining the business license provided for therein, from

14    complying with the provisions of this code, which prohibits persons from operating or

15    maintaining a food facility within the city without a food facility permit issued by the health

16    officer, from complying with the park rules provided for in this title and from complying with

17    any other federal, state, or local law or regulation applicable thereto.

18

19    12R.10.190    Notice of the approved permits for city park facilities.

20    Where the permit for use of city park facilities has been approved by either the director or the

21    park commission, the director shall provide the applicant a written authorization to reserve park

22    facilities which describes the facilities to be reserved as well as the date and times such facilities

23    are reserved. In addition, at least 24 hours prior to the time the reservation is to be in effect, the

24    director shall endeavor to cause a notice to be posted at or near the site of the reserved facilities



1 which advises the general public of the date and times such facilities are reserved, as well as the  
2 name of the person or organization for which such facilities are reserved.

3  
4 12R.10.200 Action on applications for a director and park commission permit - denial of  
5 permit.

6 A. Grounds for Denial. The director or park commission shall deny an application for a permit  
7 authorizing an event in a city park facility if the director or park commission determines  
8 that:

- 9 1. The person applying for the permit has failed to provide additional information  
10 requested by the director, or has otherwise failed to complete the application;
- 11 2. The information contained in the application, including any additional information  
12 requested by the director is found to be false in any material respect;
- 13 3. The application is filed for an event at a location, date and time which would conflict  
14 or interfere with another event which was authorized or will be authorized by a permit  
15 previously filed;
- 16 4. The nature and size of the public event will require a diversion of city police officers  
17 to monitor the event which is so great in number as to cause police protection in the  
18 rest of the city to be seriously jeopardized; provided, however, that nothing herein  
19 authorizes the denial of a permit because of the need to protect persons conducting  
20 the event from the actions of others if reasonable permit conditions can be imposed to  
21 allow for adequate protection of persons conducting the event given the number of  
22 city police officers available to monitor the event;
- 23 5. The nature or size of the event threatens to cause significant damage to city park  
24 facility property, including, but not limited to, city park facility landscaping or natural

1           vegetation; provided, however, that nothing herein authorizes the denial of a permit  
2           by reason of threatened damage to city park facility property caused by the actions of  
3           persons not conducting such event;

4           6.    The location of the event will substantially interfere with construction or maintenance  
5           work previously scheduled to take place in or around the site of such event;

6    B.    Notice of Denial. Where the director or park commission determines to deny an application  
7           for a permit authorizing an event in a city park facility, the director shall promptly cause a  
8           notice of such determination to be served on the permit applicant. In such notice, the  
9           director shall state the reasons for the determination not to approve a permit for the event  
10          proposed by the application and shall set forth the right of the applicant to appeal such  
11          determination in the manner provided for by Chapter 12R.02 of this title.

12  
13    12R.10.210   Revocation of permits.

14    A.    Grounds for Revocation. The director may revoke a permit authorizing an event in a city  
15          park facility at any time the director determines that such event is being conducted in  
16          violation of the terms and conditions of such permit, or persons conducting the event have  
17          violated or threatened to violate any applicable law or regulation. In addition, the director  
18          may revoke any director permit authorizing an event in a city park facility whenever the  
19          director determines that there were grounds for denying such permit in the manner  
20          hereinbefore provided by this chapter which were first disclosed or otherwise made known  
21          to the director after issuance of the permit; provided, however, that nothing herein shall  
22          authorize the director to revoke a permit because of the need to protect persons conducting  
23          an event authorized by such permit from the actions of others; provided, further, that the  
24          director shall not revoke a permit unless and until the director advises the permittee and/or

1 the responsible persons of the grounds for such permit revocation and provides the  
2 permittee and/or responsible persons a reasonable opportunity to correct same.

3 B. Notice of Revocation. Where the director determines to revoke a director permit or park  
4 commission permit authorizing an event in a city park facility, the director shall promptly  
5 cause written notice of such action to be served on the permittee. However, where the  
6 director determines to revoke a permit authorizing an event on the day of the event, the  
7 director shall announce such action to the persons conducting or otherwise participating in  
8 such event.

9  
10 12R.10.220 Emergency suspension of an event.

11 The director, chief of police, fire chief, a park ranger, or a sworn peace officer employed by the  
12 city may temporarily suspend an event in any city park facility which is authorized by a director  
13 permit or a park commission permit issued in the manner hereinbefore provided by this chapter  
14 whenever there is an emergency which requires the event to be temporarily suspended to protect  
15 public health or safety. Whenever an event is temporarily suspended for this reason, the  
16 permittee and all other persons participating in such event shall immediately comply with the  
17 suspending officer's instructions.

18  
19 12R.10.230 Interference with permitted events or persons occupying and using reserved city  
20 park facilities.

21 No person shall knowingly obstruct, impede, hamper or otherwise interfere with an event or any  
22 other person or group of persons occupying and using city park facilities where such other  
23 person is entitled to the exclusive use of such facilities pursuant to a permit approved either by  
24 the director or the park commission in the manner provided by this chapter.

1           **SECTION 3.** The rules set forth in this Resolution shall become effective upon approval  
2 by the Council and publication of a "Notice of Amendment to Park Rules" by the City Clerk  
3 pursuant to the Chico Municipal Code 12.16.010.

4           **SECTION 4.** Severability. If any section, subsection, sentence, clause, phrase or word  
5 of this Ordinance is for any reason held to be invalid and/or unconstitutional by a court of  
6 competent jurisdiction, such decision shall not affect the validity of the remaining portions of  
7 this Ordinance.

8           **SECTION 5.** Environmental Determination. The Council finds that the adoption and  
9 implementation of this ordinance is exempt from the provisions of the California Environmental  
10 Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen  
11 with certainty that there is no possibility that the Ordinance may have a significant effect on the  
12 environment.

13           **THE FOREGOING RESOLUTION WAS ADOPTED** by the Council of the City of  
14 Chico at its meeting held on **September 15, 2020**, by the following vote:

15 AYES:                   Huber, Morgan, Ory, Reynolds, Stone, Brown Schwab


16 NOES:                   None

17 ABSENT:               None

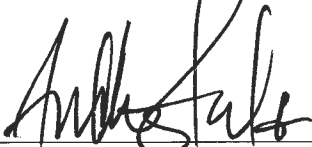
18 ABSTAINED:         None

19 DISQUALIFIED:      None

20 ATTEST:

21   
22 \_\_\_\_\_  
23 Deborah R. Presson  
24 City Clerk

APPROVED AS TO FORM

21   
22 \_\_\_\_\_  
23 Andrew L. Jared  
24 City Attorney\*

\*Approved pursuant to The Charter of the City  
of Chico § 906(E)