



City of Fountain Valley
Temporary Public Park and Open Space User Permit Application

Complete the Temporary Public Park, and Open Space Use application and return to the Recreation and Community Services Department. Your application will be reviewed by the Recreation and Community Services, Fire, and Police Departments and responded to within 2-3 business days. Please email your completed application to fvrecreation@fountainvalley.org. Please be aware that hard copies submitted to the Recreation Center require 24-hour quarantine, which may delay a response.

APPLICANT INFORMATION

APPLICANT NAME: _____

APPLICANT PHONE NUMBER: _____

APPLICANT EMAIL: _____

ARE YOU THE BUSINESS OWNER: _____ YES _____ NO

IF NO, WHAT'S YOUR RELATION TO THE BUSINESS: _____

BUSINESS INFORMATION

BUSINESS NAME: _____

ADDRESS: _____

PROPOSED OPERATING BUSINESS HOURS:

DAYS: _____

DATES: _____

TIMES: _____

BUSINESS TYPE: _____

For Official City Use Only:

Date Application Received: _____

Reviewed By: _____

Submitted for Director Approval On: _____

Notes: _____

BUSINESS OPERATION PROPOSAL

Please provide a description of your business operation, including requested location area:

Please include the following with the application:

- ✓ A plot plan showing the dimensions for the requested Temporary Public Park, and Open Space area(s) and pedestrian paths with social distancing measurements, and the applicants guidelines. The plan should also indicate use of temporary barriers that will be utilized and their intended location, including tents.

- ✓ Images and sizes of signage
- ✓ Any requests for electrical access
- ✓ Any requests for lighting
- ✓ Any requests for amplified sound*

*Amplified sound is subject to approval by the Community Services Director

REQUIREMENTS

Initial below to acknowledge your understanding and agreement to comply with each of the items below, in addition to the outlined requirements on the Emergency Outdoor Use Activity Order Amendment No. 1:

_____ The use of removable barriers to define Temporary Public Park and Open Space Use areas, seating areas, curb-side pick-up areas, and pedestrian paths, is permissible. Temporary barriers are allowable, but they must clearly serve the intended purpose, ensure public safety, and protect patrons from vehicles, and be identified and disclosed on the application.

_____ Temporary Public Park and Open Space Use areas shall allow for at least 6 feet of separation between the designated activity area and any obstructions.

_____ Access to public utilities, building entrances/exits, ADA facilities, fire hydrants, fire hose connections for sprinkler systems shall not be obstructed by Temporary Public Parking Lot, Park, and Open Space Use area.

_____ No parking for persons with disabilities may be repurposed.

_____ Vehicular paths may not be modified and signage must be clearly marked to ensure pedestrian safety, with the exception of specified and approved use of a public parking lot for a drive-thru style activity.

_____ The twenty (20) feet fire lane shall not be obstructed at any time.

_____ Tents that are 10 feet by 10 feet in size or smaller may be erected in the approved areas. Tents or shade structures that are larger than 10 feet by 10 feet in size must comply with CFC Title 19, Chapter 2.

_____ If tents are approved to be staked, the ground must be repaired upon removal of the tent by the permittee.

_____ Ropes and straps should be strong (bungee or rubber straps are prohibited).

_____ Weights must be on the ground and not dangling.

_____ Weights and lines must not pose a hazard and be clearly visible. For maximum safety, do not leave tents unsecured at any time.

_____ Tents shall not have closed walls in place while open to the public and all sides should be open for air flow.

_____ The hours of operation of the temporary activity area shall be restricted to dawn to dusk, or until the last permitted lighted activity.

_____ Vehicular circulation/access lanes must be kept clear at all times.

_____ Driveways must be kept clear at all times to prevent cars from stacking into streets.

_____ Appropriate directional and safety signage (e.g. one way, exit only, maintain social distancing, etc.) that does not contain advertisements may be utilized, but should be outlined in the permit application for approval.

_____ Space heaters are permitted provided that they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material. Propane tanks shall not be stored outdoors. Heaters of any kind shall not be used under tents or umbrellas.

_____ No heating, cooking or open flames are permitted in the Outdoor Use Activity area.

_____ Tents, umbrellas and other decorative material shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than six (6) feet, eight (8) inches (eighty (80) inches) above the sidewalk.

- _____ No outdoor amplified noise shall be permitted without approval.
- _____ The permittee shall be responsible for cleaning up trash as needed but at a minimum of two times per day.
- _____ It shall be the responsibility of the permittee to have the approved Temporary Public Park and Open Space Use permit available upon request by City personnel.
- _____ It shall be the responsibility of the permittee to maintain and secure the removable barriers per the approved plans and all materials located inside the permitted area.
- _____ Maintenance (daily upkeep, litter cleanup, etc.) associated with Use operations shall be the responsibility of the permittee.
- _____ The Use shall provide evidence of general liability insurance in the amount of \$1,000,000 and an endorsement naming the City of Fountain Valley as an additional insured.
- _____ By signing and accepting the Temporary Public Parking Lot, Park, and Open Space Use permit, the applicant accepts the benefits conferred by the permit subject to the conditions imposed therein. By accepting the right to operate pursuant to the Temporary Public Parking Lot, Park, and Open Space Use permit, the applicant waives all rights to challenge any condition imposed as unfair or unreasonable.
- _____ The applicant understands that there are inherent safety concerns when operating in an outdoor, Temporary Public Parking Lot, Park, and Open Space, and by signing the Temporary Public Parking Lot, Park, and Open Space Use permit the applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of the Temporary Public Parking Lot, Park, and Open Space Use Permit.
- _____ The City is not responsible for any damages or loss of equipment installed pursuant to an approved Temporary Public Parking Lot, Park, and Open Space Use permit
- _____ The City reserves the right to revoke any Temporary Public Parking Lot, Park, and Open Space Use permit area that: (i) creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic on the surrounding public right-of-way; (ii) if it finds the installation represents a danger to the health, safety or general welfare of the public; or (iii) a Use violates the requirements of a Temporary Public Parking Lot, Park, and Open Space Use permit.
- _____ The applicant shall comply with all federal, state, and local laws. Violations of any of those laws in connection with the use will be cause for revocation of this Temporary Public Park and Open Space Use permit.
- _____ Applicant must obtain a City of Fountain Valley Business License.

I, _____, (Name of Business Owner) have read, understand, and will comply with all provisions of Emergency Outdoor Use Activity Order Amendment No. 1, allowing Temporary Public Park and Open Space Use for businesses, as defined by the order (attached).

Signature: _____ **Date:** _____

For Official City Use Only:

Permit Approved: Yes _____ No _____

If no, reasons: _____

Approved Dates: _____

Approved Times: _____

Conditions of Approval:

Approved by: _____ Date: _____

Title: _____

Signature: _____