**Exhibit A – PSSM Level Three Special Event Permit DRAFT**

**SPECIAL EVENT PERMIT**

Type of License: Level One Level Two X Level Three

Event Name: 2018 Park Silly Sunday Market

Event Date(s): Sundays, June 3rd through September 23rd, 2018

No Market on August 2, August 12, & August 19

Event Time: 10:00 a.m. to 5:00 p.m.

Event Location: Lower Main Street, & 5th Street

Licensee: Park Silly Sunday Market

Contact Person: Kate McChesney, Executive Director Park Silly Sunday Market Approved By: Special Events Coordinator X City Council of Park City

Approval Date: May 3, 2018

The Park City Council has approved the Level Three Special Event Permit for the Park Silly Sunday Market as part of the City Services Agreement that was executed on September 14, 2017. The Park Silly Sunday Market is to be held on Lower Main Street (from Heber Avenue to 9th Street) and on 5th Street, on Sundays June 3rd through September 23rd from 10:00 to 5:00 p.m. The market will not be held on August 2nd to accommodate the Park City Kimball Arts Festival; August 12th to accommodate Tour of Utah and August 19th as a No Market Day. This Level Three Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4A-2-4 based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Park Silly Sunday Market will operate during the following 2018 dates: a. Sundays, June 3rd through September 23rd from 10:00 to 5:00 p.m.

b. The market will not be held on August 2nd to accommodate the Park City Kimball Arts Festival, August 12 to accommodate Tour of Utah and August 19 as a No Market Day.

1. The event will end by 5:00 p.m. each Sunday, and Main Street shall be reopened to traffic and parking by 8:00 p.m. or sooner when possible. The permittee will organize load-in and load-out for each vendor, as well as, ensure that traffic in the area continues to move during this high traffic time. The permittee is responsible for working to establish and follow parking plans. The applicant will have volunteers, as well as the help of Park City Police Department, to ensure that efficiency of traffic, transportation and public safety.
2. PSSM will extend its operational time by one (1) hour on September 23, 2018 for Silly Fest. PSSM is requesting to have the stage with a band and beer garden that will remain open until 6:00 p.m. on this date. Clearing and reopening of Main Street will happen no later than 8:00 p.m.
3. Parking and traffic will be removed from the venue footprint including Lower Main Street and 5th Street each market date from 6:00 a.m. to 7:00 p.m. Parking and Traffic are to return to normal no later than 8:00 p.m. each market date.
4. The permittee has secured permission from the school district to allow the use their parking areas at the Schools around Kearns Blvd. (Hwy. 248). The permittee will use the City’s current transit schedule for attendees that use this lot.
5. The permitted has secured private shuttle transit to augment the city’s transit service on the expected heavy attendance days on July 1st and September 2nd.
6. The applicant is working with Park City Parking Services Department on nonexclusive use of City parking lots for vendors and market attendees. PCMC will be charging $5 per hour / $18 max daily fee in China Bridge and $5 per hour in surface lots from 8:00 a.m. to 5:00p.m.
7. The applicant has established a weather and emergency plan and will train staff and volunteers to the requirements of the plans. The applicant has established these plans to maximize the safety event attendees, volunteers, staff, the general public. There are no weather dates for the event, but the applicant is aware that weather could interfere with the possibility of the event’s proposed activities. In the case that the event were to be cancelled due to dangerous weather conditions, they would notify the general public as well as participants in the event. The applicant understands that Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel or postpone the event at any time due weather or emergency conditions.
8. The events associated with the Park Silly Sunday Market will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
9. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
10. The applicant shall establish Sustainable efforts and practices in accordance with the City Services Agreement Section D.9.5.d.
11. There are other Special Event Permits that have been granted for Sundays, June 3rd through September 23rd.

The table below will show in column (A) - Geographic separation of events; column (B) - Proposed time and duration of the events; column (C) - Anticipated attendance. Park Silly Sunday Market will not substantially interfere with the logistics and venue for any event for which a license has already been granted and with the provision of City services in support of other such events or governmental functions based on the following:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| DATE | EVENT | A – Geographic  Separation | B - Proposed Time & Duration | C – Anticipated  Attendance |
| **June 17** | **Kids Adventure Games** | **Park City Base** | **8 a.m. – 8 p.m.** | **200- 300** |
| **June 17** | **Avalanche Soccer** | **Quinn’s Sports Complex, Park City School District Fields** | **7:00 p.m. to**  **10:00 p.m.** | **4500** |
| **June 17** | **Latino Arts Festival ( proposed Event)** | **Library Field** | **3:00 p.m. – 9:00 p.m.** | **850** |
| **July 8** | **1033 Ride** | **Ride from SLC to Kamas – coming through Park City** | **1 p.m. – 3 p.m.** | **1000** |
| **July 8, 15** | **Triple Crown** | **Quinn’s Sports Complex, Park City School District Fields, City Park** | **8 a.m. – 8 p.m.** |  |
| **August 26** | **Walk A Mile**  **In Her Shoes** | **City Park** | **8 a.m. to noon** | **250** |
| **September**  **16** | **Autumn Aloft** | **Main Street, N40** | **7 a.m. to noon** | **2,500** |
| **September**  **16** | **Tour De Suds** | **City Park** | **9 a.m. to noon** | **400** |

12. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.

13. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

14. Staff finds Park Silly Sunday Market is meeting the Measures of Success, is consistent with the measures as outlined in the City Services Agreement as entered into on September 14, 2017 and supports Council’s goal of creating a complete community that values economic diversity, arts and culture, and a thriving mountain community. This event creates a community gathering place, encourages and supports the Historic Main Street Alliance, Park City Businesses and encourages local and regional tourism and supports continued Main Street vibrancy.

Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. The permittee, at its' cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. The permittee shall keep all noise to Market hours, which are between 10:00 a.m. and 5:00 p.m., Sundays, June 3rd through September 23rd, 2018. The applicant has received relief from restrictions to Park City Municipal Code [6-3-11](https://parkcity.municipalcodeonline.com/book?type=ordinances#name=6-3-11_Relief_From_Restrictions) prior to conducting any activity in excess of the noise ordinance. The applicant will work with City Staff to orient the activities so as to minimize sound impacts to the neighborhood and the applicant shall monitor the following:
   1. The permittee, or his/her designee, shall provide on-site management for each aspect of the event.
3. Waiver of City Service Fees & Municipal Funds currently estimated at $60,688 and an additional $15,000 if PSSM participates in Green Event Program. PSSM will not receive any cash payment in 2018.
4. The permittee has agreed to return to and give a mid-season and end-of-season review for the 2018 market season.
5. In additional to minimum insurance as required by state law or applicable regulation (for example worker’s compensation, auto, and liquor liability as applicable), Applicants shall provide proof of public liability insurance in an amount outlined in Section 12.2 of the City Services Agreement as follows:
   * 1. Commercial general liability policy, with combined single limits of Two Million Dollars ($2,000,000.00) per occurrence and Four Million Dollars ($4,000,000.00) in aggregate.
     2. Automobile general liability policy, with a limit of Two Million Dollars ($2,000,000.00).
     3. Liquor Liability Coverage Part on the commercial general liability policy in the amount of One Million Dollars ($1,000,000.00) per occurrence and Two Million Dollars ($2,000,000.00) in aggregate.
     4. PSSM shall require any hired security company to provide policy of liability insurance and name PSSM and Park City as additional insured on the policy with limits set forth in 12.2( a) and 12.2(b).
     5. PSSM shall require any hired transportation company to provide a policy of liability insurance and name PSSM and Park City as insured on the policy with limits set forth in 12.2(a) and 12.2(b)
6. All plans for tents, stages and other temporary structures as well as flammable materials shall be submitted to the Building Department for review and permitting no later than the Thursday previous to each market week.
7. The permittee is responsible for creating an Operational, Parking and Pedestrian Management
   1. Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.
8. The applicant use of barricade and signage will be in accordance with the Manual of Uniform
   1. Traffic Control Devices (MUTCD) for the duration of the event.
9. All third party approvals including the Park City School District, Summit County and State permit approvals required for this event shall be secured by the Thursday previous to each market week and submitted to Park City Municipal Corporation.
10. The Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel event upon any condition, violation or weather that jeopardizes the life, safety or property of the residents or visitors of Park City.
11. The Applicant will provide a vendor list and sign plan for the event weekly. All handouts, flyers, banners and other signage, shall comply with Park City Municipal’s sign code.
12. Estimated fee waivers for City Services in 2018 are $60,500, and contracted municipal funds for the 2018 season are $15,000. Changes in City Service fees shall be reported at the mid-season and end-of-season review.
13. PSSM will provide vendor license plate numbers to the Parking Services Department no later than 10:00 a.m. during each Sunday. This is to help ensure that vendors are parking in vendor parking areas.
14. PSSM shall report zero waste statistics in pounds for the 2018 season as to allow for comparison to the previous year and shall report this weekly by each Tuesday.
15. PSSM shall maintain the following vendor types at no more than: Six (6) Import Vendors, Twelve (12) Jewelers and Twelve (12) On-site Food and Snack Food Vendors per market and shall report this weekly by each Tuesday.
16. PSSM shall have non-exclusive use of the upper and lower Sand Ridge Parking Lots for Vendor Parking. In addition, PSSM shall be permitted to utilize four (4) parking spaces in the Mawhinney Lot at City Park for up to four (4) PSSM box trucks. During times when the Mawhinney Lot is closed or in use by another event, such as Miners Day, PSSM shall work with Staff to find other possible locations for these four (4) parking spaces.
17. PSSM estimates overall attendance in 2018 will be 200,000. PSSM shall work with Staff to address the challenges and opportunities created by the growth in attendance to the event with regards to maintaining public safety, traffic and transportation impacts to the City.
18. The applicant shall provide the Utah State Tax Commission and the City Representative a weekly list of all participating vendors containing the following information: Name, address and contact information, Utah State Tax Identification number. The PSSM shall also provide a list of all participating not-for-profit organizations. The Utah State Tax Commission will provide each vendor a Utah State Tax ID Number. The applicant shall require all participating vendors to provide and display their Special Event Permit provided by the State of Utah Tax Commission.
19. PSSM will work with the Fire Marshall, and Public Safety Personnel regarding placement of emergency staff, barricades and equipment. PSSM has also submitted an Emergency Operations Plan which is being coordinated with Park City Police, Emergency Management and Park City Fire.
20. PSSM shall have a deadline of May 1, 2018 for all HPCA vendor requests as pertains to the Vendor Mix requirements. Any unfilled dates for June that are not fulfilled by the May 1 deadline, will be filled by other vendors as pertains to the Vendor Mix requirements, and subsequently on the first of each month through August 1, 2018. Any vendors who are scheduled and fail to notify PSSM staff prior to 5:00 p.m. on the Thursday before the scheduled Sunday will receive a bill for a $150.00 cancellation/no show fee. For HPCA - the next scheduled HPCA member will not be permitted to participate or load-in if the cancellation/no-show fee has not been paid. PSSM vendors, who do not pay the fee, will not be permitted to return until the fee has been paid.

PASSED AND APPROVED this Thursday, the 3rd day of May, 2018.

PARK CITY MUNICIPAL CORPORATION

Attest:

City Manager, Diane Foster

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney