



MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Sofia Navarro
Interim Director, Economic
& Workforce Development
Department

SUBJECT: Launch of Updated Special Events
Permitting Process

DATE: January 27, 2023

City Administrator Approval

Date: January 27, 2023

INFORMATION

EXECUTIVE SUMMARY

In July 2022, the City Council adopted Ordinances [No. 13704](#) and [13700 C.M.S.](#), which transferred special event permitting from the Oakland Police Department (OPD) to civilian staff in the Economic and Workforce Development Department (EWDD) and modified special event permitting fees. These amendments center around a new one-stop shop approach to special event permitting that aims to lower barriers of entry for applicants while ensuring that events take place safely.

In February the public can apply for special event permits through this updated process and review related information at: <https://www.oaklandca.gov/services/apply-for-a-special-events-permit>. This informational memorandum provides additional background and an overview of the updated special event permitting process now in place.

BACKGROUND

Oakland Special Events Ordinance

Oakland Municipal Code (OMC) Chapter 9.52 requires anyone holding an event with fifty or more people that is open to the public and includes entertainment, to obtain a permit pursuant to the requirements of OMC 9.52. Special events encompass a wide range of activities, including block parties, parades, marches, park gatherings, shows on private property, marathons, and sporting events at the Oakland Coliseum. As a result, special events involve coordinating with a multitude of City of Oakland (City) departments¹ as well as external agencies, including AC Transit, the Port of Oakland, Alcohol Beverage Control, the Department of Cannabis Control, and Alameda County Environmental Health Department.

¹ Special events can require the involvement of the Economic and Workforce Development Department, the Oakland Fire Department, Oakland Public Works, the Oakland Parks and Recreation and Youth Development Department, the Oakland Police Department, and the Department of Transportation.

Early Efforts to Improve Special Event Permitting and Resolution No. 88236 C.M.S.

For many years stakeholders questioned and analyzed Oakland's approach to entertainment. For example, in 2009, then Mayor Ron Dellums formed a Mayoral Entertainment Subcommittee that issued a report with recommendations including forging a citywide vision for Oakland's entertainment industry, establishing an Entertainment Commission, and transitioning special event permitting from OPD.² In 2012, the City held a Civic Design Lab workshop with external and internal special event stakeholders that identified an online one-stop shop permit platform as a tool to improve transparency and internal coordination. In 2017 Mayor Schaaf established via Executive Order a Special Event Permit Redesign Task Force in,³ which similarly identified opportunities for streamlining interdepartmental permitting processes and lowering barriers to entry for event holders. Moreover, media reports and academic studies found the City's approach to entertainment was inequitable, unclear, and indicative of a view of entertainment as a problem rather than as something to support.⁴

Consequently, in the summer of 2020, the City Council adopted [Resolution No. 88236 C.M.S.](#), which requested that the City Administration return to the City Council with amendments to the City of Oakland's Special Events and Street Closure Ordinances and to move the permitting of events from OPD to civilian staff. Following the passage of [Resolution No. 88236 C.M.S.](#), an interdepartmental team of City staff reviewed past critiques and efforts to improve the City's special events permitting process and conferred with the City's Cultural Affairs Commission as well as special event regulators across the country. Subsequently, staff authored proposed amendments to the City's Special Events and Street Closure Ordinances for the City Council's consideration in the summer of 2022.

OVERVIEW OF UPDATED SPECIAL EVENT PERMIT PROCESS

In the summer of 2022, the City Council adopted Ordinances [No. 13704](#) and [13700 C.M.S.](#), which advance the Citywide priorities of **responsive, trustworthy government**, as well as **housing, economic, and cultural security** by changing systems and removing ambiguity from special event policies and processes to facilitate a fairer permitting process. More specifically, the ordinances transfer the permitting of special event and short-term encroachments to civilian staff, offer transparency, streamline the processing of special events, as well as reduce fees for community and repeat events.

² Mayor Ronald V. Dellums Community Task Force on Sports and Entertainment, Entertainment Subcommittee Report and Recommendations, June 2009.

<http://www2.oaklandnet.com/oakca1/groups/ceda/documents/agenda/dowd008436.pdf>

³ Lefebvre, Sam, Barriers Remain to Reforming Oakland's Nightlife Regulations.

<https://www.eastbayexpress.com/oakland/barriers-remain-to-reforming-oaklands-nightlife-regulations/Content?oid=9073988>

⁴ Werth, Alexander L., Racial Reverberations: Music, Dance, and Disturbance in Oakland after Black Power, Spring 2019. https://digitalassets.lib.berkeley.edu/etd/ucb/text/Werth_berkeley_0028E_18876.pdf
See Also, Williams, Domingo, Reimagining the City of Oakland's Special Events Permitting and Entertainment, 2021.

I. Increased Transparency

[Ordinance No. 13704 C.M.S.](#) makes the special event permitting process more transparent by explicitly outlining security requirements, deleting existing ambiguous statutory language, and establishing accountability mechanisms.

A. Explicit Security Standards and Updated Process

Understanding what type and amount of security the City will require at an event is critical for event organizers given the cost of security, particularly in the form of law enforcement. Accordingly, [Ordinance No. 13704 C.M.S.](#) explicitly outlines under OMC 9.52.080 what factors will determine the level of security required at an event. Additionally, OMC 9.52.080 establishes that for the City to require law enforcement as a form of security at an event, the City Administrator must make a written finding that law enforcement is required for the event to take place safely. These changes add transparency to the process, build in an extra layer of review, and eliminate the potential for or appearance of a conflict of interest in law enforcement requiring fellow law enforcement to staff events.

B. Ambiguity Removed

In addition to clarifying security requirements, [Ordinance No. 13704 C.M.S.](#) deletes previous ambiguous language in the Special Events Ordinance to avoid disparate impacts resulting from unequal implementation of special event requirements. For example, [Ordinance No. 13704 C.M.S.](#) removes from the definition of a special event the current requirement that licensed entertainment venues obtain a special events permit if an event “will foreseeably result in impacts on public safety, health, welfare, and police resources” (OMC 5.92.040(D)). This eliminates the confusion over when an event at an already licensed facility must obtain a special event permit. Similarly, [Ordinance No. 13704 C.M.S.](#) deletes previous sections that allowed the Chief of Police to exempt an event from paying permit fees or obtaining a special event permit altogether based on the subjective determination that “there is evidence [the event] will not impact police services and will not affect public health, safety and welfare” (OMC 9.52.040(F)). Removing these sections eliminates misunderstandings for both staff and the public as to what the requirements are for events.

C. Embedded Accountability

[Ordinance No. 13704 C.M.S.](#) also introduces a Review Committee to hear appeals of special event permit denials. The Review Committee consists of three members: a member of the Cultural Affairs Commission, the Chief of Police or their designee, and the Director of the Economic and Workforce Development Department or their designee. This three-person committee offers multiple perspectives, increases transparency, and ensures the decision-making body that is nimble enough to hear requests for reconsideration on short notice and in advance of any proposed event.

Additionally, [Ordinance No. 13704 C.M.S.](#) features an automated approval if a special event applicant does not receive a response within fifteen days of submitting their application in OMC 9.52.070. Staff received feedback from special event stakeholders regarding the importance of receiving a response from the City to provide a measure of certainty in advance of their event. [Ordinance No. 13704 C.M.S.](#) provides an event applicant with the certainty that they will receive either an approval, conditional approval, or denial within fifteen days of submittal.

II. New Special Event Tiers and Streamlining of Repeat Events

Given the wide range of events, [Ordinance No. 13704 C.M.S.](#) introduces different special event tiers with different application timelines based on the complexity of the event. This will allow staff and applicants more time to prepare for the most involved events and expedite the processing of less complex events, as outlined below in **Figure One** and in OMC 9.52.040.

Figure One: Special Event Tiers and Proposed Application Deadlines

Special Event Tier	Definition	Number of Days in Advance of Event Application Due
One	A special event consisting of the following: less than three-hundred (300) people, either no street closure or only the closure of a local street, no fencing, less than four hundred (400) square feet of tents, no open flames, no pyrotechnics, and no sales of food, beverages, goods, cannabis, or alcohol.	21
Two	A special event that includes any of the following: three hundred (300) or more people, the closure of a non-local street, four-hundred (400) or more square feet of tents, open flames, or pyrotechnics, or includes sales of goods, beverages, cannabis or alcohol.	45
Three	A special event with two-thousand five hundred (2,500) or more people or a parade.	90
Four	A special event consisting of a marathon, half-marathon, triathlon or similar events with active attendee participation and with multiple closures of non-local streets.	120

Understanding that not everyone will be aware of the City's application deadlines and late submittals are a reality, [Ordinance No. 13704 C.M.S.](#) also allows for staff to attempt to process applications submitted outside of the required timelines, with the provision that staff cannot guarantee late submissions will be processed in time. This makes transparent the City's policy of working with all applicants, while still encouraging applicants, particularly for complex events, to submit application well in advance of an event so various stakeholders can plan and prepare for a safe event.

III. One-Stop Shop Model and Reduced Fees for Community and Repeat Events

Beyond transferring oversight of special event permitting from OPD, Ordinances [No. 13704](#) and [13700 C.M.S.](#) incorporate a one-stop shop approach to special event permitting to improve efficiency and the experience of event applicants and staff alike. Previously, special event applicants had to apply for multiple permits from different City departments and pay separate fees for different components of special events, such as a special event permit with OPD, a sound permit with EWDD, and a public assembly permit with the Oakland Fire Prevention Bureau. Now, EWDD will receive special event applications and coordinate interdepartmental

review of the application on behalf of the applicant. This will reduce the amount of work for applicants and enhance interdepartmental coordination.

A. Updated Special Event Application Fees

Figure Two outlines the updated special event application fees adopted under [Ordinance No. 13700 C.M.S.](#) These updated fees reflect full cost recovery for Tiers Three and Four, the two largest special event categories, and fifty (50) percent of full cost recovery for Tiers One and Two, the two smallest special event categories. This updated approach thus reduces barriers for smaller event organizers while also reducing reliance on the General Fund for the special event program by requiring larger event holders to cover all of the City’s costs involved in reviewing a special event application.

Figure Two: Baseline Updated Special Event Application Fee

BASELINE UPDATED SPECIAL EVENT APPLICATION FEES	
TIER 1 (less than 300 people)	\$77.16
TIER 2 (300 or more people)	\$395.85
TIER 3 (2,500 or more people/parade)	\$1,620
TIER 4 (marathons)	\$4,563.90

B. Reduced Fees for Community and Repeat Events

In addition to updating special event application fees, [Ordinance No. 13700 C.M.S.](#) introduces reduced application and fire inspection fees for “community events” to reduce barriers for both events taking place in under-resourced neighborhoods and events composed of Oakland residents from under-resourced neighborhoods.

[Ordinance No. 13704 C.M.S.](#) defines a “community event” as an event that is:

1. Free for attendees; and
2. Is organized by either: a 501(c)3 organization under the Internal Revenue Code; OR an organization with an annual budget of no more than \$500,000; and
3. Either is located in areas that fall within the lowest quartile of the [California Healthy Places index](#) OR have a majority of vendors that reside in areas that fall within the lowest quartile of the [California Healthy Places](#).

However, for a one-year period the City Council authorized events to qualify as a “community event” as long as they meet the first two criteria: being a free event and being organized by a non-profit or small organization; thereafter, [Ordinance No. 13704 C.M.S.](#) requires events to satisfy all three criteria in order to qualify as a “community event.” This one-year period gives local organizations an opportunity to start tracking the composition of their vendors to ensure that their event supports under-resourced Oakland communities and if needed conduct outreach to entrepreneurs in those communities.

In terms of the fee discounts for “community events,” [Ordinance No. 13700 C.M.S.](#) authorizes a fifty percent application fee discount for “community events” as outlined in **Figure Three** plus a reduced \$100 hourly rate for fire inspections.

Figure Three: Discounted Special Event Application Fee for Community Events

DISCOUNTED APPLICATION FEE FOR COMMUNITY EVENTS	
TIER 1 (less than 300 people)	\$38.58
TIER 2 (300 or more people)	\$197.93
TIER 3 (2,500 or more people/parade)	\$810
TIER 4 (marathons)	\$2,281.95

Finally, [Ordinance No. 13700 C.M.S.](#) also includes an application fee discount for repeat events. Specifically, staff recommends a 25 percent reduction for each repeat event, up to a maximum of 75 percent off after three repeat events. This reduction reflects the reduced amount of staff time required for repeat events.

CURRENT STATUS

To apply for a special event permit or learn more about the updated special event permit process please visit: <https://www.oaklandca.gov/services/apply-for-a-special-events-permit>

For questions regarding this report, please contact Greg Minor, Deputy Director, Economic and Workforce Development Department, at (510) 238-6370.

Respectfully submitted,



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