



# City of Albany



## ENCROACHMENT PERMIT-- STREET EVENT

PERMIT NO.: \_\_\_\_\_ FEE: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

NAME OF STREET: SOLANO AVENUE FROM: THE BERKELEY BORDER TO: SAN PABLO AVENUE

ON (DATE): SUNDAY, SEPTEMBER 14, 2008 BETWEEN HOURS OF: 7AM AND: 7PM (EVENT IS 10AM-6PM)

APPROXIMATE NUMBER OF PARTICIPANTS: 300,000

DESCRIPTION OF EVENT: SOLANO AVENUE STROLL & PARADE

APPLICANT'S NAME: ALLEN CAIN, EXECUTIVE DIRECTOR

ORGANIZATION: SOLANO AVENUE ASSOCIATION

APPLICANT'S ADDRESS: 1563 SOLANO AVE. PMB #101 BERKELEY, CA 94707 MAILING ADDRESS: SAME

PHONE: 510.527.5358 EMERGENCY PHONE: 510.710.4447

### REQUIRED CONDITIONS:

1. Indemnification: The applicant understands, acknowledges and agrees to the following conditions: It is hereby certified that the foregoing statements describing the nature of the event and the representations made to the City of Albany in seeking this permit are true and correct. Applicant hereby agrees to indemnify and hold harmless the City of Albany, its City Council, officers, agents, and employees from and against any and all loss, damages, liability, claims, suits, costs and expenses, whatsoever, including attorney's fees regardless of the merit or outcome of any such claim or suit arising from or in any manner connected to the requested Solano Stroll activity. Permittee also agrees to comply with all permit conditions, and understands that the failure to comply with any condition, or any violation of law may result in the immediate cancellation of the event, denial of future events and/or criminal prosecution.
2. Emergency Suspension of Authorized Event: The Chief of Police and any sworn Police Officer employed by the City of Albany may temporarily suspend this event authorized by the permit whenever there is a fire or other emergency or circumstance that requires the event to be temporarily suspended to protect public safety. When the event is temporarily suspended for this reason, the Permittee and the event participants shall immediately comply with the suspending officer's instructions. The Chief of Police or designee shall immediately attempt to notify Permittee orally and shall notify the Permittee, City Administrator, and the City Clerk, in writing, within 24 hours after the suspension, citing the facts and reasons for the suspension.



# City of Albany



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3. Liability re: Permit Issuance: The Permittee agrees to hold the City harmless from and against any liability, damage or loss suffered by Permittee, or any of its employees or agents, resulting from any act or omission of the City related to the issuance or revocation of this permit or the activities authorized hereunder.
4. Insurance: Permittee shall obtain and provide proof of insurance in accordance with the requirements of the City of Albany.
5. If City property is destroyed or damaged by reason of this event, the Permittee shall reimburse the City for actual replacement or repair costs for destroyed or damaged property.
6. The Permittee shall be responsible for obtaining any and all business licenses and other permits or licenses required for the sale of food, beverages or other goods and services at this event.
7. Any and all activities undertaken by the Permittee related to this event shall comply with all federal, state, and local regulations including but not limited to the observance of individuals' constitutional and first amendment rights.
8. The granting of this permit does not confer or delegate to the Permittee and/or the Solano Avenue Association the right to perform City policing functions such as enforcement of laws or to restrict an individual's exercise of constitutional rights.
9. The Permittee and/or the Solano Avenue Association understands and agrees that Albany Police Officers are not the agents of the Permittee or the Solano Avenue Association and are not under the direction of the Permittee and/or the Solano Avenue Association.
10. The Permittee and/or Solano Avenue Association shall provide event monitors sufficient to oversee and coordinate event activities. The Permittee and/or Solano Avenue Association shall inform the event monitors of the conditions of this permit and the requirements to abide by the conditions of this permit. Specifically, event monitors shall be instructed not to violate or in any way infringe upon the exercise of any individual's constitutional rights, including first amendment rights of all persons present.
11. Acceptance by the applicant of the permit shall be conclusive evidence of the reasonableness of the terms imposed and shall constitute a waiver of any right to legislative determination thereof.

APPLICANT'S SIGNATURE: *DIANE CA* DATE: 06.12.08

ADDRESS OR TITLE OF EVENT: SOLANO AVENUE STOLL AND PARADE



# City of Albany



## ENVIRONMENTAL PROTECTION STATEMENT OF RESPONSIBILITY FOR DISCHARGES & DAMAGE

### I. PURPOSE

This statement is to provide notice to property owners, contractors, and others of the responsibility for compliance with Albany Municipal Code (AMC) as it relates to protection of public trees and waterways.

Public Trees: Damage to street trees or other trees located on public property is considered damage to public property. Damage to trees includes, but is not limited to, cutting any amount of tree roots, ripping or tearing of branches, and peeling, tearing, or scarring of tree bark. Damage may cause death and/or a dangerous condition by destabilizing the tree. Restoring a tree to its pre-damaged state can take years. Therefore, preventing damage to trees is a priority of the City of Albany.

Waterways: The City's storm water runoff system conveys rainwater directly to the San Francisco Bay through a network of surface flows, underground pipes, and creek channels. Materials discharged to a sidewalk, street gutter, storm drain, or creek can cause creeks and the Bay to become polluted. Any material other than rainwater is considered an illicit discharge under the Federal Clean Water Act. Examples of illicit discharges included: concrete wash water, stucco wash water, paint wash water, chemicals, and runoff from stockpiled materials such as dirt aggregate, soil products, and other construction materials.

### II. RESPONSIBILITY FOR DAMAGE TO PUBLIC TREES AND/OR ILLICIT DISCHARGES TO WATERWAYS

Public Trees: Pursuant to Albany Municipal Code Section 14-1.2, it is unlawful to cause damage to public property. When a public tree is damaged, the cost of the damage and the value of the tree will be calculated by a certified arborist in accordance with International Society of Arboriculture Standards. Because valuable resources, such as time, energy, and money are invested in trees over many years, the calculated value of a tree can be high. The party damaging the tree is liable for all costs associated with the loss of the tree and the repair or replacement of the tree.

Waterways: Pursuant to Albany Municipal Code Section 15.4, it is unlawful to discharge materials (liquid or solid) to a sidewalk, street, gutter, storm drain, or creek. An illicit discharge is defined as, "Any discharge to the City storm drain system that is not composed entirely of storm water..." The contractor and/or property owner is responsible for all fines and costs associated with the illicit discharge.

### III. CERTIFICATION OF COMPLIANCE

I understand that as the applicant, I am responsible for any damage to public trees and/or all illicit discharges resulting from this project, and that I am responsible for all fees and fines resulting from non-compliance.



# City of Albany



APPLICANT'S SIGNATURE: \_\_\_\_\_

*Allen Cain*

DATE: 06.12.08

ADDRESS OR TITLE OF EVENT: SOLANO AVENUE STOLL AND PARADE

## **Solano Avenue Stroll and Parade**

Sunday, September 10. 2008 - 10:00AM / 06:00PM

(Street closure 07:00AM / 07:00PM)

Allen Cain  
Executive Director  
**Solano Avenue Association**  
1563 Solano Avenue - PMB 101  
Berkeley. California - 94707

510.527.5358  
510.710.4447 PCS

**Solano Avenue Stroll**  
**Sunday, September 14 2008 - 10:00AM / 06:00PM**  
(Street closure 7 a.m. - 7 p.m.)

**GENERAL EVENT DESCRIPTION**

This is the 34th Anniversary of the Solano Avenue Stroll.  
The 2008 theme is "Stroll for Health".

This event is expected to draw 250,000-300,000 people. Approximately 100 entries will make up the Parade that begins at 10 a.m. After the Parade, entertainers will be located on the sidewalks and a few will be located in smaller intersections. There will be a five-block area of arts and crafts booths between Ventura and Santa Fe. Along the entire street will be information and fundraising booths for non-profit organizations, food booths (some put out by established restaurants, others from vendors or non-profits), merchants, games, pony rides, giant slides, a bounce room, and a dunk tank. Shuttles will offer free rides up and down the length of Marin Avenue from 10-7 p.m. and from the North Berkeley BART station to the Stroll from 10-7 p.m. We expect free valet bicycle parking at Wells Fargo Bank, typically provided by the East Bay Bicycle Coalition from 10-7 p.m.

**SCHEDULE OF EVENTS**

7:00 a.m. - Street closed to through traffic. Vendor, delivery and event staff traffic is allowed on the street until 10 a.m. At that time block captains provided by the Solano Avenue Association (SAA) will close internal barricades along Solano. Also at 10 a.m., Public Works departments from Berkeley and Albany will close external barricades from The Alameda in Berkeley to San Pablo Avenue in Albany (see map). AC Transit will be notified of rerouting prior to the event.

8 a.m. - Vendors, merchants, entertainers, etc. begin to set up in the street parking spaces (both metered and unmetered), some parking lots, in some intersections and on the sidewalks of Solano Avenue. Vendors have been notified to park legally and acknowledge the needs of local residents.

10 a.m. - All vehicles must be off Solano, except those on display. Vendors open to commence business. Some entertainment begins.

We are reconfiguring the parade for 2007 and all parade details are not available as of this writing, but will be submitted prior to the event.

6 p.m. - All vendors, entertainers, etc. must close down activities. Block captains will remain in force to see that this occurs.

7:00 p.m. - Police re-open Solano Ave. to vehicles. Police remove external barricades, SAA block captains remove internal ones.

## **SECURITY**

Lost Children and Lost & Found - California Bank & Trust, 1451 Solano, 527-8141;

Berkeley Police and Fire will be headquartered at Colusa and Solano in Berkeley. Albany Police and Fire will be located at Masonic and Solano in Albany.

Block Captains - SAA will designate 3-block long stretches to volunteer block captains who will have a morning or afternoon shift. They will have a two-way radio, a detailed map of their 3 blocks, and will wear yellow colored T-shirts with "STROLL PATROL" on the back. They are responsible for contacting the organizer or the police to deal with illegal vendors and are not to confront illegal vendors themselves.

Other Security - Berkeley and Albany will provide police officers.

## **PUBLIC WORKS ISSUES**

The Cities of Albany & Berkeley will deal with refuse issues in their respective areas as listed on the attached documents. Alameda County Waste Management will provide recycling and garbage containers in Albany and make an extra pickup on Monday morning. Restaurants have been asked to put out their own garbage containers and all food vendors have been notified that they must provide their own garbage containers. Cities are requested to also clean side streets of debris.

Portable Toilets - 13 regular and 3 handicapped toilets with 3 external hand washing units will be placed in Berkeley by the City of Berkeley and 18 regular and 3 handicapped toilets with 5 external hand washing units will be placed in Albany by the SAA. In addition, most stores and restaurants on Solano have their bathrooms available to customers.

## **VENDOR LISTS**

A complete list will be provided on the morning of the Stroll. A list of the food vendors will be provided to the Health Dept. in Berkeley and Alameda County for review.

## **CERTIFICATE OF INSURANCE**

A Certificate of Insurance will be submitted to both Cities of Berkeley and Albany. All hazardous food booths and activity booths have been required to provide certificates of insurance worth one million dollars and naming the Solano Avenue Association as additional insured.

## **LICENSING**

The City of Berkeley has issued the Solano Avenue Association a Stroll-specific business license. The City of Albany will issue an Encroachment Permit. These allow the Solano Avenue Association to supersede any other vendor's permit for activity outside of any storefront on Solano Avenue on the day of the Stroll. These also insure no illegal vendors (vendors who have not pre registered with SAA) on the street. All event participants must have a Stroll permit on display at their booth.

Submitted by Allen Cain, Executive Director