



Exhibit D – PCKAF Level Five Special Event Permit DRAFT

SPECIAL EVENT PERMIT

Type of Permit: Level One Level Two Level Three Level Four X Level Five
Event Name: 2019 Park City Kimball Arts Festival
Event Date(s): Thursday through Sunday, August 1 through 4, 2019
Event Time(s): Set up to begin at 6 a.m. (August 2, 2019)
 Event to be held 6:00 a.m. to 9:00 p.m. as indicated below
 Breakdown complete by midnight (August 4, 2019)
Event Location: Main Street, Heber Avenue and Swede Alley
Permittee: Kimball Art Center
Contact Person: Canice Harte, canice.harte@kimballartcenter.org
Approved By: Special Events Coordinator X City Council of Park City
Approval Date: July 11, 2019

The Park City City Council has approved the Level Five Special Event Permit for the Park City Kimball Arts Festival as part of the current City Services Agreement that was executed on November 3, 2016. The Park City Kimball Arts Festival is to be held on Main Street, Heber Avenue and Swede Alley on August 2 through 4, 2019. This Level Five Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4A based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Park City Kimball Arts Festival will operate during the following 2019 dates:
Thursday, August 1 through 4, 2018
Thursday – 4:00 p.m. to 9:00 p.m.
Friday – 5:00 p.m. to 9:00 p.m.
Saturday – 10:00 a.m. to 8:00 p.m.
Sunday – 10:00 a.m. to 6:00 p.m.
2. Main Street shall be reopened to traffic and parking by 11:00 p.m. or sooner when possible on Sunday, August 4, 2019. 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 permittee will have volunteers as well as the help of Park City Police Department to ensure that efficiency of traffic, transportation and public safety.
3. The permittee has secured permission from the school district to allow the use of their parking areas at the Schools around Kearns Blvd. (Hwy. 248) throughout the event. The permittee has also secured parking at with Vail Resorts and Deer Valley Resorts. The permittee will use the City's current transit schedule for attendees that use these lots. Increased transit has been scheduled during the event through the City's Transit Department.
4. The permittee has worked with Park City Parking Services Department on exclusive use of City parking lots for vendors.
5. The permittee has established a weather and emergency plan and will train staff and volunteers to the requirements of the plans. The permittee 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 permittee 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 permittee 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 anytime due weather or emergency conditions.

6. The events associated with the Park City Kimball Arts Festival 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.
7. 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.
8. A summary of events that occur on the same day as PCKAF are below. According to section [4A-2-5](#) of the municipal code, staff finds that these events will not duly interfere with each other. While this is a Peak Time Period, all of the events listed below are the same are returning events that existed on the 2018 Calendar. Please also note that the weekend after Arts Festival (August 9, 10 and 11) is the 'quiet weekend with no Park Silly Sunday Market, before Tour of Utah which is on August 17 & 18.

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipated Attendance
August 1	No other permitted events	NA	NA	NA
August 2	Deer Valley Music Festival	Deer Valley Snow Park Amphitheatre	6:00 p.m. to 10:00 p.m.	4,500 – anticipating sell out concert with increased transpo mitigation
August 2	Sundance Summer Series	City Park	6:00 p.m. to 11:00 p.m.	300
August 2	Sundance Summer Series	City Park	6:00 p.m. to 11:00 p.m.	300
August 3	Summer in the City Volleyball Tournament	City Park	7 a.m. to 9 p.m.	600 all day
August 3	Deer Valley Music Festival	Deer Valley Snow Park Amphitheatre	6:00 p.m. to 10:00 p.m.	4,500 - anticipating sell out concert



				with increased transpo mitigation
August 4	No other permitted events	NA	NA	NA

9. 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.
10. The Permittee has worked with City Staff and applicable departments to address all event concerns. The Permittee 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 permit, or both.
11. Staff finds Park City Kimball Arts Festival is consistent with the measures as outlined in the City Services Agreement as entered into on December 16, 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 4A-2-1.

Conditions of Approval:

1. The permittee, unless otherwise affirmatively agreed in writing, 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 Permittee.
2. The permittee, is required to provide supplemental documents including a Transportation and traffic control plan, Contingency plans, Site Identification and Private Property Use Permission, detailed map showing specifics of event operations as described in section 4A-2-11. Such documents shall be reviewed and approved with conditions administratively by the Special Events Manager in coordination with from the Chief of Police, Transportation Manager, Chief Building Official and Economic Development Manager.
3. The permittee is required to provide a sufficient number of traffic controllers, signs and other equipment as required by City, not limited to barriers, fencing, traffic devices, monitors for crowd control and safety, overnight security and such measures as directed by City, County or State Staff in order to ensure that any safety, health, or sanitation equipment, services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety and the environment, adequate offsite parking and traffic circulation in the vicinity of the event and other services or facilities as necessary to ensure compliance with City ordinances in a plan approved by the Transportation Director, Chief of Police and Chief Building Official in accordance with the Transportation Demand Management Plan, Park City Risk Assessment and International Building and Fire Code.



4. 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 permittee will have volunteers as well as the help of Park City Police Department to ensure that efficiency of traffic, transportation and public safety.
5. The permittee is required to submit a waste and recycling plan which will be reviewed and approved in accordance with the PCMC Event Sustainability Standards. Kimball Art Center shall report sustainability statistics in the debrief of the event.
6. In accordance with the Transportation Demand Management Plan, the permittee is required to distinguish a transportation and parking plan, including obtaining private property permission or executing lease agreements for such public property use, that utilizes available public parking and can accommodate the anticipated attendance numbers. Parking for shall be identified, managed and secured for ADA, VIP, Staff and Volunteers, and Drop and Go/Taxi/For-Hire Lot, as well as Transit Services provided and managed by the permittee. Offsite parking areas for spectators are required with Transit Service secured by the permittee at the Park City School District and/or Resort properties and the permittee must provide such proof of permission to the City. Such plans shall be reviewed and approved by the Chief of Police and Transportation Planning Manager. Access to area businesses, public facilities and residential homes must be maintained at all times.
7. The permittee has requested an exemption to the noise ordinance 6-3-11, As according to section 6-3-11 of the Municipal Code, relief from noise restrictions in chapter 6 of the municipal code on basis of section 6-3-11(B)(3) in which the permittee is performing an activity that there is no reasonable alternative and a relief from restriction has been granted by the Chief of Police including that the noise from the stationary source of sound shall not exceed a ninetieth percentile sound pressure level (L90) of:
 - a. Thursday, August 1 from 4 p.m. to 9 p.m. for the Gala on the Kimball Terrace roof top patio at a level of 80 dBA from non-amplified noise and music. No amplified noise is permitted from the Kimball Terrace roof top patio.
 - b. Friday to Sunday, August 2 to 4 90 dBA during the daily operations of the Festival as listed in the beginning of this permit. No amplified noise is permitted from the Kimball Roof Top Patio during this time.

Any sound outside of these timeframes as listed above shall be kept to the noise levels as outlined in section 6-3-9 of the Municipal Code. The permittee shall work to orient noise activities to minimize sound impacts to the neighboring residents, businesses and public facilities. If a complaint is received by Park City Police Department, the police department will investigate the complaint from the source of the complaint. If asked by the Park City Special Event staff or Police Department, the permittee shall turn noise down to mitigate concerns of noise from surrounding residents, businesses or public facilities. The permittee shall provide on-site management for each aspect of the event and shall be responsible to ensure that the sound system maintains level adjustments not to exceed provisions of the Park City Noise exemption as outlined above.

8. The permittee is responsible for assisting the City in an outreach and communication plan, including event engagement and outreach plan before the plans are considered by Council, an event notice and outreach plan with direct primary and secondary contacts for City, Kimball Art Center and Kimball Terrace staff leading up to the Festival for final reminder of impacts and review of debrief for Gala and Festival operations in a form to be approved by the Special Events Manager to surrounding businesses and residents. Debrief specifically addressing the



operations and successful mitigation of the Kimball Terrace is required to for the permittee to be allowed consideration of use of the space for future Gala or Festivals.

9. The permittee shall provide with a final plan for the Park City Kimball Arts Festival and Gala, which includes final site plans, transportation, security/public safety and parking management plans including details of the operations for venues as required by the Economic Development Manager, Chief of Police and Transportation Planning Manager no later than 10 days before the event.
10. The permittee, is required to provide waiver and release of damages and indemnification insurance coverage in an amount as required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as additional insured. The permittee shall further indemnify the City from liability occurring at the event except for any claim arising out of the sole negligence or intentional torts of the City or its employees as described in section 4A-2-10 and 4A-2-4(F).
11. All plans for tents, stages and other temporary structures as well as flammable materials shall be submitted and approved by the Building Department no later than June 15, or no less than one week prior to the first day of set up for each venue. Tents, stages or other temporary structures are not permitted on the Kimball Terrace for either the Kimball Arts Festival or Gala.
12. The permittee is responsible for securing all City, County and State permit approvals required for this event shall be secured by no later than 10 days in advance of the start of the event.
13. The permittee is responsible for maintaining a staff and volunteers plan. Such plan shall be provided to the Special Events Manager and Economic Development Manager.
14. The permittee's use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
15. All third party approvals including the Park City School District, Summit County and State of Utah, permit approvals required for this event shall be secured by 30 days in advance of the event and submitted to Park City Municipal Corporation.
16. The Permittee will provide an official Kimball Art Center Venue and Sponsor list and sign plan for the event. Kimball Art Center shall have use of the areas as outlined in the site plans.
17. All handouts, flyers, banners and other signage, shall comply with the Park City Municipal sign code and be approved by the Planning Department.
18. The 2019 Sundance Film Festival will operate for ten (10) days, Sundance Institute reserves the right to review and make recommendations regarding the approval of any other Special Event Permit during this time.
19. Kimball Art Center estimates overall attendance of the Kimball Arts Festival and Gala in 2019 in Park City will be 50,000. Sundance shall modify operations as directed by Staff to address any substantive change in conditions created by the growth in attendance to the event with regards to maintaining public safety, traffic and transportation impacts to the City.
20. Estimated City Service fees for the Park City Kimball Arts Festival & Gala in 2019 are \$156,869.60. As per section 10.3 of the City Services Agreement, the Kimball Art Center is responsible for paying \$10,000.00 towards the cost of City Services. Final financial reporting in City Service fees shall be reported in the debrief.
21. Kimball Art Center will address any requirements from the Chief Building Official, and Public Safety Personnel regarding placement of emergency staff and equipment. Kimball Art Center will submit an Emergency Operations Plan to be coordinated with Park City Police, Emergency Management and Park City Fire District.
22. The Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management Departments have the right to cancel the event upon any condition, violation or



weather that jeopardizes the life, safety or property of the residents or visitors of Park City.
23. The approval identification provided with the approval of this permit must be in possession of the permittee at all times while on location and must be made available for inspection when requested by City authorities or the public. The permittee is responsible for providing a schedule of events, and access to any site for purposes of Code Enforcement or Public Safety as outlined by Park City Municipal Code 4A-2-4.

PASSED AND APPROVED this Thursday, the 11th day of July, 2019.

PARK CITY MUNICIPAL CORPORATION

City Manager, Diane Foster

Attest:

, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

DRAFT