



Memorandum

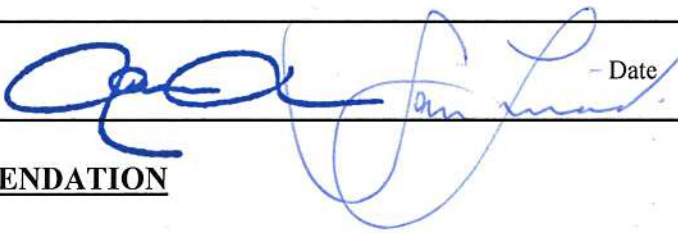
TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Mayor Sam Liccardo
Councilmember Raul Perez

**SUBJECT: OUTDOOR SPECIAL EVENTS
ON PRIVATE PROPERTY**

DATE: May 24, 2018

Approved



- Date

5-24-18

RECOMMENDATION

Approve a request to agendize for Council deliberation at the June 19, 2018 City Council meeting, to the City Manager to allow an alternate security ratio for outdoor public events on private property with music, such as the Taylor Street Night Market, that would be lower than the current ratio prescribed in the Public Entertainment Permit. An alternate private security ratio of 1:200 or 1:250 patrons should be considered.

Events able to utilize an alternate security ratio would be ones that meet the following criteria:

1. Event producer is not an existing Entertainment Permit holder;
2. Event to be held on private property is permitted with a Conditional Use Permit;
3. Event is a public event, open to all ages,
4. Event is exclusively held outdoors;
5. Event is to end by 10:00pm
6. Event only serves beer and wine; and,
7. Event serves or makes food available for sale, and food comprises majority of on-site sales.

BACKGROUND

San Jose benefits from 300 days of sun per year. We should leverage our extraordinary weather to our advantage, and minimize the regulatory process and costs that prevent our community from hosting outdoor events such as art and music festivals. Currently, we have a process that requires outdoor events – even those that shut down in the early evening, serve no alcohol other than wine and beer, and primarily rely on food sales – to comply with the same rules and regulations as nightclubs serving hard liquor that are open until 2am. Those burdens are unnecessary in the context of outdoor events, particularly where the same owners already must comply with a Conditional Use Permit that has a lengthy list of conditions designed to protect the safety and peace of the surrounding community.