

FEE REDUCTION, WAIVER, AND SPONSORSHIP POLICY FOR SPECIAL EVENTS

GENERAL

This policy establishes parameters for waiving fees associated with special events (i.e., facility fees and/or encroachment permit fees) and for sponsoring special events through direct cash payment.

DEFINITION

A “special event” is defined as any planned activity that requires use of public property which is not within the normal and ordinary use of the property or which, by nature of the activity, may have a greater impact on City services or resources, neighborhoods, businesses or the community as a whole than would have occurred had the activity not taken place, including, but not limited to, parades, gatherings, arts and crafts shows/fairs, festivals, and athletic events. The Director of Development Services or his/her designee shall determine whether or not an activity is considered a special event.

PURPOSE

The purpose of this policy is to provide an equitable means for community organizations:

- 1) To access fee reductions, fee waivers, and City funds,
- 2) To establish mutually beneficial partnerships between City and the community, and
- 3) To effectively control the manner in which the City provides event sponsorship to the community.

RESPONSIBILITY

- Fee reduction, waiver, and special consideration are determined by the City Manager or Designee who shall ensure that department staff follow the procedures set forth in this policy.
- Sponsorship is determined directly by City Manager at the time of request. The number of special events the City sponsors will depend on budget and operating impacts and will vary annually. All events must occur within the year they are budgeted to occur.

POLICY

Eligible Events/Activities:

Fee reductions, waivers, and sponsorship through direct cash payment are available to wide variety of events including sporting, tourism, cultural, general, and major community events.

The following projects and organizers are *ineligible*:

- Activities primarily of a fundraising or charitable nature.
- Events organized by groups or individuals that are unincorporated.
- Private functions.
- Political parties, lobby groups, or religious groups.

- Recipients of any other financial or other type of assistance from Council within the same calendar year.
- Organizations based outside the Hayward city limits (unless the demonstrated benefits are primarily to the residents of Hayward).
- Projects or organizations who have not satisfactorily fulfilled their obligations following previous fee reductions, waivers, or Hayward City Council sponsorships.

Fee reductions and waivers:

Fee reductions and waivers are for encroachment permit and facility fees only. Direct costs including but not limited to staff time are not eligible for fee waiver or reduction under this policy.

- **Fee Reduction:** Not for profit organizations and non-profit entities that have a documented federal tax exempt status will qualify automatically for a fifty percent (50%) reduction of encroachment permit and facility fees.
- **Fee Waiver:** Organizations that demonstrate that fees will cause a financial hardship and meet the *required* evaluation criteria but not the *preferred* criteria for sponsorship will be considered for a total fee waiver. The required (See “Sponsorship” section below for full list of evaluation criteria). Encroachment permit and facility fees will automatically be waived for events that are selected for sponsorship.
- **Special Consideration:** Any applicant regardless of its for-profit status or tax exempt status may have its encroachment permit and/or facility fees reduced, further reduced (beyond the fee reduction above), or waived if the said organization or entity provides an in-kind or other contribution of goods, services, or programs that will benefit the City of Hayward or its residents. All proposed Special Consideration must be equal to or exceed the value of the reduced fee or provide a substantial but immeasurable benefit.
- **Other Obligations:** Any reduction in or waiver of encroachment permit fees allowed above will not affect the obligation of a permittee to comply with the remaining qualifications, restrictions, and criteria of this policy or to pay other costs or to provide insurance as required by this policy or by ordinance. Business license, health permit, fire permit, and liquor license fees will not be waived or reduced.

Sponsorship:

The following criteria must be addressed and will be taken into account by the City in evaluating the priority of the application.

The event must:

- Be open to the public.
- Raise the profile of Hayward through prominent acknowledgement of its support and assistance in event marketing materials and at the event itself.
- Have a high number of expected attendees.
- Address City Council priorities and adopted General Plan policies.

- Benefit the residents of Hayward.
- Contain an education component.
- Be sponsored by one or more not-for-profit organizations and non-profit entities that have a documented federal 501(c)(3) status, or a similar non-profit status under state law.

Preference will be given to events that:

- Create revenue generating opportunities for local businesses.
- Are reoccurring.
- Involve more than one Hayward community group (in event organization and/or participation).
- Commit to tracking event attendance and vendor sales.

Level of assistance available:

- The maximum level of sponsorship per event will be limited to \$1,000 or 50% of total costs, whichever is less, subject to the availability of City funds.
- Greater funding may be available if the significance or scale of the event warrants it, however additional conditions such as in-kind or other contribution of goods, services, or programs that will benefit the City of Hayward or its residents. All proposed in-kind contributions must equal or exceed the value of the awarded funding or provide a substantial but measurable public benefit. In-kind contributions may include, but are not limited to, equipment or materials, free attendance for classes or programs, or service projects to improve or add to City programs.

Acknowledgement:

All recipients of fee reductions, waivers, and/or sponsorships shall acknowledge the City's support in all publicity relating to the event or activity. This includes logos and statements in all advertising and promotional material, media releases and in other promotional contexts. Promotional opportunities should be detailed in the event application.

All recipients also agree to allow the City of Hayward to take photos of their booth and product free of charge. Photos taken may be used for City of Hayward marketing purposes.

PROCEDURES

- Requests for fee reduction, waiver, or sponsorship must be made in writing by using the attached application and delivered to the Director of Development Services or Designee [along with a copy of the organization's IRS 501(c) determination letter, financial statements from the prior year's event, and the proposed budget for the current year's event. Applicants sponsoring an event for the first time will only be required to submit the current year's proposed budget.
- Applications must be submitted at least 21 days prior to the event, but not more than 6 months prior to the event. Requests made within less than 21 days of an event will not be considered.
- The Director of Development Services or Designee will forward the request to the appropriate departments to evaluate eligibility and estimate fees.

- Scheduling and use of City facilities are subject to the availability of the requested facilities. Sponsored events do not have preference over City programs and activities or previous commitments to third parties.
- Decisions made by staff can be appealed to the City Manager or the City Managers designee. Decisions made by the City Manager cannot be appealed.
- Applicants are required to adhere to all applicable rules, regulations, laws, and ordinances of the City of Hayward and other applicable governmental entities.
- Applicants that fail to abide by the policy and procedures set forth in this document will be ineligible to request fee waiver and or fee reductions for a period of at least one year.

APPLICATION FOR SPECIAL EVENT FEE WAIVER, FEE REDUCTION, OR EVENT SPONSORSHIP

The City of Hayward recognizes the value of partnering with other agencies and organizations in providing services that benefit the community and its residents. In an effort to provide support for organizations providing valuable services to the community, specific guidelines have been established for determining when encroachment permit and facility fees may be reduced or waived and when an event may be considered for sponsorship (see "Fee Reduction, Waiver, and Sponsorship Policy for Special Events"). In order to request sponsorship or a reduction or waiver of fees, please complete this application and submit it with necessary documentation to the address provided on the last page.

REQUESTING

(Please check all that apply)

- Fee waiver
- Fee reduction (Amount requested: \$_____)
- Event sponsorship (Amount requested: \$_____)

SPONSORING ORGANIZATION INFORMATION

Name of Organization: _____

Address: _____ Phone: _____

Event Coordinator: _____ Phone: _____ Email: _____

Nonprofit 501(c)3 tax exempt organization? Please circle: Yes No

Located in Hayward? Please circle: Yes No

Has organization received any other financial assistance from Council this year? Please circle: Yes No

EVENT INFORMATION

Name of Event: _____

Type of Event (i.e., parade, street party, etc.): _____

Facility Requested or Event Location: _____

Date of Event: _____ Event Hours: _____

On which dates and at what times are you requesting permission to setup and cleanup?

Setup: _____ Cleanup: _____

Date: _____ From: _____ To: _____ Date: _____ From: _____ To: _____

Please describe the event, its purpose, and the activities that will take place: _____

Is this event open to the public? Please circle: Yes No

Estimated number of participants/spectators: _____

Is this event a fundraiser? Please circle: Yes No

Will there be an admission, entrance, user fee, or cover charge for the event? If so, please explain:

How will the event benefit the Hayward community? _____

How will the event address City Council priorities and adopted General Plan policies? _____

Will promotional materials be used? How are you planning to market the event? _____

Will the event create revenue generating opportunities for local Hayward businesses? If so, how?

Can you commit to tracking event attendance and vendor sales to report to the City's Economic Development Team following the event? Please circle: Yes No

If yes, please describe how you will track attendance and sales: _____

Has your organization put on this same event in the past? Please circle: Yes No

If not, has your organization put on other events in Hayward? Please indicate which ones:

Other organizations participating in organization of event: _____

Other organizations participating in event: _____

Will this event receive third party funding or sponsorships? Please circle: Yes No

If you are requesting a fee reduction or waiver, explain how imposition of fees would create financial hardship on the organization or would have a detrimental effect up on the services provided to the public:

If you are requesting sponsorship, explain why you need financial support: _____

Signature of Applicant: _____ Date: _____

Please deliver completed applications to [INSERT TITLE, DEPARTMENT, ADDRESS, CONTACT INFORMATION] along with a copy of your organization's IRS 501(c) determination letter or Hayward business license or state seller's permit, financial statements from the prior year's event, and proposed budget for the current year's event. Applicants sponsoring an event for the first time will only be required to submit the current year's proposed budget.

Please note that applications must be submitted at least 21 days prior to the event, but not more than 6 months prior to the event. Incomplete applications or requests made within less than 21 days of an event will not be considered.