



TOWN OF  
**LOS GATOS**  
CALIFORNIA

## COUNCIL POLICY MANUAL

*Small Town Service*

*Community Stewardship*

*Future Focus*

**TITLE:** TOWN FACILITIES USE

**POLICY NUMBER:** 1-04

**EFFECTIVE DATE:** 8/3/2016

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**ENABLING ACTIONS:**

**REVISED DATES:** 10/18/2016; 2/7/2017;  
2/6/2018; 12/1/2022; [02/07/2023](#)

**APPROVED:**

### PURPOSE

To establish a policy for managing the use of ~~the~~ **certain** Town of Los Gatos facilities by the ~~general~~ public, for official Town business, ~~and~~ for governmental agencies, **and approved special events** which will:

1. Preserve core Town functions.
2. Provide for public access and use of ~~Civic~~ **Town** facilities.
3. Facilitate and coordinate multiple uses of ~~Civic~~ **Town** facilities.

### SCOPE

#### Guiding Principles

1. ~~Civic~~ **Town** facilities are intended to be used primarily for administrative operations of Town programs, and by the Town for the community. Therefore, official Town business, programs, and activities shall have priority use of all civic facilities.
2. ~~Civic~~ **Town** facilities are further intended to serve as a hub of civic and cultural activity and a major gathering center for community meetings and an active program of outdoor events.
3. Designated portions of the civic facilities may be used by the public for events including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education, or cultural enrichment.

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4. It is the Town's intent to provide spaces that are affordable and accessible for cultural, civic, and celebratory activities, without compromising security and official Town business needs.

## **POLICY**

### **Policy Overview**

1. The Town Council will establish the Town Facilities Use Policy. The Town Manager and his or her designee will issue permits and use agreements for events, and act as the final authority for the application of the Policy.
2. The Town Manager's Office is responsible for the day-to-day operation of scheduling and administering facility reservations.
3. The granting of permission to use any civic facility shall not in any way constitute an endorsement of the views of the persons and/or group reserving the facility.
4. Users of ~~Civic~~-Town facilities for events will be required to obtain a special event permit and comply with all requirements set forth [by the conditions of approval within the special event permit and within](#) ~~in~~ this Town Facilities Use Policy.
5. All ~~Civic~~-Town facility use reservations shall be made subject to the condition that the Town maintains the right to cancel or change any reservation if ~~Civic~~-Town facilities are needed for official Town business. In no event shall the Town have any liability whatsoever for any cancellation made under the Town's authority to do so.
6. Use of ~~Civic~~-Town facilities must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to immediately adjacent properties.
7. Private parties (such as a wedding reception) are not allowed [at the Civic Center, Town Plaza Park or on public Town facilities except when permitted with a Parks Special Use Permit, or by agreement or conditional use permit.](#)
8. Town approved non-profit fundraising activities [and special events](#) are allowed in/on Town facilities with an appropriate permit, or license issued by the Town, or provided in an agreement or Conditional Use Permit with the Town.

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9. The roping off of a portion of a ~~Civic~~-Town facility to create an exclusive section is permissible with an approved special event permit as long as the majority of the facility is open and accessible to the public.
10. Separate Council approved use agreements may supersede this Policy. Where conflicts in terms or conditions arise, the use agreement will prevail.

## Public Use – ~~Civic~~-Town Facilities

### A. *Civic Center Lawn, Deck, and Stairs*

1. The Civic Center lawn, deck, and stairs are focal points for the Town of Los Gatos Civic Center. These areas shall be used as the regular location for community gatherings and events free and open to all members of the public including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education, or cultural enrichment. Reservations are processed on a “first come, first served” basis. A tentative reservation may be made up to one year in advance, **but no less than 60 days in advance**, by submitting an application for a special event permit. **The reservation becomes confirmed once the special event permit is approved with signature from the Town Manager or their designee, and Release of Liability. All required paperwork must be submitted with original signatures.**
2. Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to immediately adjacent properties.
3. Consistent with the special event permit requirements, a certificate of insurance and endorsement meeting the Town of Los Gatos current requirements; release of liability, assumption of risk and indemnity agreement; and all applicable fees must be received and approved by the Town prior to the event taking place.
4. ~~The following must be submitted and approved no later than two months prior to the scheduled event:~~
  - ~~a. Special Event Permit Application or Town agreement.~~
  - ~~b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance.~~
  - ~~c. Release of Liability, Assumption of Risk and Indemnity Agreement.~~

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~~Complete payment of all applicable fees and charges for use as established within the Municipal Code and are contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos."~~

**B. Civic Center West Patio**

The Civic Center West Patio (located at outside of the building at 106 and 108 E. Main Street) shall be used as the regular location for community gatherings and events open to all members of the public for the purposes of celebration, education, or cultural enrichment. For consistency with previous Town Council approvals, Civic Center West Patio may also be referred to as the Sculpture Garden.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance, but no less than 60 days in advance, by submitting an application for a special event permit. The reservation becomes confirmed once the special event permit is approved with signature from the Town Manager or their designee.,~~and Release of Liability. All required paperwork must be submitted with original signatures.~~
2. Private events are not allowed with the exception of approved events hosted by the tenants of 106 and 108 East Main Street as stated in tenant lease agreements.
3. Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to immediately adjacent properties.
4. Consistent with the special event permit requirements, a certificate of insurance and endorsement meeting the Town of Los Gatos current requirements; release of liability, assumption of risk and indemnity agreement; and all applicable fees must be received and approved by the Town prior to the event taking place.
5. ~~The following must be submitted and approved no later than two months prior to the scheduled event:~~
  - ~~a. Special Event Permit Application or Town agreement.~~
  - ~~b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance.~~
  - ~~c. Release of Liability, Assumption of Risk and Indemnity Agreement.~~
  - ~~d. Complete payment of all applicable fees and charges for use as established within the Municipal Code and are contained in the~~

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~~Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos."~~

### C. Council Chambers

The Town Council Chambers may be reserved by federal, state, county, and municipal agencies, and schools for activities that benefit Los Gatos residents and students. The Town Council Chambers may also be reserved by agencies providing government education programs. A reservation of the Chambers includes access to the Chambers Lobby.

1. The Town may grant permission to use the Town Council Chambers in the following priority order:
  - a. Town Council/Board, Commission, and Committees, including ceremonial events
  - b. Town Departments
  - c. Town established Organizations and Committees (in which Town employees or Town officials participate)
  - d. Government Agencies and Officials
  - e. Non-profit organizations that are related to Town business or are hosting events that are associated with a government purpose.
  - f. Private events are not allowed with the exception of approved events hosted by the tenants of 106 and 108 East Main Street as stated in tenant lease agreements.
- ~~2.~~ Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to ~~six months~~ one year in advance, but no less than 60 days in advance, by submitting an application for a special event permit. The reservation becomes confirmed once the special event permit is approved with signature from the Town Manager or their designee, ~~and Release of Liability. All required paperwork must be submitted with original signatures.~~
2. Consistent with the special event permit requirements, a certificate of insurance and endorsement meeting the Town of Los Gatos current requirements; release of liability, assumption of risk and indemnity agreement; and all applicable fees must be received and approved by the Town prior to the event taking place.
- ~~3. The following must be submitted and approved no later than two weeks prior to the scheduled event:~~
  - ~~a. Application for Use of Room~~

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- ~~b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance~~  
~~c. Release of Liability, Assumption of Risk and Indemnity Agreement~~

3. During the evenings (after 5 p.m.), on the weekends (Saturdays and Sundays), and on Holidays, all users will be charged a Facility Use Fee and other applicable charges for Town services as set forth in the Fee Schedule, unless the meeting or event is for official Town business, and the meeting or event is planned, managed, and led by the Town Council or Town Department.
4. A Building Attendant is required for all meetings regardless of meeting time or size. The Town will schedule the Building Attendant and invoice the applicant for the actual time scheduled. The Building Attendant will be responsible for the opening and closing of the facility and overseeing that the room is returned to its original condition.
5. Use is limited to a maximum of ten hours, per event, subject to other scheduled events, or Town use.
6. Groups composed of minors must be supervised by at least one (1) adult for every ten (10) children under the age of 18 at all times while they are using the facility.
7. Alcohol is not permitted in the Council Chambers. ~~or Lobby.~~
8. Applicants are responsible for setting up before and cleaning up after each event in the Chambers. Applicants shall be responsible for removing all personal property, owned or rented, prior to vacating the facility.
  - a. Absolutely no open flames are allowed in the Chambers ~~or Lobby.~~
  - b. No foreign substance may be applied to the floor, walls, or ceiling (this includes decorations).
  - c. No rice, birdseed, confetti, etc., may be thrown in or around the Town Council Chambers ~~or Lobby.~~
  - d. Gambling or wagering is prohibited.
9. Pursuant to state and federal law and Town Council Resolution 2017-24, the use of the Town Council Chambers will not be restricted because of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, medical condition, religion, place of national origin, or any other basis prohibited by law or Town resolution or policy.

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10. Any exceptions to the use regulations must be approved, in writing, by the Town Manager.

***D. Council Chambers Lobby (as a standalone facility)***

The Council Chambers Lobby located within Town Hall shall be used for conducting Town related business only, [or to support a Town event or special event with Town Council approval, such as Music in the Park.](#)

1. The Town may grant permission to use the Council Chambers Lobby in the following priority order:
  - a. Town Council and Town Council Committees
  - b. Planning Commission
  - c. Other Town Boards, Committees, and Commissions
  - d. Town Departments
  - e. [Special Events with Town Council approval, and are subject to the following:](#)
    - i. [Users will be charged a Facility Use Fee and other applicable charges for Town services as set forth in the Fee Schedule.](#)
    - ii. [A Building Attendant is required. The Town will schedule the Building Attendant and invoice the event organizer for the full-service time scheduled. The Building Attendant will be responsible for the opening and closing of the facility and overseeing that the room is returned to its original condition.](#)
    - iii. [Alcohol is not permitted in the Council Chamber Lobby.](#)
    - iv. [Applicants are responsible for setting up before and cleaning up after each event in the Lobby. Applicants shall be responsible for removing all personal property, owned or rented, prior to vacating the facility.](#)
      1. [Absolutely no open flames are allowed in the Lobby.](#)
      2. [No foreign substance may be applied to the floor, walls, or ceiling \(this includes decorations\).](#)
      3. [No rice, birdseed, confetti, etc., may be thrown in or around the Town Council Lobby.](#)
      4. [Gambling or wagering is prohibited.](#)

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**E. Civic Center and Town Facility Conference and Meeting Rooms**

Conference and Meeting Rooms located within Town Hall, the Library, the Police Operations Building, and the Parks and Public Works Corporation Yard shall be used solely for conducting official Town business.

1. The Town may grant permission to use the Meeting Rooms in the following priority order:
  - a. Town Council and Town Council Committees
  - b. Planning Commission
  - c. Other Town Boards, Committees, and Commissions
  - d. Town Departments

**F. Town Plaza Park ~~and Oak Meadow Park~~**

Town Plaza Park ~~and Oak Meadow Park, as is~~ focal points ~~for the~~ in downtown Town of Los Gatos and shall be predominantly used as a location for free gatherings that are open to the public. Special events ~~that may be permitted~~ ~~allowed~~ include concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a “first come, first served” basis. A tentative reservation may be made up to one year in advance, ~~but no less than 60 days in advance~~, by submitting ~~an application for a Park Use Permit and/or~~ an application for a special event permit. ~~The reservation becomes confirmed once the special event permit is approved with signature from the Town Manager or their designee, and Release of Liability. All required paperwork must be submitted with original signatures.~~
2. ~~Events are limited to one event per week.~~
3. No event may completely overtake the park. The park must always remain accessible to the public.
4. Use of any portion of Plaza Park for a special event is subject to the fees included in the Town’s Fee Schedule.
5. Private events ~~(outside of Town designated reservable spaces as identified below)~~ and fee for entrance events are not allowed. Incidental item sales may be allowed if they are consistent with the special event activities, ~~as~~ and approved within the special event permit.



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6. Reservable spaces may include the portions/areas of Plaza Park approved within the special event permit, and may allow for barriers necessary for the sales and service of alcohol consistent with ABC guidelines and as approved by the Police Chief and Santa Clara County Fire Department. ~~may include the Oak Meadow Bandstand, Oak Meadow picnic areas, Oak Meadow horseshoe pits, and other similar areas as designated by the Director of Parks and Public Works.~~
7. The sidewalks surrounding Plaza Park must remain open and free of obstruction. If the parking spaces adjacent to the park along S. Santa Cruz Avenue are necessary for the exclusive use of the special event or its vendors, approval must be granted through the special event permit process and an encroachment permit is required. ~~Public entrances to the event venue must remain open during all times of the event. This includes gates, roads, sidewalks, pathways, and parking lots. If shuttle buses are approved, the parking lot may be closed with a parking attendant present. Parking spots cannot be reserved, unless to increase handicap spots.~~

Special events beyond the scope of the Town's Special Event Permit shall require a Town agreement and receive Town Council approval.

8. Consistent with the special event permit requirements, a certificate of insurance and endorsement meeting the Town of Los Gatos current requirements; release of liability, assumption of risk and indemnity agreement; and all applicable fees must be received and approved by the Town prior to the event taking place.
5. ~~The following must be submitted and approved no later than two months prior to the scheduled event:~~
  - ~~a. Special Event Permit Application or Town agreement.~~
  - ~~b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, \$1,000,000 liability insurance.~~
  - ~~c. Release of Liability, Assumption of Risk and Indemnity Agreement.~~
  - ~~d. Complete payment of all applicable fees and charges for use as established within the Municipal Code and are contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos."~~

#### **G. Montebello Way and Broadway – Road Closure for Special Events**

Montebello Way and Broadway (Roadways) is a one-way, public roadway that borders Town Plaza Park on two sides. It shall be predominately used as a roadway; however, may be closed periodically to support Town events and special events.

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1. These Roadways may be closed each Sunday for the Town's Farmers Market, consistent with the agreement executed with the Farmers Market vendor and approved by the Town Council.
2. Not including Farmers Market or Town events, these Roadways may be closed and utilized for special events not more than eight times per year.
3. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance, but no less than 60 days in advance, by submitting an application for a special event permit. The reservation becomes confirmed once the special event permit is approved with signature from the Town Manager or their designee.
4. The Town will provide the special event organizer with a traffic plan for the road closure. It is the responsibility of the special event organizer to ensure that qualified person(s) accurately implement the road closure with adequate equipment in accordance with the traffic plan at no cost to the Town.
  - a. The special event organizer must provide contact information to the Town of the person(s) implementing the closure no less than 14 days prior to the event.
  - b. Anti-Vehicle Barriers (ABV) may be required at the direction of the Town, and are subject to the fees adopted in the Town's Fee Schedule, or may be obtained through a third-party traffic control/safety vendor with approval of the Town Manager or their designee.
5. Special event organizers must notify the adjacent businesses along the Roadways, and the VTA (if bus route is affected) of the closure no less than fourteen (14) days in advance of the event.
6. Private events and fee for entrance events are not allowed. Incidental item sales may be allowed if they are consistent with the special event activities, and approved within the special event permit.
7. Barriers necessary for the sales and service of alcohol consistent with ABC guidelines and as approved by the Police Chief and Santa Clara County Fire Department may be installed and must be approved within the special event permit.

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8. Exclusive use by the special event or its vendors of any portion of public space outside of the Roadways, including sidewalks, the public parking lot on Montebello Way, other parking spaces, or portions of public right-of-way outside of the Roadways require approval within the special event permit, and an encroachment permit.
9. No Parking signs are required to be posted at least 72 hours before the road closure begins for any parking spaces located within the Roadways.
  - a. No Parking signs are provided by the Town at the cost listed in the Fee Schedule and must be installed by the special event organizer as outlined in the approved special event permit.
10. Special events beyond the scope of the Town’s Special Event Permit shall require a Town agreement and receive Town Council approval.
11. Consistent with the special event permit requirements, a certificate of insurance and endorsement meeting the Town of Los Gatos current requirements; release of liability, assumption of risk and indemnity agreement; and all applicable fees must be received and approved by the Town prior to the event taking place.

***H. N. Santa Cruz Avenue and Main Street – Road Closure for Special Events***

N. Santa Cruz Avenue (NSC) and Main Street (Main) are two of the key thoroughfares through downtown and support access to many local businesses, schools, churches, and residential locations. Closing these roadways, in any combination of one another, for special events is not encouraged when alternative options are available, as the closure greatly impacts the community at large.

1. NSC and/or Main may be closed for special events, with an approved special event permit, no more than three times per calendar year, unless otherwise approved by agreement with the Town Council.
2. Reservations are processed on a “first come, first served” basis. A tentative reservation may be made up to one year in advance, but no less than 90 days in advance, by submitting an application for a special event permit. The reservation becomes confirmed once the special event permit is approved with signature from the Town Manager or his or her designee.

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- a. Given the extent of a NSC and/or Main closure, additional time is necessary to plan for the closure, thus the special event organizer must apply a minimum of 90 days in advance of the event.
- 3. The Town may provide a previously approved traffic plan for the road closure of NSC and/or Main. Should the area of the event differ from the traffic plans approved by the Town, the event organizer is responsible for the cost of developing or modifying the traffic plan to satisfy the Town.
  - a. It is the responsibility of the special event organizer to contract with a professional traffic control vendor, approved by the Town, to implement the road closure at no cost to the Town.
  - b. The special event organizer must provide contact information to the Town, for the traffic control vendor implementing the closure, no less than 45 days prior to the event.
  - c. Anti-Vehicle Barriers (ABV) may be required at the discretion of the Town and are subject to the fees adopted in the Town's Fee Schedule or may be obtained through a third-party traffic control/safety vendor with approval of the Town Manager or his or her designee.
- 4. No Parking signs are required to be posted at least 72 hours before the road closure begins for any parking spaces located within the road closure area.
  - a. No Parking signs are provided by the Town at the cost listed in the Fee Schedule and must be installed by the special event organizer as outlined within the approved special event permit.
  - b. No parking signs must be completely removed by the special event organizer upon the conclusion of the special event.
- 5. Special event organizers must notify the adjacent property stakeholders and the VTA (if bus route is affected) of the closure no less than fourteen (14) days in advance of the event as outlined within the approved special event permit.
- 6. Private events and fee for entrance events are not allowed. Incidental item sales may be allowed if they are consistent with the special event activities and approved within the special event permit.

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7. Barriers necessary for the sales and service of alcohol consistent with ABC guidelines and as approved by the Police Chief and Santa Clara County Fire Department may be installed and must be approved within the special event permit.
8. Exclusive use by the special event organizers or its vendors of any portion of public space outside of the road closure area including sidewalks, public parking lots and spaces, or portions of public right-of-way require approval within the special event permit, and an encroachment permit.
9. Special events beyond the scope of the Town's Special Event Permit shall require a Town agreement and receive Town Council approval.
10. Consistent with the special event permit requirements, a certificate of insurance and endorsement meeting the Town of Los Gatos current requirements; release of liability, assumption of risk and indemnity agreement; and all applicable fees must be received and approved by the Town prior to the event taking place.

#### ***I. Oak Meadow Park***

Oak Meadow Park is a focal point for the Town of Los Gatos, with reservable picnic areas available to support multiple private celebrations at one time such as barbeques, birthday parties, and similar celebrations. It is the location of the Town's bandstand and Billy Jones Railroad and Carousel making it an appealing location for the public to gather. Special events may be permitted including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance, but no less than 60 days in advance, by submitting an application for a special event permit. The reservation becomes confirmed once the special event permit is approved with signature from the Town Manager or their designee.
2. In addition to a special event permit, a Parks Special Use Permit is required, and will be coordinated through the special event permit process. As such, use of any portions of Oak Meadow Park for a special event are subject to the fees included in the Town's Fee Schedule.
3. No single event may occupy the entire park or reserve a majority of the picnic areas on Saturdays, Sundays, or Holidays.

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4. The park must always remain accessible to the public.
5. Private events (outside of Town designated reservable spaces as identified below) and fee for entrance events are not allowed. Incidental item sales may be allowed if they are consistent with the special event activities, and approved within the special event permit.
6. Reservable spaces may include the Oak Meadow Bandstand, Oak Meadow picnic areas, Oak Meadow horseshoe pits, and other similar areas as designated by the Director of Parks and Public Works.
  - a. Barriers necessary for the sales and service of alcohol during approved special events, within the reserved areas, consistent with ABC guidelines, and as approved by the Police Chief and Santa Clara County Fire Department may be installed and must be approved within the special event permit.
7. Public entrances to Oak Meadow Park must remain open during all times of the event. This includes gates, roads, sidewalks, pathways, and parking lots. If shuttle buses are approved, the parking lot may be closed with a parking attendant present.
8. Parking spots may be reserved at the rate listed in the adopted fee schedule. ADA parking spaces must remain unreserved and accessible.
9. Special events beyond the scope of the Town's Special Event Permit shall require a Town agreement and receive Town Council approval.
10. Consistent with the special event permit requirements, a certificate of insurance and endorsement meeting the Town of Los Gatos current requirements; release of liability, assumption of risk and indemnity agreement; and all applicable fees must be received and approved by the Town prior to the event taking place.

APPROVED AS TO FORM:

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Gabrielle Whalen, Town Attorney