



## Application for Traveling Show License

### Application & Procedure

Applications must be made to the City Clerk at least twenty (20) days prior to the commencement of operations:

1. A completed application, signed under oath as to the truthfulness of its contents, of a form prepared by the City Clerk. The application form shall include, but not be limited to:
2. The names, addresses, telephone numbers and employment histories of the applicant, owner and operator;
3. The place where the circus, carnival or traveling show is to be located and the name of the owner of the property;
4. The zoning of the premises upon which the circus, carnival or traveling show is to be located;
5. The proposed dates and hours of operation;
6. The number of employees regularly engaged by the applicant;
7. The name of the on-site manager and a telephone number where this person can be reached during hours of operation;
8. The number of temporary employees expected to be employed by the applicant and the type of supervision of these temporary employees to be provided by the applicant;
9. A statement that no amusement ride will be operated by a person under the age of eighteen (18) years;
10. A statement as to whether or not the applicant, or any manager or employee of the applicant:
  - Has been convicted of any crime, felony, misdemeanor or violation of any municipal ordinance, excluding all non-alcohol-related traffic violations
  - The nature of the offenses
  - The punishments or penalties assessed
11. An application fee as established by resolution of the City Council
12. A signed cost agreement and funds deposit to defray the City's actual costs for review of the application and related inspections of the premises.
13. A detailed site plan showing planned means of ingress and egress to the proposed site, parking, emergency access and neighboring land uses.
14. Written approval by the Mountain View Fire Protection District of the site plan and emergency access provisions.
15. A traffic control plan
16. A cash deposit of two hundred fifty dollars (\$250.00) for anticipated sales taxes. These funds shall be retained by the City until the City receives report of the licensee's sales tax payment from the state Department of Revenue. If no sales tax return is filed by the applicant with the state Department of Revenue for a period of twenty (20) days after the close of the event, the deposit is forfeited by the licensee.
17. A cash deposit of two hundred fifty dollars (\$250.00) for anticipated admissions taxes. These funds shall be retained by the City until an admission tax return is submitted by the licensee. If the deposit amount is in excess

of the admissions tax due, such excess shall be returned to the licensee within twenty (20) days. In the event additional admissions taxes are due and owing and remain unpaid after an admissions tax return is filed, the City may pursue such other action as is appropriate for the collection of such additional admissions taxes. If no admissions tax return is filed by the applicant for a period of twenty (20) days after the close of the event, the deposit is forfeited by the licensee and the City shall take such further collection measures as the City deems appropriate.

18. Evidence that a public liability insurance policy is in force and effect with an insurance company licensed to do business in the state for the entire term of the requested license period in an amount of not less than one hundred fifty thousand dollars (\$150,000.00) per person and six hundred thousand (\$600,000.00) per occurrence and which names the City as an additional insured.
19. A bond or cash deposit in the amount of two thousand dollars (\$2,000.00) conditioned upon the applicant not violating the provisions of the license, federal or state law or City ordinance, and conditioned further that no damage will be done to the streets, sewers, trees, adjoining property or other City property and that no dirt, paper, litter or other debris will be permitted to remain upon the streets or City property or upon any private property by the applicant or the applicant's agents or employees. The City may also draw against the bond to the extent reasonably necessary to protect the public health, safety and welfare. After expiration of the license, the bond or cash deposited with the City shall be returned to the applicant upon certification by the City's Code enforcement officer that the applicant has complied with all the conditions of this Section.
20. Written authorization from the owner or other person in lawful possession of the premises upon which the circus, carnival or traveling show is to be held or conducted.
21. If food is to be served, evidence that all applicable state and local permits or licenses pertaining to the provision of food service have been obtained.
22. Details regarding the provision of uniformed, trained security personnel. If the Chief of Police deems it appropriate that additional police protection be provided in conjunction with the operation of the circus, carnival or traveling show, the applicant shall also deposit with the City Clerk a cash deposit for such additional costs in an amount determined appropriate by the Chief of Police.
23. A statement describing the impact the proposed circus, carnival or traveling show will have on surrounding uses and how it will not be incompatible with such surrounding uses.

### **Chief of Police to Conduct Investigation**

Upon receipt of the application, it shall be referred to the Chief of Police, who will review each and every statement contained in said application and shall cause to be made such further investigation of the business and moral character of the applicant and employees of the business as he or she deems necessary for the protection of the public health, safety and welfare. If as a result of such investigation the Chief of Police finds that any statement on the application is false, or that the business or moral character of the applicant is unsatisfactory, the application shall be denied.

### **Waiver of Fees and Deposits**

The City Administrator may waive any or all of the license fee requirements, sales tax deposit, admissions tax deposit and cash deposit or bond requirements when the applicant is a nonprofit organization or a governmental entity. A nonprofit organization shall be defined as any organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. (Ord. 636 §1, 2004)

### **Denial, Suspension or Revocation**

The City Clerk may deny any application or renewal of an existing license and may suspend or revoke an existing license under the following conditions:

- The application is not in compliance with this Article or the application contains false statements
- The license was obtained by fraud, misrepresentation or false statements
- The licensed activity is a public nuisance as defined by ordinance or statute
- The license was issued in error
- The applicant is in default of any indebtedness or other obligation due the City
- The proposed use of any premises for which the license is sought is not authorized by zoning, building, housing or other regulations

- Failure of the license holder to submit a new application before the expiration of a current license.
- The proposed use of any premises for which the license is sought is not in harmony and compatible with the character of the surrounding neighborhood or will have a material adverse affect on the surrounding neighborhood
- The proposed use will require a level of community facilities or services greater than that available.

The granting of a license does not give the license holder an automatic right for a renewal. An application for renewal will be denied if any condition exists that would result in the denial of an application for a new license.

Any person aggrieved by the action of the City Clerk in the denial of an application for a new license, denial of renewal of a license or the suspension or revocation of a license shall have the right to appeal such decision to the City Administrator. Such appeal shall be taken by filing with the City Administrator, within five (5) days, a written statement setting forth fully the grounds for the appeal. The City Administrator or the Administrator's designee shall conduct a hearing and/or review of the denial of the license, and the Administrator's decision shall be final. The Administrator may promulgate rules and regulations or procedures to govern any such hearing and/or review.

### **Assumption of Liability**

Nothing in this Article shall create any duty to any person with regard to the enforcement or nonenforcement of this Article. No person shall have any civil liability remedy against the City, its officers, employees or agents for any damages arising out of or in any way connected with the adoption, enforcement or nonenforcement of this Article, and nothing in this Article shall be construed to create any liability or to waive any immunities, limitations on liability or other provisions of the Governmental Immunity Act or to waive any immunities or limitations on liability otherwise available to the City.

### **Site Inspections Authorized**

Prior to the issuance of a license and during such time as the circus, carnival or traveling show is operating within the City, the City and fire district shall have the continuing authority to inspect the area occupied by the applicant to ensure continued compliance with all of the requirements of this Article. Such continued inspections may occur at any reasonable time during the duration of the license and need not be preceded by notice to the applicant.



## Traveling Show License Application

1 Applicant Name: \_\_\_\_\_  
List other names used in past 10 years (if applicable) \_\_\_\_\_

2 Applicant Telephone Number: (cell) \_\_\_\_\_ (office) \_\_\_\_\_

3 Applicant Business Address: \_\_\_\_\_  
(city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip) \_\_\_\_\_

4 Applicant Home Address:

5 Operator Name:  
d/b/a, if applicable:

**Applicant, Owner and Operator Employment History- Attach on separate sheet. List employer's name, employer's address, primary contact, position held and duration of employment.**

**The name of the on-site manager and a telephone number where this person can be reached during hours of operation. Provide email and cell phone contact information.**

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**A statement that no amusement rides will be operated by a person under the age of eighteen (18) years. Provide on separate sheet of paper.**

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**Traveling Show Narrative (attach on separate sheet)**

- Description of event
- Location of proposed traveling show and name of property owner.
- List the zoning of the premises upon which the traveling show is to be located
- The proposed dates and hours of operation of the traveling show
- The number of employees regularly engaged by the applicant:
- The number of temporary employees expected to be employed by the applicant and the type of supervision of these temporary employees to be provided by the applicant. On separate sheet.

**A statement as to whether or not the applicant, or any manager or employee of the applicant:**

- Has been convicted of any crime, felony, misdemeanor or violation of any municipal ordinance, excluding all non-alcohol-related traffic violations
- The nature of the offenses
- The punishments or penalties assessed



By signing this application, Applicant authorizes CSHP background check

OATH OF APPLICANT

I declare, under penalty of perjury, that the entire Application Form (pages X-X), including all statements made and attachments (if any), are true, correct, and complete to the best of my knowledge and belief. I understand and acknowledge that any information contained herein or submitted as a part of this application that is found to be false or misleading may result in this application being denied, or any license granted pursuant to this application, suspended or revoked, in addition to possible filing of applicable criminal charges.

Table with 3 columns: Signature, Title (owner, manager, director, etc.), Date

STATE OF \_\_\_\_\_ )
) ss.
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

Witness my hand and official seal.

Notary Public: \_\_\_\_\_

My commission expires: \_\_\_\_\_

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1. A completed application, signed under oath as to the truthfulness of its contents, of a form prepared by the City Clerk \_\_\_\_\_
2. Applicant, Owner and Operator employment history \_\_\_\_\_
3. A statement that no amusement ride will be operated by a person under the age of eighteen (18) years \_\_\_\_\_
4. Background statement and authorization for background check \_\_\_\_\_
5. An application fee \_\_\_\_\_
6. A signed & notarized cost agreement and funds deposit (\$2,500) \_\_\_\_\_
7. A detailed site plan \_\_\_\_\_
8. Written approval by the Mountain View Fire Protection District & copy of emergency plan \_\_\_\_\_
9. A traffic control plan \_\_\_\_\_
10. A cash deposit of two hundred fifty dollars (\$250.00) for anticipated admissions taxes \_\_\_\_\_
11. Evidence that a public liability insurance policy is in force and effect with an insurance company licensed to do business in the state \_\_\_\_\_
12. A bond or cash deposit in the amount of two thousand dollars (\$2,000.00) \_\_\_\_\_
13. Written authorization from the owner or other person in lawful possession of the premises upon which the traveling show is to be held or conducted \_\_\_\_\_
14. Statement by property owner authorizing building/facility/safety site inspection \_\_\_\_\_
15. Evidence that all applicable state and local permits or licenses pertaining to the provision of food service have been obtained \_\_\_\_\_
16. Details regarding the provision of uniformed, trained security personnel \_\_\_\_\_
17. Narrative describing the impact the proposed circus, carnival or traveling show will have on surrounding uses and how it will not be incompatible with such surrounding uses \_\_\_\_\_