



CARLSBAD POLICE DEPARTMENT

Department Training Bulletin

#2011-01

Distribution: All Personnel

Date: 2-28-11

Subject: Special Event Permits

A handwritten signature in black ink, appearing to read "Gary Morrison".

Gary Morrison, Chief of Police

Purpose: to clarify that special event permits...

- Do not regulate activity on private property
- Are not noise permits/there is no noise ordinance or permit
- Are not related to entertainment licenses that regulate establishment noise by decimeter reading
- Are obtained by private promoters
- Require extensive documentation over an average six-nine month process
- Are scheduled in advance and the watch commander/dispatch receive notifications

What activity requires a special event permit? (see CMC §8.17.020)

- Organized event of 50 or more persons on public property
- Does not comply with normal traffic regulations
- Impacts public property and requires public safety services in response

Examples of special event permits

- Block parties
- Expos
- Festivals
- Fireworks
- Parades
- Parking waivers
- Runs/walks
- Street fairs
- Traffic control plans
- Events in lot of Westfield Shopping Center

Permits from other jurisdictions often confused with a special event permit

- Minor Special Event Permit (tent request or change to conditional use of private property)
- Facility Use Permit (parks/city facilities/trails)
- North County Transit District Permit (Coaster lots/bus zones)
- California State Parks Permit (beaches south of Carlsbad Village Dr./grass areas on west side of Carlsbad Blvd. from Pine St. to Tamarack Ave.)
- County Real Estate Permit (airport events enforced by San Diego Sheriff Department)
- ABC Daily License from California Department of Alcohol Beverage Control
- San Diego County Health Department Permit (food service)
- Fire Department's Permit for food preparation, pyrotechnics, hot work, tents, etc.

Exceptions to the special event permit requirement? (see CMC §8.17.040)

- Spontaneous demonstrations
- Lawful picketing
- Funeral processions
- Government acting in the scope of its authority (city events)
- Other land use approval (facility use permit/minor special event permit)

Special event permits require extensive approval and documentation by the Special Events Committee (13 city departments) regarding:

72 hr signage	facility use permit	op plan
ABC license	fees	parking waiver
after actions	fire permit	recycling plan
application	insurance	route map
business license	kiosks	sanitation
billing	massage	site plan
building permit	medical plan	staffing
CA State Parks	NCTD permit	storm water
Caltrans permit	notification	traffic control

Where can I get more information?

- Special event cheater
- Carlsbad Municipal Code Chapter 8.17
- Carlsbad Police Department Policy #377
- Special Event Coordinator/Traffic Division

WHAT IF I GET DISPATCHED TO A...	PERMIT REQUIRED?	ENFORCEMENT
noise complaint at a bar or entertainment establishment	entertainment license/possible minor special event permit if using adjacent property or tents	disturbance of the peace/contact property owner or manager about license and permit restrictions
loud party on private property (birthday/wedding)	none	disturbance of the peace/contact property owner or manager
complaint of event at a city park	facility use permit	disturbance of the peace/contact park manager
noise complaint on public or private property	none	disturbance of the peace
block party obstructing traffic on a public street	special event permit	shut down event if no permit
50+ persons on public property/may change the normal traffic flow	special event permit	shut down event if no permit
special event suddenly requiring a great deployment of police services or adversely affecting the health, safety welfare of persons/property	special event permit	contact the Officer in Charge or the Applicant holding the permit/ revoke the permit



CARLSBAD POLICE DEPARTMENT

Department Training Bulletin

#2011-2

Distribution: All Sworn Personnel
Date: May 27, 2011
Subject: Pursuit Form Revision
Topic: CHP Form 187A_0311.pdf

A handwritten signature in black ink, appearing to read "G. Morrison", written over a horizontal line.

Gary Morrison, Chief of Police

The California Highway Patrol requests we use their online system in completing and submitting the CHP 187A Pursuit Form. To comply with the request, follow the instructions below.

1. The form will have to be completed and submitted by using a station computer.
2. Go to www.chp.ca.gov , click on Publications (on the top tab bar).
3. Go down the list of forms to Pursuit Report (3rd from bottom).
4. Click the down arrow, then click on Pursuit Report (CHP 187A).
5. Fill out the form and print a copy for the Records Division.
6. Once the form is completed, go to the Pursuit Report email address on the second page, top right corner of instruction page and click on, Email to: PursuitReport@chp.ca.gov
7. An email screen will come up with the Pursuit Report as an attachment. You can send a message in the email or leave it blank.
8. Make sure you are on the desktop email application.
9. CC a copy to the traffic lieutenant
10. Have a supervisor review the report and push send.



CARLSBAD POLICE DEPARTMENT

Department Training Bulletin

#2011-03

Distribution: All Sworn Personnel

Date: 09/28/2011

Subject: Landlord/Tenant/Lodger Information

A handwritten signature in black ink, consisting of several loops and a horizontal line at the end.

Gary Morrison, Chief of Police

The following information is provided regarding landlord/tenant/lodger disputes.

- Officers cannot give legal advice regarding landlord/tenant/lodger disputes. Officers should also refrain from providing information regarding the processes necessary to evict a tenant. There is too great a chance that this will be inferred as “legal advice” or “the officer told me all I had to do was this.” This is a civil issue and the parties should be referred to other resources for information. These resources include:
 1. Consult an attorney.
 2. Consult the Landlord/Tenant Handbook available online from the CA Department of Consumer Affairs at <http://www.dca.ca.gov/publications/landlordbook/index.shtml>.
 3. Visit the SDSA website (<http://www.sdssheriff.net/csb/evictions.html>) which provides information and forms regarding court ordered evictions and an eviction procedure information sheet.
 4. Refer them to California Civil Code section 1946.5 and Penal Code section 602.3 regarding *lodgers only*.
- The SDSA will only conduct evictions that are **court ordered** and only after a landlord has received a judgment from the court and a writ of possession has been served or posted on the property. The SDSA will **not** handle cases in Carlsbad where there is no existing court order in support of the eviction.
- Civil Code sections 1980-1991, Chapter 5: Disposition of Personal Property Remaining on Premises at Termination of Tenancy – There is nothing in this section that obligates law enforcement to be responsible for property left behind following an eviction. In fact, per

this section, the responsibility is on the landlord to secure the property and notify the tenant.

- Removing a lodger is not the same as a formal, court-ordered eviction of a tenant. If the lodger has received proper notification terminating the tenancy and the responding officer (should probably be reviewed by a supervisor) determines that they have received notice and wants to make a citizen's arrest, we should handle it like any request for a citizen's arrest. Determine if probable cause exists, confirm that the subject is unwilling to vacate the premises and has received proper notification of termination and then place the subject under arrest and remove them from the property.
- There are several factors that must exist per 602.3 PC to evict a lodger:
 1. The owner personally occupies the dwelling.
 2. The owner retains a right of access to all areas of the dwelling occupied by the lodger.
 3. The owner has overall control of the dwelling unit.
 4. No more than one lodger resides in the dwelling.