

CITY OFFICE OF KRAKOW	Service sheet / external procedure no. SA-41
	Conclusion of a contract for the provision of a place outside the Main Market Square in Krakow to organize an event / enterprise
<p><b>1. Handle the matter electronically</b> Not applicable. Until the Ministry of Digital Service activates the service on ePUAP, the application and the required attachments can be sent electronically only using the ePUAP profile (website address: <a href="http://www.epuap.gov.pl">www.epuap.gov.pl</a>) and using the form entitled: General letter to a public entity. The documents required for the procedure should be added to the "General letter to a public entity" form in the form of attachments.</p> <p><b>2. Appendices</b> Appendix 1 - a template of an application for conclusion of a contract for making a site available outside the Main Market Square for organizing events and other undertakings. Appendix 2 - a declaration on the form of participation, financing or co-financing of an event / undertaking from the budget of the organizational unit of the Municipality of Krakow. Appendix 3 - declaration on obtaining permits that meet the requirements of the Act of July 3, 2002. Aviation Law. Appendix 4 - a statement on the conditions indicated by the State Sanitary Inspection. Appendix 5 - a declaration on the possession of documents and permits confirming compliance with the legal requirements for the organization of an event / undertaking with participation of horses and taking responsibility for the safety of participants. Appendix 6 - a statement that they have all the necessary permits required to conduct the pyrotechnic show during the event / enterprise. Appendix 7 - a statement on having current decisions or permits allowing the use of technical devices used during the event / undertaking. Appendix 8 - a model of the table containing the required information on the entry and parking vehicles during the event / undertaking. Appendix 9 - a statement on the nature of blood donation (commercial / non-commercial). Appendix 10 - fire documentation agreed with an expert with respect to fire protection matters, in the case of cultural-commercial (catering) events.</p> <p><b>3. Sign language version</b> A film with a translation of the service description into sign language.</p> <p><b>4. Matter handled by</b> Department of Administrative Affairs, 10 Powstania Warszawskiego, 31-541 Krakow</p>	

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## **5. Documents from the Applicant (client)**

### **I. Application for the conclusion of a contract.**

The application model is attached as **Appendix 1** to this procedure.

### **II. Appendices to the application:**

1. A civil law partnership agreement when the contract is to affect a Company.
2. Clearly mark the location of the event / enterprise on the plot from the land register, situational map.
3. Graphic and dimensioned project of the event / undertaking, taking into account the forms and ways of placing visual information carriers, spatial elements (e.g. stages, stands, equipment), plastic binding, arrangement, colours, types of materials, lighting, size of space intended for conducting business activities, catering, services, etc.
4. Description of the event / undertaking: its goal, scenario, program.
5. If during the event / enterprise the distribution or sales of foodstuffs and / or catering is carried out - a statement constituting Appendix 4 to this procedure and a list of the range offered at individual stands.
6. If technical (play) devices are used during the event / enterprise - a statement constituting Appendix 7 to this procedure.
7. In the case of a planned pyrotechnic display, a laser show, fireworks, lanterns, helium filled balloons, etc. or organizing competitions and balloon shows:
  - a statement constituting **Appendix 3** to this procedure,
  - a statement constituting **Appendix 6** to this procedure - if applies,
  - a written acceptance by the Polish Air Navigation Services Agency of an event / enterprise, if the undertaking takes place in full or in part within the controlled space - if applicable,
8. Declaration on the form of participation / co-financing the event / enterprise from the budget of the organizational unit of the City Office of Krakow (if the contract is concluded, attach a copy of it) - if applicable. The declaration model is attached as **Appendix 2** to this procedure.
9. A copy of the contract confirming the co-financing of the event / enterprise from the budget of the municipal organizational unit - if applicable.
10. If the organizer plans to organize an event / enterprise in an area where the Administrative Affairs Department has already concluded a contract, the application must enclose a written consent from the entrepreneur / entity whose activity is to be liquidated temporarily, suspended or limited. This applies to a situation that significantly prevents operations in accordance with the concluded contract.
11. A design of temporary traffic organization approved by the competent unit performing the function of a public road manager in Krakow, when the need arises.
12. Consent of the competent unit acting as a public road manager in Krakow,

for the entry and parking all vehicles on the plates of the Small Market Square and Szczepański Square for vehicles with a total weight of over 7.5 tonnes.

13. Approval of the competent unit in the event of inclusion, exclusion or limitation of street lighting and illumination of facilities.
14. In the case of a planned show with an open fire - a written opinion of the State Fire Service.
15. In the event of organizing an event / enterprise with the participation of horses in the Municipality of Krakow:
  - the documentation referred to in the Act of 18 January 2001 on horse racing - regarding horse racing,
  - a statement constituting **Appendix 5** to this procedure.
16. A power of attorney to represent the Applicant, and in particular to conclude and collect the contract, if the Applicant is represented by another person.

## **6. Fees**

1. For using real estate, fees are calculated in the amount specified in the Appendix to Regulation No. 2031/2017 of the Mayor of the City of Krakow of 17 August 2017 on rates for temporary making real estate and space available (as amended).
2. Those using public address systems in the area of the historical complex of the City of Krakow are required to pay a deposit of PLN 2,000. The deposit for the use of a sound system is not charged for events / undertakings organized by the entities indicated in § 2 par. 1 point 1), events organized by municipal organizational units as well as in the case of organizing projects indicated in § 2 par. 2 point 1) of the Resolution referred to in point 1.
3. If the Small Market Square and Szczepański Square are made available due to the organization of an event / enterprise, a deposit is charged for:
  - a) setting the stage, construction, scaffolding
  - b) setting shopping facilities
  - c) entry of vehicles with a gross vehicle weight rating above 10 tonnesin the amount specified in the Resolution referred to in point 1.  
The deposit is not collected from the organizational units of the Municipality of Krakow and from municipal organizational units.
4. If Błonia Krakowskie is made available, a deposit of PLN 7.00 per 1 m<sup>2</sup> of the area occupied is charged, irrespective of the fee for providing the area. The deposit is not collected for events / enterprises organized by the entities indicated in § 2 par. 1 point 1), by municipal organizational units, as well as in the case of any organization of undertakings indicated in § 2 par. 2 point 1) of the Resolution referred to in point 1, or the positive opinion of the City Board of Greenery.
5. Irrespective of the payment of the fee for providing sites for commercial purposes, the applicant is obliged to pay the market fee resulting from the resolution of the City Council of Krakow regarding the market fee.

## **7. Form of consideration**

1. Civil law agreement.
2. The written agreement concerns, in particular, enterprises not subject to payment for the temporary occupation of real estate pursuant to relevant provisions.
3. Opinion in the case of organizing traditional marches, calls, campaigns, etc., and events on public roads.

## **8. Time of consideration**

Up to 30 days from the date of submission of the complete application, and in particularly complex cases - no later than within two months.

## **9. Documents obtained in the proceedings**

1. Opinion of the Chief Art Consultant of the City regarding the layout and design of the event / enterprise, if the documentation indicates such a need.
2. Opinion of the competent conservation services in the event of the intention to use areas under conservation protection, if the documentation indicates such a need.
3. Opinion of the substantive organizational unit of the City Office of Krakow / municipal organizational unit (depending on the nature of the event / enterprise), in the event of organizing an event / enterprise not listed in the Annex to Regulation No. 2892/2016 of the Mayor of Krakow of October 31, 2016 at the Small Market Square or Szczepański Square. (as amended).
4. Opinion of the City Greenery Board in Krakow in the case of organizing an event/enterprise in urban greenery.
5. Opinion of the City Greenery Board in Krakow regarding the obligation to pay a deposit for making Błonia available.
6. Opinion of the City Guards, Police or Fire Brigade, MPK and others - in the event that the application indicates that the implementation of an event / enterprise can create a threat to public order, security or threat to public property.
7. Opinion of the competent unit performing the function of a public road manager in Krakow in the event that the application indicates that the event / enterprise can may affect traffic in the road lane.
8. Other documents resulting from the individual nature of the case.

## **10. Appeal procedure**

Not applicable

## **11. Legal basis**

1. Act of 08 March 1990 on Municipal Self-government.
2. Resolution No. CXV/1547/10 of the Krakow City Council of November 3, 2010 regarding the creation of the Old City Cultural Park (as amended).
3. Resolution No. LXI/876/12 of the Krakow City Council of November 21, 2012 on determining the amount and rules of collecting the fair fee (as amended).
4. Regulation No. 1125/2018 of the Mayor of the City of Krakow of May 2, 2018 regarding the rules of temporary access to real estate and space.
5. Regulation No. 2031/2017 of the Mayor of the City of Krakow of 17 August 2017 on rates for temporary making real estate and space available (as amended).
6. Regulation No. 2892/2016 of the Mayor of the City of Krakow of 31 October 2016 on managing the Small Square, Wolnica Square and Szczepański Square in Krakow (as amended).
7. Regulation No. 20/2004 of the Mayor of the City of Krakow of January 12, 2004 on the principles of use and protection of the public space of the historical complex of the City of Krakow (as amended).

## 12. Additional information for the client

### Accessibility of the procedure

The procedure and application forms can be downloaded from the website:

[www.bip.krakow.pl](http://www.bip.krakow.pl) and collected at the Administrative Department of the Krakow City Office.

1. When submitting photocopies of the documents requested, the originals should be presented for inspection. The Department of Administrative Affairs of the City Office of Krakow can request the applicant to provide additional documents, arrangements and permits resulting from the individual nature of the case.
2. The procedure applies to real estate and areas owned by the Krakow City Municipality, and real estate and areas owned by the Treasury and located within the Krakow City Municipality.
3. The procedure does not apply to building properties and buildings managed by the Management of Municipal Buildings in Krakow, real estate being public roads within the meaning of the Act on public roads, areas covered by perpetual usufruct contracts, lending, rental, lease and put into permanent management, with the exception of urban green areas permanent management of the municipal unit managing the greenery.
4. An application for making space available for an event / enterprise should be submitted at least 30 days in advance.
5. Failure to meet the deadline referred to in point 4 may prevent the application from being processed and, as a consequence, result in failure to conclude a temporary access contract.
6. The location and type of an event / enterprise is determined each time by the applicant, with their own responsibility. The location of the proposed event / enterprise is only allowed in places where it does not cause interference, in particular: pedestrian traffic, entry, exit, or spatial order.
7. The provision of real estate for sports competitions, rallies, races, other events / enterprises that cause traffic problems or require the use of a road in a special way and take place entirely at the Small Market Square, Szczepański Square, Wolnica Square belongs to the Department of Administrative Affairs of the City Office of Krakow. In the event that the event / enterprise begins or ends in the area provided by the Department of Affairs at the City Office of Krakow, and at the same time it will also be carried out in the area of the road lane managed by the unit acting as a public road manager in Krakow - the permit resulting from art. 65 of the Road Traffic Law Act is issued by the above-mentioned unit.
8. The applicant's failure to meet their financial obligations to the Municipality of Krakow is the basis for refusing to conclude the contract.
9. Entry and parking of a vehicle with a total weight of over 7.5 t on the plates of the Small Market Square and Szczepański Market Square also requires the consent of the unit acting as a public road manager in Krakow.
10. The sale and serving of alcoholic beverages requires a separate permit issued in a separate procedure.
11. A sound system can be used after allowing this option in the contract. Sound emission in the protected area should be directed to undeveloped areas and the sound intensity must not exceed 85 dB measured in the distance of:
  - a) 32 m from the sound source for events,

<p>b) 16 m from the sound source in other cases whose purpose is the need for public communication.</p> <p>12. In the event of municipal services recording any deviation from the conditions agreed in the contract, the user of the sound system shall reduce the sound level or turn off the sound equipment.</p> <p>13. Violation of the terms of the contract in terms of the conditions for the use of a sound system, spatial elements or the entry of vehicles results in forfeiture of the deposit.</p> <p>14. In the event that the organization of the event / enterprise includes: a launch of balloons, pyrotechnic shows, setting up an amusement park, using facilities floating on the Vistula River (as part of an event / enterprise taking place on the Vistula Boulevards), helicopter flights, etc., additional documents must be obtained and submitted to the Department of Administrative Affairs.</p> <p>15. In the case of an event / enterprise in green areas, the applicant is required to sign the protocol drawn up by the site manager and the acceptance protocol after the event / enterprise.</p> <p>16. If it is necessary to move or remove elements of space equipment located in a given area for the duration of the event / enterprise, e.g. bowls with flowers, the activities are carried out by the event organizer at his own expense. After the event/enterprise, the organizer is obliged to restore the area to its original condition.</p> <p>17. An applicant with foreign documents submitting their application submits them translated into Polish.</p> <p>18. An applicant holding foreign documents allowing the use of any device to be used during the event / undertaking is required to obtain Polish equivalents of the documents and present them in the Administrative Department at the latest after the conclusion of the contract, and before the event / undertaking starts.</p> <p>19. If the Organizer uses the logotype of the city of Krakow or the name Krakow, the project should be compatible with the City Visual Identification System, available on the website <a href="http://www.bip.krakow.pl">www.bip.krakow.pl</a> and shall be provided for the acceptance of the Department of Social Communication at the City Office of Krakow via <a href="https://skp.um.krakow.pl/grafika">https://skp.um.krakow.pl/grafika</a></p>		
<p>Changes developed by: Agnieszka Rudnicka-Drabik date: 15 May 2019</p>	<p>Opinion presented by: lawyer Anna Kozik Legal Advisor  date: 06 August 2018</p>	<p>Developed by: Tomasz Popiołek Director of the Administrative Affairs Department at the City Office of Krakow date: 06 August 2018</p>