

BROWARD COUNTY

Sec. 39-238. Outdoor event permits.

Permits for certain outdoor events may be issued subject to compliance with this section.

The following outdoor events may be permitted in the zoning districts designated:

TABLE INSET:

Event	Permitted Zoning Districts
(a) Carnival or circus	Commercial, industrial, and commercial recreation. Residential, rural, agricultural, and institutional if sponsored by non-profit organization
(b) Concerts, festivals	Commercial, industrial, and commercial recreation
(c) Commercial promotions, shows, sales, events	Commercial and industrial

(1) *Minimum site requirements.* All outdoor events shall require a minimum of one net acre of open space with not less than two hundred (200) feet of street frontage on a public street having a right-of-way width of at least seventy (70) feet.

(2) *Setbacks.* No activity, temporary tent, mechanical device, temporary sanitary facility, or animal associated with any outdoor event shall be closer than one hundred (100) feet from any residentially zoned plot, nor closer than one hundred (100) feet from a public or private street line, and not less than three hundred (300) feet from any privately owned property in agricultural, estate, and rural districts.

(3) *Access.* Vehicular access onto any plot used for an outdoor event shall be from a public street which provides the minimum required street frontage specified above. No vehicular traffic shall be allowed ingress to or from the plot through any other residential street.

(4) *Parking.* Off-street parking shall comply with requirements of Article XII insofar as the amount of spaces required, minimum parking space size, and minimum aisle widths. All parking spaces may be on an unpaved surface. Temporary barriers, guides, signs, and other temporary markings shall be erected and placed around and within the parking area to facilitate safe and efficient vehicular traffic flow on site.

(5) *Lighting.* Temporary lighting used to illuminate the outdoor event after dusk shall be designed and arranged to reflect away from adjacent properties and away from any street or other vehicular use area.

(6) *Temporary structures, exhibits, and mechanical riding devices.* Temporary structures, exhibits, and mechanical riding devices shall be permitted in conjunction with outdoor events subject to permit and inspection requirements of all applicable county and state agencies. No temporary structure shall be used for living quarters. All such structures, exhibits, and mechanical riding devices shall be removed from the premises within seven (7) days after the conclusion of the event.

(7) *Signs.* One temporary sign advertising the event may be erected on the plot where the event will be held not more than fourteen (14) days prior to the event. Such signs shall be no larger than twenty-four (24) square feet in sign area and no higher than ten (10) feet above the ground. The sign shall be set back at least ten (10) feet from the front plot line and shall not be located within twenty-five (25) feet of the intersection of any two (2) public or private streets. The sign shall be removed by the permit holder at the conclusion of the outdoor event.

(8) *Frequency and duration.* No outdoor event shall be permitted for a period of time exceeding seven (7) consecutive days. No more than two (2) of each category of outdoor event permits shall be issued on any plot during a calendar year. Hours of operation of any event shall be limited to 9:00 a.m. to 10:00 p.m., Sunday through Thursday, and 9:00 a.m. to midnight on Friday and Saturday.

(9) *Liability insurance.* Before any permit for an outdoor event is issued, the applicant must provide a certificate showing proof of a public premises liability and product liability insurance policy that provides coverage in the amount of three hundred thousand dollars (\$300,000.00). The policy must name Broward County as an additional insured and must be issued by an insurance company authorized by the Florida Department of Insurance to do business in the State of Florida. The policy must be approved by the Broward County Risk Management Division prior to issuance of any outdoor event permit.

(10) *Performance bond.* Before any permit for an outdoor event is issued, a performance bond or similar security acceptable to the county and naming Broward County as beneficiary in the sum of one thousand dollars (\$1,000.00), shall be executed by the applicant, as principal, and a surety company authorized to do business in the State of Florida and on the list of the United States Treasury. Such security must be approved by the Office of the County Attorney, and shall be in effect for the duration of the outdoor event and for six (6) months subsequent to the end of the event. The security shall be released at the conclusion of the six-month time period upon submittal of an affidavit from the applicant that all conditions of the security have been met. The conditions of such security shall be that:

- a. The applicant shall comply fully with all the provisions of the Broward County Code of Ordinances and all other applicable county, state or federal laws regarding the sale of goods as permitted;
- b. The applicant will pay all judgments rendered against said applicant for any violation of said laws; and
- c. The applicant will pay all judgments and costs that may be recovered against said applicant by any persons for damage from any misrepresentation or deceptive practice during the transacting of such business.

(11) *Plans.* A plan, drawn to scale, shall be submitted to the zoning official, or designee, at the time of permit application indicating the following:

- a. Plot dimensions;
- b. Adjoining streets and points of access to the plot;
- c. Location of all activities and temporary structures and setbacks from plot lines;
- d. Location and use of any permanent buildings and uses existing on the plot;
- e. Location and amount of existing off-street parking areas, proposed temporary additional off-street parking areas and aisles, including dimensions, location of traffic markings, and signs.

(12) *Permit applications.* A permit application shall be submitted to the Zoning Official, or designee, at least thirty (30) days prior to the outdoor event. The permit application shall include the following:

- a. The name and address of the applicant;
- b. The address and legal description of the plot where the event will be held;
- c. The date or dates of the event;
- d. The type of event and sponsor, if any;
- e. The plan required by subsection (11) above;
- f. An executed performance bond as required in sub-section (10) above;
- g. Proof of insurance as required in subsection (9) above;
- h. Notarized authorization of all property owners of record or their authorized agent, for use of the property for the outdoor event;
- i. A notarized affidavit of proof of posting the notice sign required by Section 39-238(16) herein; and
- j. The applicable processing and inspection fee, in accordance with the fee schedule in effect.

(13) *Agency reviews.* Prior to issuance of a permit for an outdoor event, the following agencies shall review and approve the event in accordance with applicable statutes, ordinances and codes:

- a. Broward County Traffic Engineering Division;
- b. Broward County Risk Management Division;
- c. Broward County Highway Construction and Engineering Division;
- d. Health Department (State of Florida) if approval is required;
- e. Department of Agriculture (State of Florida) (if food service is to be provided) if approval is required;
- f. Broward Sheriff's Office, Department of Fire Rescue and Emergency Services;
- g. Broward County Building Code Services Division;
- h. Broward Sheriff's Office; and
- i. Environmental Protection Department

(14) *Permit issuance.* Within twenty (20) days subsequent to filing of the application, Broward County shall review the application, inspect the plot, and either issue or reject the permit. Reasons for rejection shall be in writing to the applicant. If the application and plot are in compliance with this section and any other applicable code, statute or ordinance, the zoning official, or designee, shall issue the permit upon payment by the applicant of a cleanup deposit in the amount of two hundred fifty dollars (\$250.00) to Broward County to guarantee site restoration. The permit must be posted on the plot for the duration of the outdoor event.

(15) *Site restoration.* The permit holder shall be responsible for restoring the plot to its original condition within seven (7) days after the end of the outdoor event. Failure to restore the site to its original condition shall result in forfeiture of the cleanup deposit to the county. The cleanup deposit shall be used for restoration of the location.

(16) *Posting of notice.* The applicant must post a sign of sufficient size at least thirty (30) days prior to the beginning date of the outdoor event in a visible location on each street frontage to inform the public of the dates and nature of the outdoor event which will be held on the property.

(17) *Not-for-profit corporations holding events on their own property.*

a. Not-for profit corporations which abut or are adjacent to agricultural, estate, and rural districts which hold outdoor events on their own property shall be subject to all of the requirements set forth above, except the requirements for obtaining a performance bond (subsection (10)) and a cleanup deposit (subsection (14)). However the not-for-profit corporation shall be responsible for restoring the plot to its original condition within seven (7) days after the end of the outdoor event.

b. Not-for-profit corporations which abut or are adjacent to other residentially zoned districts which hold outdoor events on their own property shall be subject to the following requirements:

1) The property shall consist of a minimum of one net acre of open space with not less than two hundred (200) feet of street frontage on a public street having a right-of-way width of at least fifty (50) feet.

2) No mechanical device, temporary sanitary facility, or animal associated with any outdoor event shall be closer than one hundred (100) feet from any residentially zoned plot. No activity, temporary tent, mechanical device, temporary sanitary facility, or animal associated with any outdoor event shall be closer than one hundred (100) feet from a public or private street line.

3) The not-for-profit corporation shall comply with the following provisions of Section 39-238: access (subsection (3)), parking (subsection (4)), lighting (subsection (5)), temporary structures (subsection (6)), signs (subsection (7)), frequency and duration (subsection (8)), liability insurance (subsection (9)), plans (subsection (11)), permit applications (subsection (12)), agency reviews (subsection (13)), permit issuance (subsection (14)) except for the requirement for a clean up deposit, site restoration(subsection (15)), and posting of notice (subsection (16)) provisions of Section 39-238 of the Broward County Zoning Code.

(Ord. No. 96-16, § 2, 5-28-96; Ord. No. 1997-52, § 2, 12-9-97; Ord. No. 1999-55, § 1, 10-12-99; Ord. No. 2005-11, § 9, 5-24-05; Ord. No. 2005-17, § 10, 6-28-05)

CITY OF DAVIE

DIVISION 6. TEMPORARY USE PERMIT PROCEDURE

Sec. 12-316. Purpose.

Certain uses are temporary in character. They vary in type and degree, as well as length of time involved. Such uses may have little impact on surrounding and nearby properties or they may present questions involving potential incompatibility of the temporary use with existing uses. Unless otherwise specified in this chapter, this division shall govern temporary uses.

(Ord. No. 2000-34, § 1, 10-18-00)

Sec. 12-317. Permitted temporary uses in connection with development projects.

A developer may request a temporary use permit in any zoning district for necessary promotional or storage activities at the development site which occur during construction of the project and which terminate upon completion of the development project. The following activities in connection with such a development project require a temporary use permit.

- (1) Offices for sale of real estate or for persons engaged in the development.
- (2) Construction materials storage and processing.
- (3) Equipment storage.
- (4) Model homes or sample apartments.
- (5) Activities of religious, institutional, or governmental entity under construction, reconstruction, renovation or enlargement.

(Ord. No. 2000-34, § 1, 10-18-00)

Sec. 12-318. Other temporary uses requiring a permit.

Certain other temporary uses shall require permits as follows:

- (1) Commercial carnivals, fairs, promotional activities and similar events.
- (2) Special events run by nonprofit or charitable organizations.
- (3) Christmas tree sales lots where such lots are operated by charitable organizations, or in commercially zoned lots for non charitable organizations.
- (4) Other uses of a similar and temporary nature where the period of use will not extend beyond sixty (60) days during any calendar year.

(Ord. No. 2000-34, § 1, 10-18-00)

Sec. 12-319. Procedures in securing temporary use permit.

(A) Temporary use permit applications for uses described in sections 12-317 and 12-318 above shall be submitted to the development services department. The development services director may grant a temporary use permit subject to suitable conditions, safe guards and stipulations and upon the advice and consent of town council.

(1) Prior to granting a temporary use permit the development services director shall ensure that:

(a) Any nuisance or hazardous feature involved is suitably separated from adjacent uses:

(b) Excessive vehicular traffic will not be generated on minor residential streets; and

(c) A vehicular parking problem will not be created.

(B) All applications for temporary use permit shall contain a site plan indicating the precise area where the temporary use is being conducted, the nature of the activities that will occur and the period of time for which the temporary use permit is requested.

(C) Any temporary use authorized by town council shall be approved and accepted as to all terms and conditions by the applicant in writing within ten (10) days of the date such temporary use is authorized. The applicant shall file such authorization with the development services department.

(Ord. No. 2000-34, § 1, 10-18-00)

HILLSBOROUGH COUNTY

Sec. 2.02.05. Temporary Uses

A. Allowable Temporary Uses: Non-Residential Zoning Districts

The following temporary uses may be allowable in non-residential zoning districts:

1. Neighborhood fairs and circuses.
2. Contractor's temporary office and/or equipment sheds incidental to construction project.
3. Security residences.
4. Temporary vendors.
5. Agricultural offices.
6. Recyclable goods trailers.

B. Allowable Temporary Uses: Residential Zoning Districts

1. Temporary manufactured homes due to medical hardship.
2. Temporary manufactured homes while constructing.
3. Neighborhood fairs.
4. Model dwelling units and pre-construction sales offices.
5. Garage, yard sales.
6. Temporary vendors (non-profit).

C. Standards

No more than two permits for temporary uses shall be issued for the same site within a one-year period unless otherwise specified in section 6.11.00.

D. Procedures

Temporary uses shall be issued in accordance with the procedures contained at 10.01.00 for the issuance of development permits.

(Ord. No. 00-38, § 2, 11-2-00)

City of TAMPA

Sec. 27-145. Temporary special event.

A temporary special event may be held in any zoning district provided the following limitations are met:

- (1) The maximum duration for a specific event is two (2) weeks. No more than four (4) events per year are allowed on one (1) property.
- (2) If tents or outdoor exhibits/displays are used, a site plan must be submitted to the division of land development coordination to demonstrate compliance with zoning setbacks.
- (3) Adequate parking must be provided as determined by the city traffic engineer.
- (4) The applicant must demonstrate that bathroom facilities are available at the site of the special event.
- (5) The property must be cleared of all trash and debris immediately after the special event.

(Ord. No. 93-179, § 13, 11-18-93)

Sec. 27-148. Tents.

Tents may be erected only as temporary structures provided that the activity for which the tent is being used is consistent with the uses permitted in the underlying zoning district. There shall be no extension to the duration or time frame for which a tent may be erected as specified in this section. Structures erected for longer periods of time than allowed by this section must be designed as permanent structures and comply with current building codes, land development regulations and fire codes.

(a) Tents one hundred (100) square feet or less in covered area are subject to the following limitations:

- (1) Tents are allowed on public right(s)-of-way during special events or festivals as designated and approved by city council pursuant to a parade, block party or road festival permit, subject to and in accordance with the provisions of such permit, or on private property located contiguous to a public right-of-way that has been closed during a parade, block party or festival. Tents are also allowed in City of Tampa parks if approved by the City of Tampa Parks Department in connection with an event of limited duration, on residential property when erected for five (5) days or less for an activity normally associated with a residential use, or as otherwise provided by law.
- (2) One (1) tent of this size may be permitted per zoning lot or portion thereof, only as an accessory to an existing approved principal structure. An exception to this condition may be given when multiple tents are requested in conjunction with a major festival and when an approved assembly permit for the zoning lot has been issued through the City of Tampa Fire Marshal's office.

(3) A tent may be erected for no more than thirty (30) total cumulative days during any consecutive twelve-month period.

(4) The tent must be placed in compliance with the minimum setback requirements of the underlying zoning district.

(5) The tent may not block access to any required parking spaces, or impede the safe passage of any vehicle in a parking lot.

(6) All tent installations shall comply with the latest edition of the applicable Fire Safety Codes.

(7) All electrical, plumbing or mechanical installations shall be permitted through the applicable City of Tampa Departments.

(8) Tents shall be taken down in cases of impending tropical storms twenty-four (24) hours in advance.

(b) Tents larger than one hundred (100) square feet are subject to the following limitations:

(1) Tents are allowed on public right(s)-of-way during special events or festivals as designated and approved by city council pursuant to a parade, block party or road festival permit, subject to and in accordance with the provisions of such permit, or on private property located contiguous to a public right-of-way that has been closed during a parade, block party or festival. Tents are also allowed in City of Tampa parks if approved by the City of Tampa Parks Department in connection with an event of limited duration, on residential property when erected for five (5) days or less for an activity normally associated with a residential use, or as otherwise provided by law.

(2) Tents when erected for five days or less for an activity normally associated with a residential use and on residential property must comply with subsections 27-148(b)(6), (8) and (10) below.

(3) Tents when used for longer than a five day period must submit a site plan showing compliance with the following requirements:

a. Sufficient parking must be available on the zoning lot to accommodate the proposed use taking place within the tent in addition to any other use on the zoning lot, per section 27-242, Number of off-street parking spaces, and section 27-246, Off-street parking space standards. For vacant, undeveloped property, it is not required that the parking lot surface be paved, provided DPW determines the surface is suitable for the quantity and frequency of traffic expected to use it. A level and flat surface free from tripping hazards and other potential safety hazards must be maintained in good condition so as not to become a public nuisance.

b. Driveway access, to be approved by the department of public works, is required to provide safe ingress and egress to and from the site without damaging existing sidewalks or curbs.

c. Adequate restroom facilities must be available at the tent site, or a written agreement allowing access to restroom facilities within two hundred fifty (250) feet of the tent site must be provided.

(4) Only one (1) tent may be erected per zoning lot or portion thereof. An exception to this condition may be given when multiple tents are requested in conjunction with a major festival and when an approved assembly permit for the zoning lot has been issued through the City of Tampa Fire Marshal's office.

(5) A tent may be erected for no more than one hundred twenty (120) total cumulative days within any consecutive twelve-month period. There must be a minimum thirty (30) day hiatus for every sixty (60) consecutive days a tent remains erected.

(6) A tent must be placed in compliance with the setback requirements of the underlying zoning district.

(7) All tent installations shall comply with the latest edition of the applicable Fire Safety Codes.

(8) All electrical, plumbing or mechanical installations shall be permitted through the applicable City of Tampa Departments.

(9) When applicable from other city departments, approvals and permits shall be obtained prior to issuance of the fire marshal tent permit.

(10) Tents shall be taken down in cases of impending tropical storms twenty-four (24) hours in advance.

(11) If the listed use of the tent changes from the original use, a new permit is required.

(12) An assembly permit is required for any tent that is capable of having an occupant capacity of one hundred (100) or more persons. Documentation of seating and table arrangements and emergency exit locations shall be shown on-site plans submitted for review and approval by the fire marshal.

(c) The director of business and community services or his designee may approve tents on an annual basis in commercial and industrial districts when it can be demonstrated by the applicant that:

(1) The use of a tent is shown to be integral to the type of business proposed.

(2) There is no signage or advertising on the tent.

(3) The tent is attached to the ground and maintained free from excessive wear.

(4) The tent is in compliance with section 27-148(b), except as it relates to the time limits set forth therein.

(Ord. No. 98-35, § 1, 2-19-98; Ord. No. 99-258, § 7, 11-18-99)

Sec. 27-149. Vendors.

(a) Vendors are prohibited within the Ybor City Historic District, except as otherwise allowed in this section or by law.

(b) Vendors shall be allowed within the Ybor City Historic District under the following circumstances and subject to the following conditions:

(1) During a special event or festival designated by city council pursuant to a parade, block party or road festival permit, vendors may be allowed on public right(s)-of-way subject to and in accordance with the parade, block party or road festival permit and on privately owned property located contiguous with the public right(s)-of-way closed during the special event or festival;

(2) On a city park if allowed by the city's parks department in connection with a event or festival of a limited duration; or

(3) As a subordinate use which is integral to the conforming principal use of the property, the design of which subordinate use has been reviewed and approved by the Barrio Latino Commission.

(c) When allowed, vendors must meet the following conditions:

(1) The vendor must clear the vendor site of all litter and debris after use.

(2) The vendor may not impede the safe flow of people and vehicles during use of the vendor site.

(3) The vendor must obtain all applicable city, state, county, and health department licenses and permits and display them in plain view. If applicable, the vendor must also display an event authorization tag issued to the vendor by the event sponsor.

(4) The vendor must meet all other applicable city code requirements, with the exception of off-street parking.

(Ord. No. 98-159, § 1, 7-16-98; Ord. No. 98-190, § 1, 9-3-98; Ord. No. 99-217, § 2, 9-23-99)

Sec. 27-150. Temporary film production.

The following specific standards and requirements shall apply to the conduct of temporary film production activity in any zoning district in the city:

(1) Any person or entity conducting such activity within the City of Tampa shall obtain a permit for such activity from the Tampa/Hillsborough Film Commission, which permit must be provided to the City of Tampa zoning administrator for filing. The permit must include, at a minimum, the following information: the name, address and phone number of the film

production company and its client, the type of production, the shooting dates and estimated total production days, the locations at which filming will occur, any city personnel or equipment being requested, and a hold harmless/indemnity agreement consistent with subsection (3) below.

(2) Any person or entity conducting such activity must provide to the City of Tampa a certificate of insurance in the minimum amount of one million dollars (\$1,000,000.00) naming the City of Tampa as an additional insured. Copies of the certificate must be provided to the City of Tampa and the Tampa/Hillsborough Film Commission before filming may begin.

(3) A person or entity conducting such activity within the City of Tampa shall assume all risk and be solely responsible for damage or injury to property or persons and hold harmless the city, its officers and employees from any and all claims, suits, losses, damages or injury to person(s) or property.

(4) Any person or entity intending to conduct temporary film production activity upon City of Tampa right-of-way, and/or intending to close a street or sidewalk in order to conduct such activity thereon, must obtain from the transportation department all applicable permits required by Chapters 22 and 25.

(5) The person or entity conducting temporary film production activity shall post at the location-site, in a conspicuous place on or near the front the property, a sign no smaller than eighteen (18) inches by twenty-four (24) inches. The information posted on the sign shall include, but not be limited to, the estimated dates of film production that will take place at that location and the name and telephone number of a representative of the film production company to be contacted in case of emergency. The sign shall be posted no later than two (2) days prior to the date on which filming will begin and shall remain in place for the duration of the filming at that location.

(6) In those instances in which film production activity will result in limited access to a street, the person or entity conducting such activity shall provide to all property owners/residents on that street placards to be placed in the windshield of their motor vehicles, which placards shall identify them as property owners/residents of that street in order to allow them to obtain access to their property.

(7) Adequate sanitary and other required health facilities are, or will be made available, in or adjacent to the production activity area.

(8) The conduct of the production activity shall not result in noise of a level that would violate the provisions of this code, or that would be otherwise inappropriate for the areas surrounding the production activity.

(9) The city shall be entitled to recover reasonably estimated expenses for extraordinary services rendered in connection with the production activity, which costs shall include, but not be limited to, charges for personnel and/or equipment provided in support of the production which are outside the scope of normal governmental services. The city shall base its estimate of such costs on the information contained in the permit application submitted to the Tampa/Hillsborough Film Commission and such consultations as may be required between the applicant and the appropriate city officials. The city shall provide an estimate of these costs to the permit applicant and may require prepayment of all or a portion of these costs prior to the commencement of the film production. At the conclusion of the production, expenses below or in excess of the estimates will be refunded by the city or paid by the applicant, respectively.

(10) Exceptions. Nothing in this section shall be interpreted to require a permit for:

- a. Individuals filming or video taping only for their own personal or family use.
- b. Employees of print or electronic news media when filming on-going news events.
- c. Students and faculty filming exclusively for educational purposes.

CHARLOTTE COUNTY

Sec. 3-9-95.1. Temporary uses.

(a) General. Certain uses are temporary in character. They vary in type and degree, as well as the length of time involved. The purpose of this section is to specify regulations applicable to certain temporary uses which, because of their impact on surrounding land uses, require a temporary use permit. Unless otherwise specified in these zoning regulations, the following regulations shall govern temporary uses.

(b) *Definitions.* For the purposes of this section the following terms shall have the meaning indicated.

Itinerant merchant means any person, firm, corporation, organization, or other entity, whether a resident of the county or not, who engages in the business of selling, delivering, displaying, promoting, or giving away merchandise, products or services on a temporary basis and who, at the time of application for a permit under this section, does not have a business location in Charlotte County. Persons, firms, corporations, organizations, or other entities so engaged shall not be relieved from complying with the provisions herein by reason of temporary association with, or sponsorship by, any resident merchant, or by conducting such itinerant business with, as a part of, or in the name of any resident merchant.

Resident merchant means any person, firm, corporation, organization, or other entity who engages in the business of selling, delivering, displaying, promoting, or giving away merchandise, products or services at a business location in Charlotte County and who possesses a valid occupational license issued by Charlotte County for the particular type of business for which it seeks a temporary use permit.

The terms *Sales* and *Selling* and shall include lease and lease-purchase transactions.

(c) *Applicability.* Any resident merchant or itinerant merchant that desires to conduct any of the uses described in this section shall be required to submit an application for a permit. Before an application will be accepted, the applicant must complete and comply with all the requirements enumerated herein.

(d) *Permit required.* A temporary use permit shall be required for the following uses.

(1) Outdoor sales, parking lot sales or tent sales.

(2) Fairs, carnivals, circuses, and expositions, with the exception of those listed in Chapter 616, Florida Statutes.

(3) Other temporary uses similar in nature to the ones listed above.

(4) Seasonal and holiday related promotions and sales, including Christmas tree sales, pumpkin sales, etc., as well as promotions, sales and fund raising events by charitable organizations, nonprofit corporations, or school groups, provided however that such groups shall be exempt from the requirements of paragraph (j) of this section. Approval of the application by the zoning official shall result in the issuance of the seasonal or holiday related permit upon payment of the fees listed in paragraph (h). All seasonal or holiday related uses shall be confined to the hours of operation and dates specified in the permit, which shall not exceed thirty (30) days. The decision as to what type of event, other than those listed herein, constitutes a seasonal or holiday related promotion or sale shall reside with the zoning official.

(e) *Restrictions.* Temporary use permits shall be issued only for events taking place in AG, OMI, commercial, or industrial districts. Provided however, permits issued to churches or schools, may authorize uses in any district. Temporary use permits are restricted to those activities and locations listed on the application. All temporary uses shall be confined to the dates and times specified in the permit. A separate temporary use permit is required for each temporary use. Hours of operation of temporary uses subject to this section shall be limited to 8:00 a.m. to 9:00 p.m., Sunday through Thursday, and 8:00 a.m. to 11:00 p.m. on Friday and Saturday.

(f) *Limitations.*

(1) *Resident merchants and itinerant merchants.*

a. Off-site outdoor sales, parking lot sales or tent sales of motor vehicles, recreational vehicles or watercraft may occur no longer than five (5) consecutive days, once every six (6) months.

b. Off-site outdoor sales, parking lot sales or tent sales of merchandise other than those listed in subsection a. may occur no longer than five (5) consecutive days, once every two (2) months.

c. Other temporary uses similar in nature to the ones listed above, with corresponding limitations.

(2) *Resident merchants.* On-site sales by resident merchants of merchandise, products or services of the type listed on the occupational license of the resident merchant and regularly conducted at the resident merchant's business location are exempt from this section.

(3) Seasonal and holiday related promotions and sales are exempt from this paragraph.

(g) *Submission of application.* All applications for a temporary use permit shall be submitted to the county zoning official. The county zoning official may grant or deny a temporary use permit or may grant a temporary use permit subject to suitable conditions, safeguards, and stipulations. Approval of the application by the county zoning official shall result in the issuance of the temporary use permit upon payment of the permit fee. The applicant shall ensure that the application is accurate and complete. Any intentional misrepresentations on the application by the applicant shall be grounds for denying the permit.

(h) *Application and fees.*

(1) All applications shall be submitted to the zoning official a minimum of twenty (20) working days prior to the proposed use. The application shall be made on a form acceptable to the zoning official and shall include the following:

- a. The name, address and telephone number of the applicant and the business or corporation the applicant represents, if applicable;
- b. The address and legal description of the property where the event will be held. If the property is not owned by the applicant, the name, address and telephone number of the owner(s) of the property and notarized authorization of all property owners of record or their authorized agents, for use of the property for the outdoor event;
- c. The date(s) of the event;
- d. The hours of operation;
- e. The type of event and sponsor, if any;
- f. Payment of a nonrefundable application fee as follows:
 1. Seasonal and holiday related promotions and sales . . . \$25.00
 2. Other sales by resident merchants or itinerant merchants . . . 100.00
- g. The tax identification number of the applicant, if applicable.
- h. A plan, drawn to scale, indicating the following:
 1. Vehicular access onto the property.
 2. Location and use of any permanent buildings and uses existing on the property.
 3. Adequate sanitary facilities.
 4. Location and amount of parking areas.

(2) *Permit fee.* Payment of a permit fee as follows:

- a. Seasonal and holiday related promotions and sales . . . \$50.00
- b. Other sales by resident merchants or itinerant merchants . . . 200.00

(i) *Additional requirements.* The following additional requirements shall pertain to all temporary uses.

(1) No activity, temporary tent, mechanical device, temporary sanitary facility, or animal associated with any outdoor event shall be closer than one hundred (100) feet from any residentially zoned property or closer than three hundred (300) feet from any AG property. Events held at schools and churches are exempt from this subsection.

(2) No permanent or temporary lighting may be installed without an electrical permit and inspection. Temporary lighting used to illuminate the outdoor event after dusk shall be designed and arranged to reflect away from adjacent properties.

(3) Temporary structures and exhibits shall be permitted in conjunction with outdoor events subject to permit and inspection requirements of all applicable county and state agencies.

(4) One (1) temporary sign advertising the event may be erected on the property where the event will be held not more than seven (7) days prior to the event. Such signs shall be no larger than thirty-two (32) square feet in sign area and no higher than ten (10) feet above the ground at its highest point and shall carry the name, business address and business phone number of the merchant in characters at least three (3) inches high. The sign shall not interfere with the visibility of the intersection of any public or private streets. The sign shall be removed by the permit holder at the conclusion of the outdoor event.

(5) The site of the temporary use must be cleared of all debris at the end of the use, and all temporary structures must be removed within forty-eight (48) hours after the termination of the use. A cash bond in an amount not to exceed two thousand dollars (\$2,000.00) or a signed contract with the county's garbage collection franchisee may be required as part of the application for the temporary use permit. Failure to clean up the site within forty-eight (48) hours of the event shall result in the forfeiture of the cleanup bond and any additional costs of cleanup in excess of the cleanup bond may be assessed against the permit holder. No future temporary use permit will be issued to an applicant until any outstanding cleanup costs are paid in full.

(6) Traffic control may be required by the county or county sheriff's department and must be arranged and paid for by the applicant.

(j) *Additional requirements for itinerant merchants only.*

(1) Before any temporary use permit is issued to an itinerant merchant, the applicant shall provide security, in the form of a surety bond, issued by a surety authorized to do business in the state of Florida, or an irrevocable letter of credit issued by a Florida financial institution. Such security shall benefit the county and be in favor of any person in a retail transaction who shall suffer any loss as a result of any violations of the conditions of this section by the itinerant merchant. If the application is for a permit for outdoor sales, parking lot sales or tent sales of motor vehicles, recreational vehicle or watercraft, the applicant shall be required to furnish security in the amount of fifty thousand dollars (\$50,000.00). In the case of motor vehicles and recreational vehicles, this amount shall be in addition to that required by Chapter 320, Florida Statutes. For any other temporary use, the applicant shall be required to furnish security in the amount of twenty-five thousand (\$25,000.00). The security shall be released ninety (90) days following the conclusion of the temporary use upon the submittal of an affidavit from the applicant to the county, and the acceptance of said affidavit by the county, that all conditions of the security have been met. The conditions of such security shall be that:

- a. The applicant shall comply fully with all provisions of the Charlotte County Code and all other applicable county, state, or federal laws regarding the sale of merchandise.
- b. The applicant has settled any claims or paid all judgments rendered against said applicant for any violation of said laws;
- c. The applicant has settled any claims or paid all judgments and costs that may be recovered against said applicant, by any persons or parties, for damages from any misrepresentation or deceptive practice during the transacting of such business in Charlotte County; and
- d. The applicant has, to the county's satisfaction, mitigated any damages or impacts caused or created by the temporary use.

(2) Before any temporary use permit is issued to an itinerant merchant for motor vehicle or recreational vehicle sales, the itinerant merchant must furnish the county with a copy of a current motor vehicle dealer or recreational dealers license as required by Chapter 320, Florida Statutes.

(k) *Permit issuance.* Within ten (10) days subsequent to filing the application, county shall review the application, inspect the property, and either issue or reject the permit. Reasons for rejection shall be in writing to the applicant. If the application and property are in compliance with this section and all other applicable codes, statutes or ordinances, the zoning official or designee shall issue the permit upon payment of the permit fee by the applicant.

(l) *Appeal.* An applicant may appeal to the board of county commissioners the decision of the county zoning official or designee denying a temporary use permit, and the board of county commissioners shall hold a public hearing, with due notice, before affirming or overturning the action of the county zoning official or designee.

(Ord. No. 89-47, § 18, 6-22-89; Ord. No. 2002-011, § 1, 4-9-02)

LAKE CITY

F. Single event license. A single event license shall be authorized to allow a use for a single time only for a period of time not to exceed seven (7) days. Examples of single event licenses include, but are not limited to: circuses, carnivals, auctions or fairs on private property. Single event licenses shall conform to the following provisions:

1. Application and fee. An application, on a form provided by the Director of Planning, shall be submitted with the required fee by the operator of the proposed event. July 2006 3-7 Administration and Enforcement

2. Standards. The Director of Planning shall issue a single event license only if the following standards are met:

a. The proposed event is compatible with other uses in the district where the event is proposed.

b. The operator must show proof of adequate insurance to cover the type of event proposed. Such insurance shall indemnify the City of Lake City against any and all potential liability arising from the licensed event.

c. The proposed event will terminate upon an identified date, not to exceed seven (7) days from the first day of the event, and such beginning and termination dates shall be stated on the single event license.

d. Limitations on daily hours of the event may be imposed.

e. The proposed event will not impose costs on the public; or if so, all costs will be paid by the applicant prior to the event or a bond shall be posted by the applicant prior to the event in sufficient amount to cover all foreseeable public costs.

f. The proposed event will be subjected to, by agreement with the operator, any conditions that the Director of Planning has deemed appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover anticipated costs of cleaning the property and adjacent public rights-of-way and removing any structures associated with the event.

ALTAMONTE SPRINGS
ARTICLE I. IN GENERAL

Sec. 22-1. Purpose.

The city commission recognizes the impact that special events have on the availability of city services, and the city commission further recognizes the dangerous nature of fireworks to the health, safety and welfare of the citizens of Altamonte Springs, Florida, and therefore, adopts this procedure to license and regulate activities of this nature.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-2. Definitions.

[As used in this chapter, the following words and terms shall have the meaning ascribed thereto:]

(1) Special events requiring permit shall be any event or activity, other than the normal day to day or seasonal operations of concerns licensed or established within the City of Altamonte Springs, Florida, which is designed or intended to attract the participation or attendance of more than five hundred (500) individuals.

Special events requiring notification only shall be any events or activities, other than the normal day-to-day or seasonal operations of concerns licensed or established within the City of Altamonte Springs, Florida, which is designed or intended to attract the participation of more than three hundred (300) but less than five hundred (500) [individuals].

Special event shall include, but not limited to any ceremony, exhibition, show, concert, pageant, rally, demonstration or assembly which is likely to attract participation or attendance of three hundred (300) persons or more at any given point of time, or at which any fireworks shall be used, exploded, or displayed.

(2) Fireworks:

a. The term "fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances, or, except as hereinafter provided, any article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire beneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, daygo bombs, and any fireworks containing any explosive or flammable compound or any tables or other device containing any explosive substance.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-3. Permit requirement.

(1) No person shall advertise, engage in, participate in, aid, form, or start any special event unless a permit shall first have been obtained from the city clerk.

(2) Exception; this section shall not apply to:

(a) Funeral processions.

(b) Lawful picketing. Lawful picketing shall be conducted off the street or roadway and not in a manner as to obstruct vehicular or pedestrian traffic. Any lawful picketing which crosses, traverses or is otherwise conducted in or upon any street or roadway shall not be exempted from the permit requirement.

(c) Activities of a governmental agency.

(d) Any bona fide athletic event or contest which is scheduled and sponsored by any bona fide elementary or secondary school situated within the city or by the City of Altamonte

Springs Recreation Department so long as during such special event no fireworks shall be used, exploded or displayed.
(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-4. Application for permit.

Any person seeking the issuance of a special event's permit shall file an application with the city clerk.

(1) Filing period. An application for a permit shall be filed not more than one hundred eighty (180) days before, and not less than thirty (30) days before the date and time which the proposed special event is to take place. However, for just cause, the city clerk (with the approval of both the chief of police and fire chief) may waive the minimum thirty-day filing period and accept an application filed within a shorter period if after consideration of the date, time, place and nature of the special event, the number of participants, and the necessity for an amount of city services which will be required in connection with the special event, the clerk reasonably deems it appropriate to waive the filing period. In doing so, the chief of police and fire chief shall determine that such waiver will not present a hazard to the public's safety by reducing the amount of time available to process the application. The application shall be signed by the applicant under oath.

(2) Contents. The application for a permit shall set forth the following information, and such other information as may be reasonably required.

- a. The name, place of residence, mailing address, and telephone number of the person seeking the conduct of the event;
- b. If the event is to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
- c. The name, place of residence, mailing address and telephone number of the individual person responsible for the conduct of the event;
- d. The dates and times schedule for the event;
- e. Exact location of event;
- f. The nature and types of activities that will occur;
- g. The approximate number of spectators and participants present or participating in the event;
- h. The purpose of the event, if there is an avowed purpose;
- i. If the event is a parade, the following additional information shall be required:
 1. The exact location or any marshalling or staging areas for the parade;
 2. The time at which units of the parade will begin to arrive at the staging areas and the times at which all such units will be disbursed from [therefrom];
 3. The exact route to be traveled, including the starting point and termination point;
 4. The approximate number of persons who, and animals and vehicles which, will constitute the parade, the types of animals and description of the vehicles;
 5. A statement as to whether the parade will occupy all or only a portion of the width of the street, roadway, or sidewalks to be used;
- j. A designation of any public facilities or equipment proposed to be utilized;
- k. State permit if state roadway is to be used.

Fees. A fee to cover the expenses incident to processing shall be paid to the City of Altamonte Springs at the time the application is filed. This fee shall be in accordance with the schedule of fees approved by city commission. This fee is nonrefundable.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-5. Additional requirements for fireworks display.

No person, firm, partnership, or corporation shall expose, use or explode any fireworks unless a permit shall first have been obtained from the city clerk, pursuant to all rules and regulations applicable to the special events procedure contained herein. In addition to all the requirements outlined in the special events procedure permit application, the applicant shall additionally file the following information with the city clerk for distribution to the fire chief and the chief of police:

- (1) A detailed listing of the type and quantity of fireworks to be used;
- (2) A detailed written statement outlining all appropriate safety procedures which will be used at the fireworks display in order to protect the safety of the public and all surrounding property;
- (3) A detailed written statement describing what facilities and containers will be used to store fireworks;
- (4) If applicable, applicants' federal licensee number for transporting fireworks across state lines;
- (5) A detailed list of names, addresses, occupations, and backgrounds of all individuals who will be responsible for the actual display, use or explosion of any fireworks. The backgrounds statement should include a complete history of the experience of the individuals involved with respect to their use of fireworks, including a detailed list and explanation of each and every accident resulting from the use of fireworks which the individual has been responsible for, or involved in.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-6. Police protection.

After obtaining as much information as the chief of police reasonably deems necessary regarding a permit application, he shall determine whether and to what extent additional police protection reasonably will be required for the event for purposes of traffic, crowd control, and security. In making this determination, the chief of police shall consider those factors set out in section 22-4(2). If additional police protection for the event is deemed necessary by the chief of police, he shall so inform the applicant for the permit. The applicant then shall have the duty to secure police protection acceptable to the chief of police at the sole expense of the applicant and shall prepay the expenses of such protection as required. The chief of police shall consider what additional manpower, equipment and supplies are needed, as well as any other items or expenses which will be necessary.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-7. Fire protection and emergency medical services.

(1) After receiving notification of the intended event, the fire marshal shall make a determination as to the need for on-site fire watch or emergency medical personnel. The fire marshal shall consider such factors as the location, number of anticipated participants and spectators, and type of event, including the application of appropriate codes and ordinances. If fire watch and/or emergency medical personnel for the event are deemed necessary by the fire marshal, he shall so inform the applicant who shall have the responsibility to secure fire watch/emergency medical personnel reasonably acceptable to the fire marshal at the sole expense of the applicant and shall prepay the expenses of such protection. Only state certified licensed professional fire/emergency medical personnel shall be used for this purpose, preferably Seminole County fire department employees and equipment.

(2) The conduct of the event shall not introduce extraordinary hazards to fire protection and/or life safety in the immediate or adjacent areas.

(Ord. No. 808-85, § 1, 4-2-85; Ord. No. 1471-02, § 2, 12-3-02)

Sec. 22-8. Standards of issuance.

The city clerk shall issue a permit as provided herein upon certification from the city department directors, based upon the following considerations:

(1) The conduct of the event will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic in, or contiguous to the route or location of the event.

(2) The conduct of the event will not require the diversion of so great a number of public safety personnel or equipment of the city to properly secure the event area and the areas contiguous thereto, as to prevent current level of public safety services from being furnished to other parts of the city.

(3) The event shall not take place until inspections by concerned departments, i.e., fire, building, police, have been conducted and a determination has been made that all codes and ordinances have been met or satisfied.

(4) The concentration of persons, animals, and/or vehicles at the event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the event area or other areas of the city.

(5) The conduct of the assembly is not reasonably likely to cause injury or intended to cause injury to persons or property, or to provide disorderly conduct as defined by city ordinance or state statutes, provided that under no circumstances may the city clerk deny a permit solely on the basis of the proposed content of speech or ideas of the group involved.

(6) Adequate sanitation and other required health facilities are, or will be, made available in or adjacent to the event area.

(7) The conduct of the assembly will not result in noise at a level inappropriate for the area(s) surrounding the event.

(8) There are sufficient parking places near to the event to accommodate the approximate number of automobiles reasonably expected to be driven to the assembly; such number to be reasonably estimated by the chief of police.

(9) The applicant has secured police, fire and EMS protection, if any, required under this procedure and has prepaid the expenses therefor.

(10) If the event is a parade, such parade is not to be held for the primary purpose of advertising any product, goods or event, which is primarily for private profit, and the assembly for profit provided, however, the prohibition against advertising any product, goods, or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used to conduct the event.

(11) If the event is to take place in any publicly owned or controlled property, public liability and property damage insurance, with the city named as an additionally insured party, shall be obtained in an amount approved by the city finance director after consideration of those factors set out in section 22-4(2).

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-9. Notice of rejection.

Should the application be denied, the city clerk shall notify the applicant by personal delivery or certified mail within seven (7) working days of the denial. This notification shall include the reasons for the denial of the permit, and shall advise of the appeal procedure.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-10. Appeal procedure.

Any applicant aggrieved shall have the right to appeal the denial of a permit or revocation of permit under section 22-13 to the commission. The appeal shall be taken by the applicant within five (5) days after receipt of the notice of denial by filing a written notice with the city clerk. The city clerk shall place the appeal on the next available agenda for commission consideration.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-11. Notice.

Immediately upon issuance of a permit, the city clerk shall forward a copy of a permit and application to the following:

- (1) City manager
- (2) Director of public works
- (3) Director of community development
- (4) Chief of police
- (5) Chief of fire department
- (6) Director of finance
- (7) City commissioners.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-12. Duties of permittee.

A permittee hereunder shall comply with all permit directions and conditions, and with all applicable laws and ordinances. The event chairperson shall maintain custody of the permit [and] upon demand shall produce it to city authorities. Under no circumstances may a permit be transferred from the applicant to any other person or organization.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-13. Revocation of permit.

The chief of police, fire chief, building official or city manager, or their designated representatives, shall have the authority to revoke a permit issued hereunder instantly upon violation of any one (1) or more of the code ordinances or conditions or standards of issuance as herein set forth.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-14. Indemnification.

The applicant and any other persons, organizations or corporations on whose behalf the application is made, by filing a permit application shall represent, stipulate, contract and agree that they, jointly and severally indemnify and hold the city harmless against liability, including court costs and attorney's fees, including appeal, or any and all claims for damage to property, or injury to, or death of persons arising out of or resulting from issuance of the permit or the conduct of the event or any of its participants or the revocation of the permit for reasons herein stated.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-15. State law requirements.

Nothing in this chapter shall be construed so as to exempt the applicant or any other person from the requirements of Florida Statute 791.03, or any other applicable state or federal law.

(Ord. No. 808-85, § 1, 4-2-85)

Sec. 22-16. Sanctions.

(1) Any person who shall violate any provision of this section shall be subject to the provisions of section 1-14 of the Altamonte Springs City Code of Ordinances concerning penalties. Each day any violation of any provision in this section shall continue shall constitute a separate offense.

(2) Nothing herein contained shall prevent the city from taking such lawful action, including but not limited to resorting to equitable and injunctive action, as is necessary to prevent or remedy any violations of this section, and the city may specifically bring suit to restrain, enjoin or otherwise prevent any violation of this section in the circuit court of Seminole County, Florida. Persons charged with violating provisions of this chapter shall be responsible to the city for all costs incurred in enforcing this chapter including attorney's fees.

(Ord. No. 808-85, § 1, 4-2-85)

PALM BEACH

ARTICLE VII. SPECIAL EVENTS ON PUBLIC PROPERTY

DIVISION 1. GENERALLY

Sec. 106-256. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Special event means any meeting, activity or gathering of a group of persons having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public place or building, which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any public area or building, which results in preempted use by the general public or which deviates from the established use. Nothing in this article shall preclude the use of such areas by the town for governmental purposes.

(Code 1982, § 10-432)

Cross references: Definitions generally, § 1-2.

Sec. 106-257. Regulations relating to special event.

The following regulations shall apply to all special events held within the town:

- (1) There shall be held at the location requested no more than one special event on any given day, without priority for any particular date, to be granted to the first person to submit a completed application designating that day.
- (2) The maximum total duration of each special event and the assembly thereof shall be three hours.
- (3) Any signs, props or displays used in conjunction with the special event must be removed immediately after the time permitted for the special event has expired.
- (4) The use of banners, flags (other than flags of official governmental bodies), streamers, balloons or any similar devices, in connection with the event, shall be prohibited.
- (5) The use of decorated vehicles and trailers in connection with the event is prohibited.
- (6) The granting of a special event permit under this article shall not require the complete blockading of streets or intersections to vehicular traffic, and the town shall be empowered to apportion such streets and intersections for simultaneous use by special event participants and vehicular and pedestrian traffic.
- (7) The concentration of persons and/or vehicles at the special event will not interfere unduly with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly area or other areas of the town.
- (8) There are sufficient parking places near to the site of the special event to accommodate the approximate number of automobiles reasonably expected to be driven to the special event.
- (9) The event is not otherwise in violation of ordinances or regulations of the town or the state or of federal law.

(Code 1982, § 10-435)

Sec. 106-258. Penalties.

Any person determined to be in violation of the provisions of this article, not relating to revocation of the permit, shall be subject to section 1-14.

(Code 1982, § 10-442)

Secs. 106-259--106-280. Reserved.

DIVISION 2. PERMIT

Sec. 106-281. Required.

No person shall engage in, participate in, aid, form or start any special event unless a special event permit shall have first been obtained from the town manager or his designee.

(Code 1982, § 10-433)

Sec. 106-282. Application.

(a) Required. A person seeking issuance of a special event permit shall file an application with the town clerk's office on forms provided by the town.

(b) Filing. A completed application for a special event permit, providing all information required herein, shall be filed with the town clerk's office not less than 30 days nor more than 90 days before the date on which it is proposed to conduct the special event.

(c) Contents. The application for a special event permit shall set forth the following information:

(1) The name, address and telephone number of the person seeking to conduct such a special event.

(2) The purpose of the special event.

(3) If the special event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.

(4) The date on which the special event is to be conducted.

(5) The exact hours the special event is to be conducted.

(6) The name or type of event.

(7) The exact location of the event.

(8) The approximate number of participants and spectators.

(9) A detailed description of the activity or activities, including whether or not the event requires support facilities such as traffic control, parking volume, crowd control.

(10) The name of the applicant's insurance company for the event. The town shall be named as an insured on a policy of liability insurance in an amount not less than \$1,000,000.00.

(11) The signature of the applicant.

(12) The name, address and telephone number of the person who will be responsible for the conduct of the special event (i.e., special event chair).

(13) Provisions for cleanup after conclusion of the special event. The applicant shall be responsible for costs of complete and immediate cleanup.

(14) An application fee of \$150.00.

(Code 1982, § 10-434)

Sec. 106-283. Standards for issuance.

The town manager's office shall issue a special event permit when from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

(1) No other applicant has obtained a permit for the date requested.

(2) The special event applicant has agreed in writing to abide by all provisions set forth in this article.

(3) All required information is set forth in the application and is in accordance with all provisions set forth in this article.

- (4) The concentration of persons and vehicles at assembly points of the special event will not interfere with the proper fire and police protection of or ambulance services to areas contiguous to such assembly areas.
- (5) The conduct of such special event will not interfere with the movement of police and fire rescue vehicles and equipment en route to a fire or the movement of emergency medical services equipment en route to an emergency.
- (6) The special event is not being held for the purpose of advertising any product, goods or event, and is not designed to be held for private profit or fund raising.
- (7) The conduct of the special event will not substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic contiguous to the place of the special event.
- (8) The conduct of the special event will not result in damage to town-owned property or constitute a hazard to the safety of other persons within the immediate vicinity of the event.
- (9) No event is scheduled elsewhere in the town where the town's resources required for that event are so great that the deployment of resources for the proposed assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.
- (10) An original certificate of insurance must be supplied to the town naming the town as an insured on a policy of liability insurance in an amount not less than \$1,000,000.00.
(Code 1982, § 10-436)

Sec. 106-284. Notice of approval or denial.

The town manager shall act upon an application for a special event permit within 15 days after the filing thereof and must notify the applicant of the approval or denial of the application within that same period. If the town manager denies an application, a written notice stating the reasons for denial shall be sent to the applicant by certified mail and made available by the town for inspection within the 15-day period specified above.

(Code 1982, § 10-437)

Sec. 106-285. Appeal procedure.

Any person aggrieved shall have the right to appeal the denial of a special event permit to the town council. The appeal shall be taken within five days of notice of denial. If an appeal to the town council is made, the town council shall act upon such appeal at the next regular monthly meeting of the town council subsequent to the notice of appeal.

(Code 1982, § 10-438)

Sec. 106-286. Duties of permittee.

The permittee under this division shall comply with all provisions of this article, other laws and ordinances of the town, state and federal government, and all permit directions and conditions of the permit.

(Code 1982, § 10-439)

Sec. 106-287. Possession.

The special event chair or other person heading or leading such special event shall carry the special event permit upon his person during the conduct of the special event and shall be present at the special event.

(Code 1982, § 10-440)

Sec. 106-288. Revocation.

The town manager or his designee shall have the authority to revoke a special event permit issued under this division upon violation of the provisions applicable to special event

permittees. If a special event is held in violation of the terms of the permit, the permit shall be determined to be null and void and may be immediately terminated. The revocation of a permit may be appealed in the same manner and under the same time limitations as a permit denial.

(Code 1982, § 10-441)

JACKSONVILLE

PART 1. SPECIAL EVENTS*

***Editor's note:** Ord. 2005-453-E, § 1, amended the Code by adding the designation "Part 1" to encompass §§ 191.101–191.120.

Sec. 191.101. Findings and intent.

(a) The Council finds that special events offered to the general public or a substantial segment of the public often attract a large gathering of people which may cause adverse public health and safety conditions requiring municipal regulation to insure adequate sanitation and sewage disposal facilities, police services, fire rescue personnel and equipment, parking, traffic control and crowd control, and other regulations in the interest of public safety and public health.

(b) It is the intent of the Council that this Chapter be enacted to protect and promote the health, welfare and safety of the citizens of and visitors to the City of Jacksonville. It is the further intent of the Council that this Chapter be construed liberally in favor of protecting and promoting the health, welfare and safety of the citizens of and visitors to the City of Jacksonville.

(Ord. 2004-814-E, § 2)

Sec. 191.102. Definitions.

As used in this chapter:

(a) *Special event* means a preplanned single gathering, event or series of related consecutive daily gatherings or events of an entertainment, cultural, recreational, educational, political, religious or sporting nature, or of any other nature, expected to draw 500 or more persons at any session as participants or spectators, and sponsored by an individual or entity, which is proposed to be held on public property. A special event does not include any activities on private property, except as specifically provided in Section 191.102(c) below.

(b) *Public property* means property that is owned, leased, operated, maintained or controlled by the State, City, any independent agency or authority of the Consolidated Government, or other governmental entity within Duval County.

(c) Events on private property which meet the definition in subsection (a) shall be considered to be special events if 500 or more people participating in the event will occupy adjacent public streets or public property during the event.

(Ord. 2004-814-E, § 2)

Sec. 191.103. Special event permit required.

(a) No person shall stage, promote, or conduct any special event in the City without first obtaining a special event permit from the Division Chief of Special Events, hereinafter referred to as the "Chief", or in the absence of the Chief, the Chief's designee. Provided, however, no special event permits shall be required to be obtained for any events to be held on property owned or leased by any federal or state governmental entity, or by the independent agencies or authorities of the Consolidated Government. Nor shall any special events permits under this chapter be required for events to be attended by fewer than 500 people. As to such events, however, the sponsors or persons staging the event shall comply with any permit requirements or regulations of the City departments which regulate, schedule or maintain the facilities for the event, such as, but not limited to, the Parks, Recreation, Entertainment, and Conservation Department, or the Streets and Drainage Division or the Traffic Engineering Division of the Public Works Department.

(b) The following special events shall be exempt from the permit requirements of Section 191.103(a):

(1) Any gathering, entertainment, cultural event, convention or exposition at the Prime F. Osborn Convention Center;

- (2) Any gathering, athletic, sporting, cultural or entertainment event at the Jacksonville Veterans Arena, Alltel Stadium, The Equestrian Center at the former Cecil Field, the Jacksonville Fairgrounds, the Jacksonville Landing or the Baseball Grounds of Jacksonville;
 - (3) Any gathering, entertainment or cultural events at the Times Union Center for Performing Arts or the Florida Theatre.
 - (4) Any event at any college, junior college, high school, middle school or elementary school stadium or gymnasium or at any other spectator sporting venue; or
 - (5) Events to be conducted by any organization pursuant to an Adopt a Park agreement, license or lease agreement approved by the City Council or the Parks, Recreation, Entertainment, and Conservation Department.
- (c) Notwithstanding the preceding exemptions from the special event permit requirements in subsection (b) above, such gatherings, entertainment, cultural events, conventions, expositions, athletic and sporting events shall comply with all public safety standards, requirements for personal security and property safety and emergency medical services, and sanitary facilities for special events, contained in Sections 191.113, 191.114, 191.115 and 191.117.
(Ord. 2004-814-E, § 2; Ord. 2005-1283-E, § 7)

Sec. 191.104. Permit application.

- (a) All applicants for a special event permit shall submit an application for a special event permit to the Chief at least 90 days prior to the date of commencement of the special event. The application shall contain information as to the estimated attendance at the special event, and the time and place of the special event. To ensure that the public health, welfare and safety are protected, applicants shall provide for compliance with all City plumbing and electrical code requirements; sanitation and sewage disposal facilities, as provided in Section 191.117; police services for security, crowd and traffic control as provided in Sections 191.113 and 191.115; fire rescue personnel for EMS coverage as provided in Sections 191.113 and 191.114; and insurance and indemnification as provided in Sections 191.105 and 191.106; and if the event will be held during hours of darkness, lighting complying with lighting standards prescribed in this Ordinance Code for streets and public property.
- (b) Each applicant shall submit a non-refundable application fee with the initial application, to help defray the City's cost of processing the application and coordinating the relevant City services and personnel. The fee for any proposed special event shall be \$100 for the first calendar day, plus \$50 for each whole or partial subsequent calendar day, not to exceed a maximum amount of \$200.
(Ord. 2004-814-E, § 2)

Sec. 191.105. Indemnification.

- (a) Within ten business days after conditional approval of a special event application as provided in Section 191.108(a), the applicant shall be required to provide to the Chief an agreement pursuant to which the applicant assumes full responsibility and liability for and indemnifies, defends and saves the City harmless against (1) all liability, claims for damages, and suits for or by reason of any injury to any person, including death, and damage to any property for every cause in any way connected with the holding of the special event irrespective of negligence, actual or claimed, upon the part of the City, its agents and employees, except willful and wanton acts of City employees and agents, and (2) all expenses incurred by the City for police protection, fire protection and emergency medical services, and clean up, sanitation and maintenance costs and expenses that are required to preserve public order and protect public health, welfare and safety at the special event in accordance with the requirements of Sections 191.113, 191.114, 191.115, 191.116 and 191.117. The applicant shall agree to indemnify the City against all charges, expenses and costs, including the reasonable value of the services of the Office of General Counsel, incurred on account of or by reason of any such injuries, damages, liability, claims, suits or losses and all damages growing out of the same.
- (b) Contract authority. The Director of Neighborhoods or his or her designee is authorized to enter into indemnity contracts, in the name of the City, with persons or entities promoting or sponsoring special events to be held in the City. At a minimum, such contracts shall provide that the person or

entity promoting or sponsoring a special event shall assume full responsibility and liability for and indemnify and save the City harmless against:

- (1) All liability, claims for damages, and suits for or by reason of any injury to any person, and damage to any property for every cause in any way connected with the preparation for the set-up, holding and the closeout of the special event, irrespective of negligence, actual or claimed, upon the part of the City, its elected officials, agents and employees, except for the willful and wanton acts of its elected officials, employees and agents. The City's Division of Risk Management and the Office of General Counsel shall review and approve such contract language; and
 - (2) All expenses incurred by the City for Jacksonville Sheriff's Office ("JSO") and City of Jacksonville Fire and Rescue Department services in accordance with standards specified in Sections 191.114 and 191.115. Such expenses shall be governed by the costs standards specified in Section 191.116;
 - (3) All expenses incurred by the City for sanitation facilities and cleaning up of any special event site and other immediate surrounding areas affected by the event after the occurrence of the special event as specified in Section 191.117; and
 - (4) Any other expenses or costs that may be incurred by the City as a result of allowing the special event to take place.
- (Ord. 2004-814-E, § 2)

Sec. 191.106. Insurance.

The applicant also shall be required to deliver to the Chief, within ten business days after conditional approval of a special event application as provided in Section 191.108(a), the following types and amounts of insurance:

(a) Without limiting its liability, the applicant and/or its subcontractors shall procure and maintain at its sole expense, insurance of the types and in the minimum amounts stated below:

TABLE INSET:

Schedule	Limits
Commercial General Liability (including property damage, products/comp. ops. agg., premises, operations and blanket contractual liability)	\$1,000,000 Each Occurrence \$2,000,000 General Aggregate
(The City of Jacksonville shall be named as an additional insured under all of the above Commercial General Liability coverage).	
In the event that motor vehicles are used for any activity associated with the special event:	
Automobile Liability (all automobiles-owned, hired or non-owned)	\$500,000 Combined Single Limit

Applicant will provide evidence of workers' compensation insurance or exemption as required by Florida Workers Compensation Law as defined in Chapter 440, Florida Statutes. Such evidence will include evidence of employer's liability insurance for the following minimum limits of coverage:

TABLE INSET:

Workers Compensation	Florida Statutory Coverage
Employer's Liability	\$100,000 Each Accident \$500,000 Disease Policy Limit \$100,000 Each Employee/Disease

Such insurance will include coverage for appropriate Federal Acts (Longshore and Harbor Workers Compensation Act, 33 USC §§ 901-952, and the Jones Act, 46 USC §§ 688 et seq.) where activities include liability exposures for events or occurrences covered by these statutes.
 In the event alcoholic beverages will be served, sold, consumed or otherwise allowed at the event:
 TABLE INSET:

Liquor Liability	\$1,000,000 Combined Single Limit
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In the event that any services or activities of a professional nature are provided:
 TABLE INSET:

Professional Liability (Errors and Omissions)	\$1,000,000 Each Occurrence/Claim
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In the event that aircraft are used for any activity associated with the event:
 TABLE INSET:

Aircraft Liability (Bodily Injury & Property Damage including passengers)	\$1,000,000 Combined Single Limit
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In the event that watercraft are used for any activity associated with the event:
 TABLE INSET:

Watercraft Liability	\$1,000,000 Combined Single Limit
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In the event that child care services are provided in connection with the event:
 TABLE INSET:

Sexual Molestation Liability	\$1,000,000 Each Occurrence/Claim
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(b) An insurer holding a current certificate of authority pursuant to chapter 624, Florida Statutes, shall write the insurance. Such insurance shall be endorsed to provide for a waiver of underwriter's rights of subrogation in favor of the City. Prior to commencing any work on the event, Certificates of Insurance approved by the City's Division of Insurance & Risk Management demonstrating the maintenance of the required insurance shall be furnished to the City. The certificates shall provide that no material alteration or cancellation, including expiration and non-renewal, shall be effective until 15 days after receipt of written notice by the City. In the event that one or more cranes or similar heavy equipment pieces are used for any activity associated with the special event, the proof of insurance will clearly demonstrate that the general liability coverage includes coverage for such equipment and has no limitation specific to use of the equipment. In the event that fireworks displays or pyrotechnic displays are included in the special event, the proof of insurance will clearly demonstrate that general liability coverage as defined in 191.106(a) is provided to include coverage for such display(s) with no limitation specific to the display(s). Such evidence must be provided by the organization(s) responsible for such display(s).

(c) All coverages are to be provided on an occurrence form. In the event that coverage is only available on a claims made form, the insured shall agree to maintain extended reporting coverage for a minimum of two years past the expiration of the annual policy term.

(d) Anything to the contrary notwithstanding, the liabilities of the applicant for obtaining and maintaining the coverage(s) required under this section shall survive and not be terminated, reduced or otherwise limited by any expiration or termination of particular policies for insurance coverages.

(e) State and federal agencies eligible for sovereign immunity as evidenced by the applicable state or federal statutes may submit a statement of self-insurance and liability as allowed by the applicable state or federal statute. Such statement will be acceptable in place of insurance requirements defined herein.

(Ord. 2004-814-E, § 2)

Sec. 191.107. Faithful payment and performance bonds; performer and participant contracts; and payment for city personnel, materials and services.

The applicant shall deliver to the Chief, within ten business days after conditional approval of a special event application as provided in Section 191.108(a):

(a) A faithful payment and performance bond or irrevocable, direct pay, evergreen letter of credit (that may be drawn by facsimile presentation) in an amount equal to the remaining costs of providing Jacksonville Sheriff's Office and Jacksonville Fire and Rescue Department personnel as specified in Section 191.114 and 191.115, and the sanitation, maintenance and clean up costs as specified in Section 191.117, after the payment required in subparagraph (c) has been made, which bond or irrevocable letter or credit shall be released if no claims are made against it no later than 15 business days from the last date of the special event. Such bond or irrevocable letter of credit shall be conditioned upon the applicant faithfully observing, fulfilling and performing all obligations under the application, contract and provisions of this chapter, and shall be in a form approved by the Office of General Counsel and the Risk Manager according to the standards set forth in this section. The purpose of such bond or irrevocable letter of credit is to insulate the City from financial loss because the City allowed special events to occur.

(b) Confirmation of the names of all persons or groups who will perform at a special event; who will provide or furnish products, materials, goods or services other than entertainment; or who will furnish or provide rides, mechanical entertainment or amusement devices. Mechanical amusement devices shall comply with the requirements of Chapter 160, Ordinance Code. Such confirmation shall include delivery of executed copies of all performer contracts between the applicant and such performing persons or groups to the Chief. Redaction of pricing information shall be permitted, consistent with the provisions of Section 191.109(a); and the Chief in his or her sound discretion may grant an extension of time to no later than 30 days before the event to provide such contracts if the applicant is still in negotiations or is otherwise prevented for legitimate business reasons from submitting the contracts within ten business days after conditional approval of the event.

(c) In addition to the requirements in subparagraphs (a) and (b) above, the applicant shall pay the City via immediately available funds by cashier's check, certified check, wire transfer or money order, within ten (10) business days after conditional approval under Section 191.108(a), fifty percent (50%) of the total costs for the City personnel, materials and services required by Sections 191.114, 191.115 and 191.117. The balance due shall be paid to the City in same manner, by no later than the conclusion of the special event. If the applicant is unable to obtain the bond or irrevocable letter of credit required by subparagraph (a) above, then the applicant must pay in advance in immediately available funds by cashier's check, wire transfer, certified check or money order, within ten (10) days after conditional approval under Section 191.108(a), the total costs for City personnel, materials and services required by Sections 191.114, 191.115 and 191.117.

(d) In the event a special event is cancelled due to a state of emergency declared by the Governor or Mayor, the City, at the applicant's, promoter's or sponsor's request, shall refund to the applicant, promoter or sponsor all costs deposits paid hereunder to the extent the costs have not already been incurred by the City, and shall release the net remaining security posted hereunder, within no later than 30 calendar days after the event was scheduled to occur.

(Ord. 2004-814-E, § 2)

Sec. 191.108. Issuance of permit; conditional approval; grounds for denial.

(a) Upon submission of the items and information required by Section 191.104, the Chief shall conditionally approve the application and issue a permit for the staging, promoting or conducting of a special event at the time and location named in the application, within ten business days of receipt of the required information, subject to the applicant providing to the Chief within ten business days after the conditional approval the items required by Sections 191.105, 191.106 and 191.107 above. If the applicant fails to provide those items within that time, the application shall be deemed disapproved. If those items are provided within that time, the application shall be deemed approved as of the time the last of the required items has been submitted.

(b) An application for a permit shall be denied if:

- (1) The applicant has made any false material representation in the application.
- (2) The applicant fails to provide any of the items or information required by this chapter.
- (3) The special event will substantially interfere with any other special event for which a permit has already been granted, or with the provision of public safety or other City services in support of such other previously scheduled events, or will have an unmitigatable adverse impact upon residential or business access and traffic circulation in the area in which it is to be conducted.

(c) An application may be denied by the Chief in the public interest if the conduct of the special event will substantially interrupt the safe and orderly movement of aerial or marine navigation, or of public transportation or other vehicular and pedestrian traffic in the area of the special event; or will cause unresolvable conflict with construction or development in public rights-of-way or at the public facility where the special event is held; or will close streets during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. or between 4:00 p.m. to 6:00 p.m. so as to cause unsafe conditions for the public; or the expected attendance at the event will exceed the lawful capacity of the facility under the City's Fire Code; or the parking available at the facility will be inadequate to accommodate the expected attendance at the event.

(d) If a permit is denied, the Chief shall provide the applicant with written reasons for denial within five business days. The applicant, within five business days after denial, may appeal the denial to a committee composed of the Chief Operating Officer, the Director of the Neighborhoods Department, the Sheriff, the Fire Chief, and the General Counsel, or their designees, for a final decision by majority vote based upon the documents and circumstances presented to be rendered within five business days of receiving the appeal. Except for the provisions of subsection (e) below, judicial review of any such final decision may be obtained by a writ of common law certiorari in the Circuit Court of the Fourth Judicial Circuit, within five days of rendition of the final decision.

(e) In the event that an applicant alleges that a permit denial is a First Amendment prior restraint, and any appeal under subsection (d) above has been denied, the City will immediately institute judicial proceedings and must prove that any expression is without constitutional protection or that permit denial is not based on expressive content, or that denial is otherwise permissible under the First Amendment or the State Constitution. Permit denial, in the face of such judicial review, will continue only to preserve the status quo until such time as judicial review and determination is complete. The City will request expedited judicial determination to ensure a prompt final judicial resolution.

(Ord. 2004-814-E, § 2)

Sec. 191.109. Conduct of special events regulated.

(a) No person staging, promoting, or conducting a special event shall advertise or permit any advertising that a particular performer will appear at a special event until after a contract for the performer's appearance has been executed and a copy thereof has been filed with the Chief. Such contracts may have pricing information and pricing provisions redacted.

(b) On the special event premises, no person shall possess:

(1) Any beverage containing alcohol, unless the promoter of the special event provides any necessary insurance required by Section 191.106, and if the event is to occur on City owned or leased property, all requirements of Chapter 154 of the Ordinance Code are followed. If alcohol is to be served, that fact must be disclosed to the Chief at the time of filing an application for a permit, and all applicable requirements of state beverage laws must be met.

(2) Any container made of glass.

(c) The special event promoter shall be responsible for the orderly and safe conduct of the special event and for the avoidance of adverse public health and public safety conditions or incidents, and, upon failure to comply, shall respond to the City for all damages proximately resulting therefrom.

(Ord. 2004-814-E, § 2)

Sec. 191.110. Revocation or suspension of permit.

The Chief, after consultation with the Sheriff or Sheriff's designee, Fire Chief or Fire Chief's designee, the Division of Insurance and Risk Management and the Public Works Department, may summarily suspend or revoke a permit issued under this chapter for violation of this chapter; for violating any federal, state or local laws or ordinances during the special event; or for making any material false representation in an application for a permit or for an exemption certificate. In the event of suspension or revocation, the appeal provisions in Sections 191.108 (d) and 191.108 (e) shall apply, commencing with the date the suspension or revocation notice is provided to the applicant.

(Ord. 2004-814-E, § 2)

Sec. 191.111. Penalties.

It is unlawful and a class D offense to:

- (a) Conduct, stage or promote a special event without a permit.
- (b) Knowingly making a false estimate pursuant to Section 191.112.
- (c) Violate any provision of this chapter.

(Ord. 2004-814-E, § 2)

Sec. 191.112. Exemption.

(a) Sections 191.103 through 191.111 shall not apply to a special event if:

- (1) The promoter files an affidavit that his or her best estimate of probable attendance and number of participants at the special event is less than 500 persons, and
- (2) The Chief concurs in the estimate in writing and issues to the promoter an exemption certificate.

(b) Each attendance and participants estimate by the promoter and by the Chief shall be accompanied by a written statement of the basis for the estimate. Each estimate shall be based upon all the relevant factors known at the time, including, without limitation, past attendance at similar functions having the same and similar performers, both in Jacksonville and comparable communities, the price of admission and the extent of advertising and promotion contemplated. The Chief shall accept the promoter's affidavit unless it clearly appears to the Chief from the written statements that the estimate is understated by a factor of at least ten percent.

(Ord. 2004-814-E, § 2)

Sec. 191.113. Public safety at special events.

The following requirements for public safety will be observed at all special events:

(a) The Jacksonville Sheriff's Office shall be the primary provider of personal safety and property security at special events in accordance with the attendance and participation standards in Section 191.115. If the promoter of a special event wishes to use private sector entities for personal safety or property security, at special events, such entities will be supplemental or in addition to the services provided by the Office of the Sheriff.

(b) Fire protection services shall be provided by the Jacksonville Fire and Rescue Department. Emergency medical services, including transportation, for City sponsored or co-sponsored special events, shall be provided by the Jacksonville Fire and Rescue Department pursuant to the Director/Fire Chief's determination under Section 158.310, and in accordance with the attendance and participation standards in Section 191.114. Emergency medical services for non-City sponsored special events shall be provided by the Jacksonville Fire and Rescue Department. All providers of emergency medical services at special events or other events required to have emergency medical services, pursuant to Sections 191.113 and 191.114, must have a certificate issued under Chapter 158, Ordinance Code, and must be licensed by the State of Florida under F.S. Ch. 401, and any medical services must be furnished under supervision of a medical director, pursuant to F.S. § 401.265. In the event that the Fire and Rescue Department determines that it is unable to provide any aspect of emergency medical services, including transportation, such services may be provided by properly licensed and certificated private sector entities.

(c) For any special event at which attendance is expected to exceed 50,000, separate and apart from the requirements contained in Sections 191.114, 191.115, 191.116, 191.117, 191.118, or

elsewhere in this chapter, the Director of Special Events shall develop a written, coordinated public safety plan in conjunction with the Mayor, Sheriff, Director/Fire Chief of Fire and Rescue, the Risk Manager and the Director of Emergency Preparedness, or their designees. The development of this plan shall not be the responsibility of the applicants, promoters or sponsors of the event, and may not be used as a basis or factor in the decision to grant or deny any permit for the event.
 (Ord. 2004-814-E, § 2)

Sec. 191.114. Attendance and participant standards for public safety emergency medical personnel at special events.

Applicants, promoters or sponsors of special events or other events required to have emergency medical services, including transportation, as specified in Section 191.103, shall arrange for emergency medical services, including transportation, based upon projected attendees and participants as follows:

TABLE INSET:

Attendees and Participants (combined)	Emergency Medical Personnel
500--1,000	2--3
1,001--2,500	3--5
2,501--5,000	5--8
5,001--7,500	8--11
7,501--10,000	11--13
10,001--15,000	13--15
15,001--25,000	15--18
25,001--35,000	18--21
35,001--50,000	21--24
50,001--65,000	24--27
65,001--80,000	27--31
80,001--95,000	31--36
95,001 and over	37 plus 2 for each additional 1000

(Ord. 2004-814-E, § 2)

Sec. 191.115. Attendance and participant standards for public safety, personal security and property safety personnel at special events.

(a) Applicants, promoters or sponsors at special events or other events required to have Personal Safety and Property Security under Section 191.103, shall arrange for JSO personnel based upon projected attendees and participants as follows:

TABLE INSET:

Attendees and Participants (combined)	Personnel at Passive Attendee Event	Personnel at Active Attendee Event
500--1,000	2--3	2--5

1,001--2,500	2--5	3--6
2,501--5,000	4--7	6--10
5,001--7,500	6--9	11--15
7,501--10,000	8--11	16--20
10,001--15,000	10--13	21--30
15,001--25,000	12--15	31--50
25,001--35,000	14--18	51--60
35,001--50,000	19--25	61--65
50,001--65,000	26--33	66--70
65,001--80,000	34--40	71--75
80,001--95,000	41--48	76--80
95,001--over	49 plus	81--95

(b) For purposes of this section, the term "active attendee event" means those events in which past experiences and recognized entertainment industry and police standards indicate that active attendee participation is expected. These would include, but not be limited to, foot races, concerts with mosh pits, and other events that present exaggerated risks to the safety of participants or spectators. The term "passive attendee event" means those events in which past experiences and recognized entertainment industry and police standards indicate that passive attendee participation is expected. These would include, but not be limited to, Broadway shows, symphonic performances, and outdoor Shakespearian festivals, for example.

(c) In the event it is necessary for Jacksonville Sheriff's Office personnel to regulate or control outdoor vehicular or pedestrian traffic at a special event, or other event requiring personal security or property safety services under Section 191.102 or Section 191.103, in addition to the foregoing personnel, the applicant, promoter or sponsor shall be responsible for the cost of providing no less than one, and no more than ten, additional Jacksonville Sheriff's Office personnel for each intersection requiring staffing by Jacksonville Sheriff's Office personnel.

(d) In addition to and as a part of the above JSO personnel standards, for every six (6) JSO personnel assigned to cover an event, there also shall be assigned JSO supervisors required in accordance with the following schedule:

TABLE INSET:

JSO Personnel Assigned to Event	Number of Assigned Supervisors
1--6	1
7--12	2
13--18	3
19--24	4
25--30	5
31--36	6
37--42	7

43--48	8
49--54	9
55--60	10
61--66	11
67--72	12
73--78	13
79--84	14
85--90	15
91--95	16

(Ord. 2004-814-E, § 2)

Sec. 191.116. Costs for public safety personnel at special events.

The costs for provision of Jacksonville Sheriff's Office and City of Jacksonville Fire and Rescue Department personnel at special events and at other events required to have such services under Section 191.102 or Section 191.103, shall be the current regular prevailing hourly rates pursuant to collective bargaining agreements, Civil Service Personnel Rules and Regulations and procedures, and other established City employee pay schedules.

(Ord. 2004-814-E, § 2)

Sec. 191.117. Standards for sanitary facilities, event set up, maintenance and clean up costs.

(a) Sanitary facilities, in the form of portable toilets, shall be provided by applicants, promoters or sponsors of special events to supplement the available facilities at any given venue in light of the projected number of attendees and participants, based upon consultation with the Chief as to the total number of facilities necessary to comply with the Duval County Health Department's O.S.T.D.S. Special Events Portable Toilet approval policy and existing health laws and sanitation and plumbing codes and standards; provided that there shall be at least one portolet for each 500 persons expected to be in attendance.

(b) The applicant, promoter or sponsor shall be responsible for costs the City incurs for personnel necessary for set up for the event, maintenance during and clean up after the event in accordance with then prevailing regular rates established under the applicable collective bargaining agreements, Civil Service and Personnel Rules and Regulations, and other established City employee pay schedules.

(Ord. 2004-814-E, § 2)

Sec. 191.118. Limited exceptions to attendance standards, notwithstanding the requirements in sections 191.114 and 191.115.

(a) A special event may be required to have more public safety and emergency medical personnel in attendance if extraordinary risk factors including, but not limited to, pyrotechnics, automobile races, air shows, mosh pits or other activities perilous to public health and safety are present at special events according to recognized public safety standards of the Sheriff's Office and the City of Jacksonville Fire and Rescue Department. In such a situation, the Sheriff and Director/Fire Chief or their designees, based upon similar audience or attendee actual participation, availability of alcohol for consumption, and other knowledge of similar special events, may increase personnel by up to 50% of the required personnel for each attendance category.

(b) A special event may be allowed to have less public safety and emergency medical personnel in attendance if the special event is of a demonstrated low risk category based upon recognized public safety standards of the Jacksonville Sheriff's Office and City of Jacksonville Fire and Rescue Department. In such a situation, the Sheriff and Director/Fire Chief or their designees, based upon such standards and other knowledge of similar special events, may decrease personnel by up to 50% of the required personnel for each attendance category.

(c) An applicant, sponsor or promoter of a special event may be authorized or required to provide up to 50% greater, or down to 50% lesser, amounts of insurance coverage under Section 191.106 if the special event is of a demonstrated high or low risk category according to recognized insurance and risk management industry standards. Such reduction or increase shall be determined, and the reasons for any adjustment shall be stated in writing, by the Risk Manager or the Risk Manager's designee using such recognized insurance and risk management standards.

(Ord. 2004-814-E, § 2)

Sec. 191.119. Cost waivers authorized to avoid unreasonable burdens upon protected first amendment expression; alternative venues for events.

(a) Except for special events where alcoholic beverages are provided or sold, pursuant to Section 154.107, Ordinance Code, the Chief is authorized to reduce or waive the insurance and faithful performance bond requirements and the cost requirements for police and emergency medical personnel, and sanitary facilities, set up, maintenance and clean up of this chapter for a special event if the Chief, upon consultation with the General Counsel and the Risk Manager or their designees, determines that the event is exclusively or primarily for speech or other expressive activity protected by the First Amendment to the United States Constitution, and that the foregoing requirements are unreasonably burdensome or cannot be met due to insolvency or indigency as set forth below.

(b) The applicants, promoters or sponsors shall file an affidavit stating that it is made under oath and under penalty of perjury and that they believe the special event's purpose is exclusively or primarily for such First Amendment speech or expression purposes, and that they have determined that the cost of obtaining the required insurance and faithful performance bond, or the cost of the deposit or the bond for police, fire, emergency medical protection, and sanitary facilities, set up, maintenance and cleanup costs, is so financially burdensome that it would constitute an unreasonable restriction on the right of First Amendment expression, or that it has been or would be impossible due to the insolvency or indigency of the applicants, promoters or sponsors to obtain the required coverage or guarantee or to stage the special event.

(c) (1) In the event of a claim of insolvency or indigency, the applicants, promoters or sponsors shall complete as part of the affidavit, a listing on a monthly basis of the information about their income, assets, expenses and liabilities contained in a form to be developed by the Chief in consultation with the Office of General Counsel and to be made available to the applicants, promoters or sponsors. Such affidavit shall also include the name and address of at least two State of Florida licensed insurance agents or sureties, or other state's licensed sureties or sources of insurance contacted to determine premium rates for coverage or guarantee. Notwithstanding any waiver or reduction authorized by this section, the applicant, promoter or sponsor of the special event shall be required by contract to defend, indemnify and hold harmless the City from any claim or liability occasioned by the special event in accordance with Section 191.105. Upon receipt of the affidavit, the Chief shall conduct an examination as expeditiously as possible, but in any event within 30 days, as to the income, assets, expenses, and liabilities listed to the extent practicable from information available as part of the public record to determine if any discrepancies exist. If any discrepancies are found, the applicants, promoters or sponsors shall be so notified within ten business days after the conclusion of the investigation and shall be given an additional ten business days to explain or correct any incorrect information discovered. If the discrepancies are due to inaccurate or incomplete information provided to the Chief in the affidavit, the request for a waiver of costs and bond requirements due to indigency or insolvency shall be denied, in which event all costs and bonds required by this chapter shall be paid and posted, or the event shall not be permitted to proceed.

(2) Approvals of waivers shall be granted by the Chief within five business days after completion of the financial investigation, unless a discrepancy has been discovered. A waiver may be denied if the Chief determines that (a) inaccurate or incomplete information was provided; (b) there is no undue burden on First Amendment rights; or (c) there is no demonstrated insolvency or indigency. The Chief shall provide the applicant with written reasons for any denial within five business days after completion of the investigation. The denial may be appealed within five business days after denial, to a committee composed of the Chief Operating Officer, the Director of the Neighborhoods Department, and the General Counsel, or their designees, for a final decision by majority vote based upon the documents and circumstances presented. The decision on the appeal shall be rendered within five business days of receiving the appeal. If the Chief's decision is sustained, the denial shall stand. If the Chief's decision is overturned, the waiver shall be deemed granted.

(d) For purposes of this section, an applicant, promoter or sponsor shall be considered insolvent or indigent if the monthly expenses and liabilities disclosed by the affidavit exceed the monthly income and the equity available in any owned assets. For purposes of this section, compliance with the costs and bonds requirements of this chapter shall be deemed unduly burdensome and unreasonably restrictive of First Amendment rights of expression if such compliance would impose a severe hardship financially which could foreseeably cause insolvency or indigency to occur within 90 days after compliance.

(e) In any case where an applicant, promoter, or sponsor cost or bond waiver is granted, the costs and expenses waived shall be paid and absorbed by the Special Events Division of the City, and the special event shall be allowed to proceed as requested if the other requirements of this chapter are timely met.

(f) With respect to events that are exclusively or primarily for protected First Amendment expressive activity, a particular venue need not be made available if there are scheduling conflicts or if the City's unreimbursed costs to make the venue requested available will exceed the budgeted funds available within the respective City department for the services to be required at the venue in light of the anticipated attendance. In such situation, the City will make available an alternate venue at which the expressive activity can be conducted.

(Ord. 2004-814-E, § 2)

Sec. 191.120. Council member notification.

When an application for a special event or for an indigency cost waiver has been denied by the Chief pursuant to Section 191.108 or 191.119, Ordinance Code, the City Council member in whose district the event is proposed will be notified of the denial by the Chief within three business days.

(Ord. 2004-814-E, § 2)