

This instrument prepared by:
Betsy J. Driggers
201 North 2nd Street
Palatka, FL 32177

ORDINANCE NO. 10-34

Entitled

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF PALATKA BY RESTATING ARTICLE III, SPECIAL EVENTS, IN ITS ENTIRETY; AMENDING GENERAL PROVISIONS, DEFINITIONS, AND QUALIFICATIONS OF NON-PROFIT ORGANIZATIONS; AMENDING APPLICATION PROCESSES, ISSUANCE AND FEES; AMENDING SPECIAL EVENT TERMS AND CONDITIONS; AND AMENDING THE SPECIAL EVENT SCHEDULE OF FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section I. That the portion of the City of Palatka Municipal Code designated as Chapter 50, Section III, Special Events, shall be and the same is hereby amended to read as set forth in Exhibit 1 attached hereto and by this reference incorporated herein.

Section II. That all ordinances or parts of ordinances in conflict therewith are hereby repealed to the extent of such conflict.

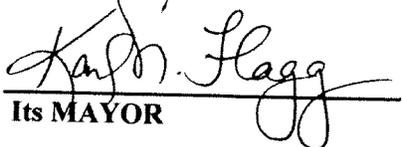
Section III. That if any section or portion of a section or subsection of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section, subsection, or part of this ordinance.

Section IV. That this ordinance shall take effect upon its passage as provided by law.

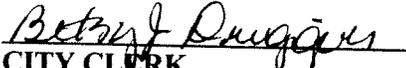
Section V. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka, Florida.

PASSED AND ADOPTED by the City Commission of the City of Palatka on this 9th day of December , 2010.

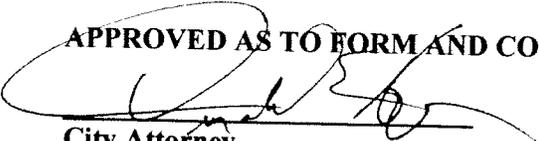
CITY OF PALATKA

By: 
Its MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:


City Attorney

ARTICLE III. SPECIAL EVENTS

DIVISION 1. GENERALLY

Sec. 50-181. Intent.

It is the intent of this article to provide minimum standards for the regulation of special events held in the city for the protection of the health, safety and welfare of the participants as well as the residents and taxpayers of the city.

(Ord. No. 03-23, Art. I, 10-23-2003)

Sec. 50-182. Permit required.

Any special event held within the corporate limits of the city shall be required to obtain a special event permit. All special events shall conform to the provisions set forth in this chapter and with all terms, conditions, and requirements identified in an issued permit.

(Ord. No. 03-23, Art. I, 10-23-2003)

Sec. 50-183. Definitions.

Applicant is the individual(s) or entity who makes application to the city to hold a special event. The applicant is responsible for compliance with terms and conditions set forth in the permit and requirements set forth herein.

Attendance shall be computed and calculated based on historical data. If no attendance data exists, then the minimum "attendance fee" shall be assessed.

Attendance formula means the total attendance divided by the number of days of operation. For purposes of this calculation, any part of a day shall be considered an entire day.

Booth means a stand for the sale of goods or containment of games and other individual entertainment activities associated with the special event.

Charitable organization means any person or group which has qualified for exemption from federal income tax as an exempt organization under the provisions of Section 501(c) of the Internal Revenue Code of 1954 or Section 528 of the Internal Revenue Code of 1986, as amended, and who is or holds himself/herself out to be established for any benevolent, educational, philanthropic, humane, scientific, artistic, patriotic, social welfare or advocacy, public health, environmental conservation, civic or other charitable purpose. It may include a chapter, branch, area, office or

similar officiate performing functions of the organization within the state for a charitable organization, which has its principal place of business outside the state.

City sponsored event means an event sponsored by the city. City sponsored events are exempt from the fee requirements contained herein, but must follow procedures.

Classification means categories events are placed in based on the impact the event may have on Palatka residents and city services. Classifications shall be assigned by the Special Events Coordinator, using the classifications and criteria listed below

Class A means those events, which by design are intended to attract a minimum of 1,000 patrons on any peak attendance day from both inside and outside Putnam County. These events may include:

- (1) festivals and fishing tournaments with 100 or more boats
- (2) commercial advertisement
- (3) beer/alcohol concessions
- (4) amplified sound
- (5) street/sidewalk entertainment
- (6) multiple stages
- (7) vendors
- (8) Public safety and/or public works services beyond those regularly provided by the city.

Hours of operation shall be no earlier than 7:00 a.m. and no later than 12:00 midnight unless approved by the City Commission, as recommended by the Special Events Committee. No amplified sound shall be permitted before 1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Any "Class A" permit for an event held on public property must be approved by the Palatka City Commission. The permit application with recommendations made by the Special Events Committee will be agendaed for action by the Palatka City Commission after the Planning Meeting has taken place.

Class B means those events which are intended to attract less than 1,000 patrons or spectators on any peak attendance day, and are generally limited to a local target market. These events may include, but are not limited to:

- (1) Cultural events, arts and craft shows, athletic events, community celebrations, dances, car shows, competitions, revivals, concerts, regattas, fishing tournaments with at least 40 boats but no more 100 boats, and parades

- (2) Advertisement, mainly limited to a local target market;
- (3) Amplified sound
- (4) Vendors;
- (5) Public Safety and/or public works services beyond those regularly provided by the city.

Hours of operation shall be no earlier than 8:00 a.m. and no later than 12:00 midnight unless approved by the Special Events Coordinator. No amplified sound shall be permitted before-1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Class C means those events that have limited impact on traffic, parking and noise in surrounding neighborhoods, and do not exceed the capacity of the facility or other property proposed to be used. These events may involve, but are not limited to, the private use of city-owned or controlled property and are not open to the general public. These events may include, but are not limited to:

- (1) Fishing tournaments with less than 40 boats;
- (2) Weddings, picnics, family reunions, and birthday parties, block parties, contests, certain types of low-impact concerts, and fund-raising food concessions for the benefit of nationally-recognized charities, local service clubs or other local organizations;
- (3) Food and/or beverages service;
- (4) One source of amplified sound
- (5) Up to eight hours of activities

Hours of operation shall be no earlier than 8:00 a.m. and no later than 10:00 p.m. unless approved by the Special Events Coordinator. No amplified sound shall be permitted before-1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Day means a 24-hour period beginning at 12:01 a.m.

Exemption means not having to meet all the requirements of Article III, Special Events. The following special events are exempt from city fee requirements only: a) Christmas parade, b) Fourth of July fireworks display, and c) Veteran's Day ceremony. All other provisions of Article III shall apply.

Fees means all charges associated with an event. Fees are located in the Code of Ordinances, Appendix A, Schedule of Fees, under Chapter 50, Section 50-281, Special Events Fee Schedule.

Historically recurring event means an event that has been held in one or more consecutive preceding years on approximately the same date.

Public property means any public street, sidewalk, place, property, easement, structure or facility owned, dedicated, controlled or otherwise under the jurisdiction and control of the city.

Special event means any public or private event held within the city, in which it can be anticipated that the number of persons attending the event will exceed the on-site parking available at the premises upon which the event will take place; or any public or private event in which it can be reasonably expected that services will be required beyond those that are regularly provided by the city such as additional police services, traffic control, crowd control, fire and/or emergency medical services, street closures, garbage cleanup, or other municipal services which may be necessary to service the event. Additionally, those public or private events that involve musical groups or amplified sound, high intensity lighting, fireworks, erection of temporary structures on city-owned or controlled property, displays or other activities of such a nature that impinge upon any adjacent public, business or residential area shall be considered as a special event. This may include, but not be limited to athletic events, contests, fishing tournaments, sailing regattas, carnivals, concerts, religious events, walk-a-thons, competitions, festivals, block parties, street dances, parades, car shows, art/craft shows, bazaars, fireworks displays, motion and still photography productions or other similar activities which meet the definition listed herein for special events.

Special events committee shall be composed of the special events coordinator and city department representatives whose department or division may be impacted by the special event, to include the police and fire departments. The committee shall be convened by the special events coordinator for each "Class A" event, and may be convened for "Class B" events.

Special events coordinator shall be appointed by the city manager to coordinate the management of special events in relation to permit applications, approvals, and the impact of the event on city services. The special events coordinator shall serve as the liaison between the applicant and the special events committee. The special events coordinator is responsible for keeping the city manager/city commission informed of upcoming events. The special events coordinator has the authority to coordinate "Class C" events without convening the special events committee.

Vendor/concession/business means any person, corporation, entity or enterprise providing the sale of goods or services for profit and/or the promotion, production, operation or management of any activities related to a special event as defined above.

Waiver means to refrain from a requirement or release from responsibility.

(Ord. No. 03-23, Art. I, 10-23-2003)

Sec. 50-184. Qualification of non-profit charitable organization.

(a) Any non-profit charitable organization wishing to obtain a permit to hold a special event on public property shall submit with his application the following items:

- (1) A valid certificate of exemption issued pursuant to Section 501(c) Internal Revenue Code of 1954 or a similar exemption certificate issued pursuant to Section 528 of the Internal Revenue Code of 1986; and
- (2) Its nonprofit articles of incorporation and Charter, or similar documents to demonstrate its nonprofit status; and
- (3) Evidence in the form of a Corporate Charter, partnership agreement or similar documentation that it has been in existence and active.
- (4) A mission statement stating the intent of the nonprofit organization's fundraising efforts.

The city may require reports covering the activities connected to the charitable organization.

(b) If requested, within 120 days of the close of the event, the applicant must submit:

- (1) A comprehensive financial report or audit listing the income and expenses of the event, showing the amount of gross revenues, all payments made, and net proceeds, and how the net proceeds were distributed.
- (2) An affidavit listing all suppliers from which they have received goods or services in connection with the event, and stating they have been paid in full, or if they have not, a listing of those suppliers and the amount they are owed.

Secs. 50-185--50-200. Reserved.

DIVISION 2. APPLICATION AND APPROVAL PROCESS

Sec. 50-201. Application for special events; time for submission; contents.

- (a) Any person or entity desiring to hold a "special event" within the city, shall submit an application to the special events coordinator. Deadlines for submitting applications shall be as follows:
1. "Class A" special events must be submitted at least 90 days but no more than 365 days prior to the event;

2. "Class B" special events must be submitted at least 30 days but no more than 365 days prior to the event;
3. "Class C" special events must be submitted at least 30 days but no more than 180 days prior to the event.

The special events coordinator may authorize any Class B or Class C permit, if submitted after the above deadlines. The application shall be upon a form approved by the city commission, and available at city hall. Written instructions shall be provided along with the application to any applicant upon request.

- (b) In order to be considered for approval, an application submitted to the special events coordinator must contain the following information:
 - (1) Name, address and telephone number of applicant. Attach copies of the following documents as needed: driver's license, food handler's license, alcohol license and non profit status.
 - (2) Type of proposed event and description of planned activities.
 - (3) Date and times of major event activities, including daily beginning and ending times.
 - (4) Estimated number of people expected to attend the event each day, and the basis of the estimate.
 - (5) Location of event, including detailed site plan specifying location of major event attractions and activities.
 - (6) Whether "stages" are to be utilized, and if so, how many.
 - (7) Whether amplified sound is to be utilized and, if so, from how many sources.
 - (8) Whether tents and canopies are to be utilized and, if so, the number and size
 - (9) Whether food and beverages will be sold by event vendors.
 - (10) Whether merchandise other than food or beverages will be sold by event vendors.
 - (11) Whether the applicant intends to furnish, at the applicant's expense, first aid or medical facilities or personnel. If so, provide a description.
 - (12) Whether the applicant intends to furnish, at the applicant's expense, security personnel or equipment. If so, provide a description.

- (13) The names of those persons to be designated by the applicant as on-site representatives of the applicant, and the names and telephone numbers of any other persons to be contacted on behalf of the applicant in the event of an emergency.
- (c) Upon receipt of a completed application, the special events coordinator shall review same and determine if the proposed event should be classified as a Class A event, a Class B event, or a Class C event, as these categories are defined in division 1, section 50-183.
- (1) If the proposed event is determined to be a Class C event, then the special events coordinator shall decide whether to issue a permit authorizing the event. In deciding whether to issue a permit authorizing the event, the Special Events Coordinator shall be guided by the criteria set forth in subsection (e) hereof and may request the applicant to provide additional information necessary to the decision-making process.
- (2) If the proposed event is determined to be a Class B event, the special events coordinator shall decide whether to issue a permit authorizing the event. In deciding whether to issue a permit authorizing the event, the special events coordinator shall be guided by the criteria set forth in subsection (e) hereof and may request additional information necessary to the decision-making process. The special events coordinator may schedule a planning meeting with the applicant and special events committee if deemed appropriate.
- (3) If the proposed event is determined to be a Class A event, then the special events coordinator shall schedule a "planning meeting", to be attended by the special events committee, the applicant's authorized representatives (including the applicant's designated event planner and designated safety officer [if any]) and the special events coordinator. At the planning meeting, all aspects of the proposed event and its impact upon the city shall be discussed. As a result of the planning meeting, the special events coordinator shall, within thirty days of the meeting's conclusion, prepare a written report which:
- a. Specifies any concerns held by the committee regarding the potential impact of the event upon any city department or city service.
 - b. Specifies any concerns held by the committee regarding the ability of any city department to furnish the level of services required to satisfy any need, which the event will likely create.
 - c. Makes specific recommendations or findings regarding the number of city employees and "employee hours" in excess of "normal" staffing requirements,

which each city department will likely be required to devote to servicing the event, and the expected cost to each department of the additional staffing requirements.

- d. Details any offers made by the applicant at the planning meeting to modify the application to address concerns raised during the planning meeting.
- e. Makes specific recommendations regarding any terms or limitations, which should be required as a condition of event, permit approval and which are necessary for the protection of the public and its health and safety.

The report shall be forwarded to the city commission.

(d) All applications for Class A event permits shall be considered by the city commission at the first city commission meeting held after the special events committee's final planning meeting this section, provided the written report of the special events committee has been prepared and furnished to the city clerk, and the agenda and public notice requirements of the commission have been satisfied. Otherwise, the event application shall be considered at the first regularly scheduled city commission meeting held after the city clerk's receipt of the written report and for which the commission's agenda and public notice requirements can be satisfied.

(e) Before granting an application for a Class A special event permit, the city commission must find that:

- (1) The proposed event will not unduly adversely impact neighboring businesses or residents.
- (2) The proposed event will not present an unacceptable risk to the safety of the public.
- (3) The proposed event will not generate unacceptable levels of noise, taking into account the location at which the noise is to be generated, the time when the noise is to be generated, and the impact upon those who may be affected.
- (4) The proposed event will not exceed the city's ability to provide necessary services, including but not limited to police, fire, medical, and sanitation services.
- (5) The proposed event will not unduly or adversely impact city-owned or publicly owned property.
- (6) The proposed event will not disrupt vehicular traffic flow and/or pedestrian traffic flow to the extent that the safety or convenience of the public is unreasonably impacted.

(7) Conditions, terms, or limitations can be fashioned which, if implemented, will satisfy the city's obligation to safeguard the public's health, safety, and welfare; and, the applicant is willing to accept and comply with said conditions, terms, or limitations.

(f) Upon a finding by the city commission that the criteria set forth in this section have been satisfied, the city commission shall approve issuance of a special event permit, subject to those conditions, terms or limitations which the commission finds necessary to the protection of the public's health, safety, and welfare, which may include but not be limited to the applicant's payment of fees and/or costs provided for herein. In the event the commission determines that one or more of the criteria set forth in this section has not been satisfied, the commission shall deny the permit but shall specify the issuance criteria which the commission has determined the applicant failed to satisfy.

(g) All special event permit applications shall be considered for approval in the order in which the completed applications are submitted. However, if applications for Class A, Class B, and Class C special events are simultaneously pending, and the approval of one of the applications will adversely impact one or more of the others, preference shall be given first to the application for a historically recurring event; next to the application for the Class A event, next to the application for the Class B event, and finally to the application for the Class C event.

(h) The special events coordinator shall schedule a post-event review meeting within 30 days after the close of a Class A event, and may schedule a post-event review meeting within 45 days after the close of a Class B event, which shall include the special events committee and the applicant and/or representatives.

(Ord. No. 03-23, Art. II, 10-23-2003)

Sec. 50-202. Permit issuance; fees.

(a) If an application for a Class A or Class B permit is approved, the special events coordinator shall notify the applicant of same in writing and shall provide the applicant with a written summary of the permit's terms, conditions, and limitations, which shall include but not be limited to, a listing of all fees and costs to be assessed in conjunction with the issuance of the permit. If the application for a Class A or Class B permit is denied, the special events coordinator shall notify the applicant in writing of same and of the reason specified as the basis for the denial.

(b) If a special event permit is approved, the applicant will be assessed fees, which shall include, but not be limited to, the following:

- (1) Daily fee for each day of the event. For purposes of this section, "day of the event" shall include any portion of a day. The daily fee shall be determined in accord with the Fee Schedule.
 - (2) "Class A" permit applicants shall agree to pay the actual cost of the Putnam County Landfill tipping fee. Payment of actual tipping fees shall be rendered within seven days of the close of the event. The city commission shall impose an additional minimum deposit of \$500.00, up to a maximum of \$2,500.00, to be credited towards the payment of actual tipping fees. Any "surplus" deposit will be refunded after actual fees have been deducted, or upon proof of waiver of any landfill tipping fees by the Putnam County Board of County Commissioners.
 - (3) Law enforcement/security fees pursuant to division 4.
 - (4) Fire/rescue fees pursuant to division 4.
 - (5) Building department inspection fees pursuant to division 4.
 - (6) Any other fee which the city commission finds reasonable and necessary to provide for the public health, safety, and welfare.
- (c) All "categories" of fees assessed as described in subsection (b) of this section shall be itemized at the time of permit approval. The amount of the fees shall be calculated if possible, or estimated if of a type which can not be precisely calculated in advance, at the time the applicant is notified of permit approval by the special events coordinator.
- (d) The city commission has the right to waive or reduce fees for applicants who meet the definition of charitable organizations under division 1, section 50-183. Any applicant may request any or all fees for city services be reduced or waived by the city commission for Class B or C special events of less than eight hours in duration, which involve no commercial benefit to any enterprise. All such requests must be in writing and provided to the City Clerk for placement on the Commission agenda at a meeting to be held prior to the event.
- (e) Payment of all fees and "estimated" fees shall be due at least fourteen (14) days prior to the first day of the event. Any fee that is "estimated" shall be precisely calculated as soon as information necessary to said calculation is available, but not later than 30 days after the event has concluded. The special events coordinator shall then notify the applicant of the variance between the estimated fee and the actual fee, and shall within 30 days thereafter, refund to the applicant the amount of any "surplus" fee collected or, collect from the applicant the amount of any fee "deficit".

If remaining fees are not paid, this may result in future denial of any Special Events or Permits.

(f) If an entire special event is canceled due to a weather emergency as declared by Putnam County Emergency Management and/or the police chief or his designee, the applicant may choose one of the following options:

1. Choose another date to hold the event; and
2. Choose to be refunded all fees associated with the event already paid to the City, other than the fees assessed for services already rendered by the city.

(g) The applicant is solely responsible for acquiring any/all permits and authorization required by city, state, county, or federal authorities for the conduct of activities associated with the special event which may be in addition to the special event permit described herein. Proof of issuance of any such "additional" permits or authorizations shall be provided to the special events coordinator at least five business days prior to the first day of the special event.

(h) Failure to comply with the terms and conditions of a special event permit shall be grounds for immediate suspension of the event, which suspension shall continue until at least such time as the noncompliance is remedied. Notice of said "noncompliance" shall be communicated immediately to the applicant or his designee by the special events coordinator or his designee, or the chief of police or his designee. The special events coordinator or his designee, or the chief of police or his designee may then suspend the event, if the noncompliance is not remedied or until the noncompliance is remedied.

Secs. 50-203--50-220. Reserved.

DIVISION 3. SPECIAL EVENT TERMS AND CONDITIONS

Sec. 50-221. Use of Riverfront public property and facilities

Use of public property and facilities adjacent to the St. Johns River by for-profit organizations, corporations, or entities, or by individuals engaged in a venture designed to general profit, shall be restricted to activities which are dependent upon or related to water resources, including but not limited to boat races, sailing regattas, boat shows, fishing tournaments, rowing events, swimming events, and water skiing events.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-222. Indemnification/insurance; liquor liability insurance.

(a) Prior to the issuance of a special event permit the applicant(s) shall execute an indemnification form which provides that the applicant(s) agrees to hold harmless and indemnify the city, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney's fees) suffered by the city for:

(1) Any breach of the terms of the permit or any inaccuracy in or breach of any representation, warranty or covenant made by the applicant(s) to the city as an inducement to the granting of the permit.

(2) Any claims, suits, actions, damages or cause of actions for any personal injury, loss of life or damages to personal or real property sustained by reason of, result of, or by presence of the applicant on public property by applicant's agents, employees, invitee and/or any other persons.

(b) At least seven days prior to the first day of any special event, the applicant shall furnish to the special events coordinator proof of liability insurance protection, in an amount of not less than \$1,000,000.00 per person for bodily injury or death, \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the city as "additional insured".

(c) If alcoholic beverages are to be dispensed, served, sold or distributed at an outdoor event, the applicant(s) shall in addition provide liquor liability insurance in the amount of \$500,000.00 which shall name the city as additional insured.

(d) Nothing in this section shall be construed to effect in any way the city's rights, privileges and immunities as set forth in Florida Statutes, section 768.28.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-223. Alcoholic beverage regulations.

As provided in chapter 10, section 4(d), the city commission may grant special permission for the sale, consumption, or possession of beer and/or wine in open containers during special events within defined areas of any public park, recreation area, street, sidewalk, or public parking facility and for specific times. This special permission is not intended to authorize the violation of state statutes and shall not be so interpreted. In addition to any statutorily imposed obligations of the seller of alcoholic beverages, it shall be the obligation of the applicant to insure that the terms of any "special permission" granted by the city commission, as well as state, county, and municipal laws

regarding the sale consumption or possession of alcoholic beverages are strictly complied with in connection with the conduct of event activities.

During the course of the event, if the terms of the "special permission" are violated and/or violations of municipal, state, county or federal law are noted which are related to alcoholic beverages sales or consumption at the event, and warnings of noncompliance are not corrected by the event organizer and/or staff, the chief of police or his designee may issue a cease sale order, and no further alcoholic beverages may be sold or consumed in connection with the event.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-224. Noise control.

The city commission may issue a special permit to exceed noise levels established by chapter 30, Palatka Code of Ordinances, in conjunction with any Class A or Class B event. The special permit may be limited to specific times and specified areas, subject to the limitations for waivers as set forth in chapter 30, noise control. Except as otherwise stated herein, the provisions of Chapter 30, Section 101, Palatka Code of Ordinances, shall apply to all special events.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-225. Public law enforcement and private security services.

(a) Unless otherwise authorized by the chief of police, the Palatka Police Department shall be the sole provider for public law enforcement services. The number of public law enforcement personnel and the number of applicant provided private security personnel required to service the special event shall be determined in the planning meeting with final approval by the city. The chief of police or his designee shall have authority over and command of all security, both public and private.

(b) The chief of police or his designee shall determine the number of officers required for security at the planning meeting based on city requirements, applicant(s) needs, traffic control, parking and required protection of adjacent sites within 1,500 feet of the property of which the special event is held. Additional officers may be authorized or required, depending upon the character and risk factor of the proposed special event.

(c) The city, in consultation with the applicant(s), shall establish the appropriate time frames in which public law enforcement and private security is needed for each aspect of the special event. The applicant(s) will provide a tentative schedule of activities for each day of the event at the planning meeting. The city shall assign a "special event field operations detail" to handle law enforcement services. Because the final activities schedule may change, the city

police department supervisor in charge of the detail, shall have the authority to adjust the work schedule to cover any activities that may require additional or fewer public law enforcement services. Fees for police services may vary due to scheduling adjustments determined and approved on-site by the police supervisor and the applicant(s) during the event. Any additional fees generated by scheduling adjustments shall be the responsibility of the applicant(s).

(d) If the scope of the event exceeds the Palatka Police Department's manpower capacity, the chief of police may contract with other law enforcement agencies to provide additional resources. All contractual law enforcement personnel will work under the supervision of the chief of police or his designee, and will be assigned accordingly.

(e) Fee schedule for determining police personnel costs, to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

Sec. 50-226. Fire department services.

(a) Unless otherwise authorized by the fire chief, the Palatka Fire Department shall be the sole provider for fire department services. The number of certified fire department personnel and the level of fire protection services required to service any special event shall be determined by the city in the planning meeting with final approval by the city. Fire department services shall be for the purpose of fire protection. Fire protection shall also be required during the event, or certain aspects of the event, in any structure in which any type of explosive, open flame, spark-producing device or flammable solid, liquid or gaseous material is used. The fire department shall determine what is necessary to provide adequate fire protection and safety for each event.

(b) The city shall also establish the appropriate time frames fire personnel are needed for fire protection services for each aspect of the special event. The applicant(s) will provide a tentative schedule of activities for each day of the event at the planning meeting.

(c) In the event the applicant(s) are authorized to utilize certified firefighter fireguards from an agency other than the Palatka Fire Department, an agency representative must be present in the planning meeting and the agency must meet the requirements for fire protection as agreed in the meeting.

(d) Fees for fire department personnel and equipment costs to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-227. Emergency medical services (EMS); advanced life support/water rescue.

- (a) The special events committee shall determine the minimum level of emergency medical services that are necessary for the special event.
- (b) A member of the Putnam County EMS shall be invited to attend the special event planning meeting, and shall be requested to provide input regarding the minimum level of EMS services required for the event. In addition, said representative shall be requested to define the level of services that Putnam County EMS will provide.
- (c) If the minimum level of EMS services determined to be necessary for the event by the special events committee, with input from the Putnam County EMS representative is greater than the level of service which the Putnam County EMS will provide, then the special event applicant shall be required to provide, at the applicant's expense, those additional medical services necessary to meet the minimum level established.
- (d) All special events involving open-water system activities that include boats, personal watercraft, canoes, kayaks, paddle boards, surf and boogie boards, and/or swimming may require a two-person water rescue team with an approved rescue craft.
- (e) Any fees for EMS personnel and equipment costs shall be the sole responsibility of the applicant.

Sec. 50-228. Public works services.

- (a) Should the services of the city parks, streets, water and sanitation department be required, the number of personnel, type of equipment and the type of public works services required to service the event shall be determined by the applicant(s) and the city in the planning meeting. Public works department services shall generally be limited to the tasks directly related to city participation in the event.
- (b) The formula for determining the number of parks, streets, water and sanitation department personnel and equipment required shall be based on the type of tasks required. Unless otherwise approved by the special events committee, there shall be a minimum of one sanitation worker and one parks worker scheduled for each Class "A" and Class "B" event.
- (c) Fee for public works personnel and equipment costs to be paid by applicant(s) of event, shall be determined during the special events committee meeting.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-229. Building department services.

(a) The number of building department personnel and services required to service the special event shall be limited to inspection services required in the initial setup of the event and both a pre and post inspection of public property at the conclusion of the event for performance bond purposes.

(b) The formula for determining the number of building department personnel required shall be one inspector to perform a pre-inspection of the site and structures prior to the commencement of the event and one inspector to perform the site inspection at the conclusion of the event.

(c) Fees for building department inspections to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-230. Electrical contractor of record.

Prior to the start of the special event, unless otherwise authorized by the chief building official, the applicant(s) shall provide the city building department with a letter from a state certified electrical contractor accepting responsibility for the quality and code compliance of all electrical work performed on behalf of the applicant(s) with regard to the special event.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-231. Portable toilets; number required; locations; servicing.

(a) Any event requiring temporary restroom facilities will be required to obtain any required permit(s) for these facilities from the Putnam County Health Department before the start of activities.

(b) The number and location of portable toilets located on-site and on public property within 600 feet of the property on which the special event is conducted, shall be determined in the planning meeting and shall be approved by the city.

(c) Any units located on public property shall be removed no later [than] 48 hours following the last day of the event.

(d) If structures on the event site have toilet facilities easily identified and readily available to the public, and there is no charge to the public to have access or to utilize them, they may be used in the formula to determine the number of units needed. If additional

portable toilets are needed then it shall be determined during the Special Events Committee Needs Assessment meeting.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-232. Garbage pickup; servicing; fees.

(a) The number and location of portable roll-out garbage containers, stationery garbage containers and dumpsters located on public property within 600 feet of the property on which the special event is conducted, shall be determined in the planning meeting and shall be approved by the city.

(b) Transportation of all portable containers to the dumpsters shall be the responsibility of the applicant. Emptying of all portable containers into the sanitary waste collection truck shall be the responsibility of the city sanitation department. Additional containers shall be determined in the planning meeting. Dumpster(s) may be serviced as needed by the sanitation department. It shall be the responsibility of the city parks department to empty all permanent decorative garbage containers and any other stationary waste receptacles owned by and provided by the city. All garbage containers not owned by the city that are temporarily located on public property shall be removed no later than the first day following the last day of the event. Fees for the drop-off/pickup/steam cleaning of all city-owned rollout containers shall be the responsibility of the applicant(s), and will be determined based on the actual cost of that service.

(c) Applicant(s) shall be jointly responsible for maintaining the event site and public property from trash, garbage, litter and any other debris within 600 feet of the boundaries of the property line on which the special event takes place. This responsibility shall extend from the first calendar day of the special event consecutively through the first 24-hour period after the last day of the special event. The property shall be maintained in the same or better conditional state existing prior to the commencement of the special event. The applicant(s) is responsible for removing all remaining trash or debris gathered or relocated on the property as a result of the event. If it is necessary for the city to affect a cleanup of the area, the cost for the city to perform the work shall be deducted from the performance bond.

Sec. 50-233. Location of public parking; transportation services.

If required, the applicant(s) shall be responsible for submitting a plan that allows for adequate public parking and transportation services to the event site. Attention shall be given to traffic circulation and emergency access for police, fire, and medical personnel. The applicant(s) may be

required to post approved signage at all designated parking. All signs will be removed within 24 hours of the event closing. Written permission from property owners approving off-site parking shall be provided. The applicant(s) shall designate handicapped-accessible parking pursuant to Florida Statutes. The applicant(s) shall designate and maintain adequate and easily accessible parking location for all security, fire protection and emergency medical service vehicles on site. Failure to provide for adequate parking and/or transportation services shall be grounds for event disapproval.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-234. Public street barricades/street closures/detours.

The city shall have the full authority to dictate the closure of any city street or roadway and/or the detour of all traffic flow on any city street or roadway in relation to the management of a permitted special event. The applicant(s) is responsible for submitting a plan at the planning meeting detailing the proposed street closure. Barricades and cones for approved locations provided by the city should be returned within 24 hours after the close of the special event. Applicant(s) shall be responsible for replacement of all missing or broken barricades and cones; the cost shall be deducted from the performance bond. It shall be the responsibility of the applicant(s) to provide setup and breakdown at the approved times as determined in the planning meeting.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-235. Proposed traffic flow.

Traffic flow and direction for all aspects of the event, including public property and onsite event location, shall be determined by the city. The city shall determine those areas that may require temporary "no parking" and the applicant(s) will so designate with approved signage as necessary.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-236. Emergency vehicle access.

Access, traffic lanes and parking for emergency vehicles shall be determined and approved by the city. No Street shall be blocked in such a matter as to hinder the immediate passage of emergency vehicles.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-237. Pedestrian traffic access.

Pedestrian traffic access from parking areas to the event shall be designated on the site sketch and approved by the city. Pedestrian traffic access involving the crossing of a major thoroughfare may require additional traffic control measures to be implemented, as determined in the planning meeting.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-238. Temporary structures; integrity, location.

It shall be the responsibility of the applicant(s) of the special event to ensure that all temporary structures erected for the special event are safe, structurally sound and adequate, based on the number of persons specified to use the structure. All temporary structures shall have a Class III type ladder or steps for each elevation level. The location of all temporary structures, erected for the purpose of the special event, shall be approved by the city and shall not be located so as to damage the environment. Canopy-style tents may be approved for use on the riverfront park. All temporary structures shall be properly anchored to guard against failure in event of adverse weather conditions. Applicant(s) shall submit a written certification from a state-licensed structural engineer that all temporary structures in which scaffolding and/or staging equipment is utilized in construction, is deemed safe and has the structural integrity necessary and appropriate for the use for which it is intended. No spectators, competitors and/or participants of the special event shall be permitted on the temporary structures at any time unless approved by the applicant(s) staff.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-239. Number and location of vendors/concession/applicant(s) stands/booths.

(a) All proposed vendor, concession and/or applicant(s) stands/booths or designated sites for same shall be noted on the site plan sketch and approved by the city. It is recognized that additional vendors and concessionaires may decide to participate after the planning meeting. It shall be the responsibility of the applicant(s) to notify the city of all additional vendors and their proposed locations, prior to commencement of the special event.

(b) The city shall require no fee of vendors, concession facilities or booths, but shall require a list with a mapped location of vendors, concession facilities or booths.

(c) No vendor who is authorized to sell merchandise at the special event by the applicant will be required to obtain a business tax receipt from the city as a condition of selling merchandise, goods, or services during the special event. No holder of business tax receipt issued by the city shall be exempt for this reason alone, from any fee requirement imposed by the applicant as a condition of selling goods or merchandise at the special event.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-240. Major suppliers.

All major suppliers of goods and services to the applicant such as, but not limited to, beverages for sale, t-shirts, entertainment and equipment leasing shall be noted on the application.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-241. Number and location of static and mobile displays.

The number and location of all static and mobile displays shall be approved by the city. Displays shall meet all health and safety regulations.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-242. Location of staff management headquarters/telephone numbers/sound system location/uniform identification.

Applicant(s) shall provide the city with the location of the special event management team headquarters and telephone number(s) at which the management team can be reached during the event. Name(s) of on-site contact person(s) and telephone number(s) of same shall be listed on the site plan sketch. Applicant(s) staff personnel shall wear identification to indicate event affiliation during the hours of the event. Location of public address sound system shall be designated, if applicable.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-243. Number and location of special needs.

The number and location of activities creating special needs during the special event shall be discussed and determined during the planning meeting. Specific proposed locations shall be designated on the site plan sketch. These shall include such activities as launching areas for watercraft, pet and animal attractions, active equipment operations, car shows and any other activities unique to the special event.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-244. Temporary signs/banners.

Temporary advertisement banners may be erected no more than 30 days prior to the special event on temporary structures erected for the event for the duration of the special event only. Cold

air advertising structures may be permitted. Event parking signs may be placed at approved parking areas during the duration of the event. The applicant(s) is responsible for obtaining permission from the property owner for sign placement. It is the responsibility of the applicant(s) to remove all temporary signs/banners within 48 hours after the close of the special event.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-245. Promotional visual effects.

All special lighting and/or visual effects such as high powered lighting units or fireworks attractions must be approved by the city. The location of visual effects shall be approved by the city.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-246. Fireworks displays.

Any applicant desiring a fireworks display will be required to obtain a fireworks permit from the Palatka Fire Marshall prior to the beginning of the event.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-247. Tents.

It shall be unlawful for any person to erect a temporary structure for use by the general public as a tent without having made application for and receiving a permit to do so in accordance with the conditions and limitations as established by city building, zoning and land use laws, ordinances and regulations.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-248. Carnivals/amusements/rides.

(a) It shall be unlawful for any person to erect, cause to be erected, operate or maintain a carnival in conjunction with any special event within the city without having made application for and receiving a carnival permit and occupational license to do so in accordance with the conditions and limitations set forth in this article.

(b) Carnivals held in conjunction with festivals or other special events shall constitute activity in the course and scope of the event, and the operating days will be treated the same as any day of operation. If the carnival is held within the boundaries of the special event, and not at a separate location, a carnival occupational license shall not be required.

(c) Other than as stipulated herein, all provisions of the ordinances of the city, plus all applicable fees and occupational licensure, shall apply to carnival operations.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-249. Miscellaneous requirements.

The following requirements shall be discussed and approved in the planning meeting in regard to specific activities and/or operations related to the special event:

- (1) Protection of property. Prior to any special event in which state protected property may be impacted, applicant(s) shall obtain written permit approval from the Florida Department of Environmental Protection and/or any other regulatory agency that may have jurisdiction over such matters. The permit shall be submitted in accordance with requirements set forth herein.
- (2) Notification of neighboring properties. Class A event organizers are required to provide written notification to all property owners located within 1,500 feet of the property on which the special event will occur. This notification shall include the date(s), type of the event, area to be impacted, estimated attendance security measures and any activities of the event that may impact the property owners of neighboring properties. Applicants must provide the special event coordinator a copy of the letter; a list of names and addresses of those notified; and if the notice is hand delivered, a notarized affidavit certifying that the letter was delivered a minimum of 15 days prior to the event. The city may require applicant(s) to conduct a meeting with interested property owners to discuss management of the event. If a meeting is scheduled, it shall be conducted by the applicant(s) and held in a location designated by the city.
- (3) Watercraft. If the special event requires the use of watercraft for competition, servicing, maintenance, safety or any other reason, they shall be allowed in approved areas established in the planning meeting. Temporary buoys and markers may be placed with written approval from the United States Coast Guard. A copy of the approval letter must be submitted to the City prior to the event.
- (4) If the special event involves watercraft competition, waterborne rescue and lifesaving personnel and equipment shall be on-duty and prepared to act to protect competitors and spectators during all competition and practice. Appropriate locations for work areas for watercraft shall be designated and approved by the city prior to approval of the special event permit.

- (5) No vehicles, trailers or mobile equipment shall be permitted on the riverfront outside of the approved designated areas. Loading and unloading of watercraft from trailers, shall be permitted only in designated locations, determined in the planning meeting. No fueling, refueling or storage of fuels shall be permitted on the riverfront park, unless approved by the fire department and any other government entity that has jurisdiction over such matters.
- (6) All aircraft and aerial operations, to include fixed and rotary wing, lighter-than-air, ultra light, seaplane, and parachute demonstrations, that will be utilized in any aspect of a special event, shall be approved by the city. The area(s) of operation shall be appropriately marked and designated by the operator as an "Aircraft Landing/Operations zone," in addition to the locations of any landing activities and/or display site(s). In addition, the time of landings(s), takeoff(s) and other aircraft/aerial operations related to the special event shall be approved by the city. All aircraft flight operations shall conform to FAA regulations and meet minimum pilot qualifications for the given type of operation intended. All refueling operations shall be performed according to FAA requirements.
- (7) All operators of any type of aircraft being used for amusement purposes shall provide the city with a certificate of liability insurance coverage in an amount not less than \$1,000,000.00 per person for bodily injury or death \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the city as "additional insured".
- (8) Accessibility for the handicapped. All applicable laws and requirements for accessibility and accommodations for the handicapped shall be met by the applicant regarding structures, site locations and event activities. All existing curb cuts shall remain unblocked, unimpeded and open for use by the public. Vendors must maintain a 48" clear path along the sidewalk at all times.

(Ord. No. 03-23, Art. III, 10-23-2003)

Sec. 50-250. Permit nontransferable.

A permit issued under this chapter shall be nontransferable from one organization, associational group or individual to another. This prohibition shall not be construed to prevent a permittee from changing the name set forth in the original application; however, an amendment to the original application for the license shall be filed with the city.

(Ord. No. 03-23, Art. III, 10-23-2003)

Secs. 50-252--50-280. Reserved.

DIVISION 4. SPECIAL EVENT SCHEDULE OF FEES

Sec. 50-281. Fee schedule.

The following fee schedule is hereby established for all special events unless otherwise waived by the city commission or its representative.

Attendance is based upon historical data. In a case where no historical data is available, the minimum fee shall be based on the lowest per-day fee. Attendance formula means the total attendance divided by the number of days of operation.

Permit fees-per day:

TABLE INSET:

Attendance Rate:	Permit Fee
“Class A” Permit Fee With Attendance Up to 10,000 per day	\$150.00
“Class A” Permit Fee With Attendance 10,000-40,000 per day	\$225.00
”Class A” Permit Fee With Attendance 40,000-80,000 per day	\$300.00
“Class B” Permit Fee per day	\$100.00
“Class C” Permit Fee	\$ 50.00

Daily fees for special events with an estimated attendance of more than 80,000 for any one day shall be set by the city commission.

FEES FOR SERVICES PROVIDED BY CITY PERSONNEL:

The following fees are for police and fire personnel, and the building inspector assigned to special duty to provide security services for all special events:

Police personnel:	\$23.00 per hour (2 hr. minimum)
Fire personnel:	\$23.00 per hour (2 hr. minimum)
Building Inspector:	\$23.00 per hour (2 hr. minimum)

TABLE INSET:

(Ord. No. 03-23, Art. IV, 10-23-2003)