

**CITY OF CLEWISTON**  
**ORDINANCE NO. 2025-02**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA AMENDING THE CLEWISTON CODE OF ORDINANCES, CHAPTER 10, AMUSEMENT AND ENTERTAINMENT; AMENDING SECTION 10-45. APPLICATION – PREREQUISITE.; AMENDING SECTION 10-46. SAME-FEE; PURPOSE OF FEE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; CONFLICT; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Clewiston, Florida, has prescribed requirements for music and entertainment festivals including permitting and permitting fees; and

**WHEREAS**, the City Commission of the City of Clewiston, Florida finds that it is necessary for the proper administration of the city to amend these requirements to streamline event permit issuance and clarify fee requirements and it is in the best interest of the city and public welfare to do so;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The Clewiston Code of Ordinances, Chapter 10, Article II. Music or Entertainment Festivals, Section 10-45. Application--Prerequisite. is hereby amended additions denoted by underline and deletions denoted by strikethrough to read as follows:

**Sec. 10-45. Application -- Prerequisite.**

A written application for a special event permit shall be submitted to the city manager ~~commission~~ at least 30 days prior to the time indicated for the commencement of the festival; and such special event permit shall not be issued unless and until the following plans and information are submitted to the city manager ~~commission~~, and the following minimum conditions are met:

- (1) The name, age, street address and mailing address of the person making the application. If the application is made by a partnership, the name and address of all the partners must appear in the application. If the application is made by a corporation, the application must be signed by the president or vice-president and secretary thereof, and must contain the street address of such corporate officers and shall be submitted with the application;
- (2) A statement of the kind, character, or type of festival which the applicant proposes to

conduct, operate or carry on;

(3) The legal description of the place where the festival is to be conducted, operated or carried on. The applicant must submit proof of ownership of the place where the festival is to be conducted, or an affidavit signed by the owner of the premises indicating his consent that the site be used for the proposed festival;

(4) The applicant shall fully disclose the names and addresses of all persons contributing, investing or having a direct or indirect financial interest in the staging, promoting or conducting of such festival; whether such interest be by virtue of ownership in any corporation staging, promoting or conducting such festival, status as an employee of any person staging, promoting or conducting such festival, or any involvement by which such person stands to gain or lose financially from such festival;

(5) The dates and the hours during which the festival is to be conducted;

(6) The names of all persons who will perform at such festival;

(7) The anticipated number of persons expected to attend the festival per day shall be stated;

(8) Written evidence from the city community development director that the proposed festival complies with all city zoning laws; and evidence of compliance with all business tax laws and other applicable city, county and state laws, rules and regulations;

(9) Adequate plans for camp construction, sanitation facilities, sewage disposal, garbage and refuse disposal, drainage, insect and rodent control, water supply, and food service. For the purpose of evaluating such plans, the standards established by the rules of the division of health and the state sanitary code shall be considered as minimum requirements. In evaluating plans, the city manager ~~commission~~ shall also consider the applicability of provisions of F.S. ch. 386 and such other provisions of the law, of the sanitary codes or of local law, as it may deem necessary, in the interest of public health, welfare and safety;

(10) An adequate plan for internal security, traffic control, communications, fire protection and emergency services in and around the festival area. Such plans shall be received by, and coordinated with, the chief of police, fire chief and the county ambulance service. The plan shall include a detailed description of the plan for security, traffic control, communications, fire protection and emergency services to be used; and how it is to be implemented;

(11) An adequate plan for traffic control and parking facilities outside the festival area approved by the city. No motor vehicle shall be permitted in the performance area, except when necessary to enforce compliance with this section or an emergency;

(12) Every applicant planning to conduct or stage a festival after dark, or planning to allow patrons who attend festival to remain on the premises after dark, shall provide an adequate plan for electrical illumination of the parking facilities and festival area to ensure that those areas are lighted at all times;

(13) An adequate plan for garbage, trash, and rubbish pickup;

(14) The plot plan, drawn to scale, shall be submitted with the application, showing the location of performance area and all facilities required by this article; and

(15) The applicant shall state the number of tickets printed or to be printed and the name and address of the printer. No more than 5,000 tickets may be printed for any one music festival without special permission from the city commission. The application shall also direct or authorize the printer of the tickets to disclose to the city the number of tickets printed or to be printed.

**SECTION 2.** The Clewiston Code of Ordinances, Chapter 10, Article II. Music or Entertainment Festivals, Section 10-46. Same—Fee; purpose of fee. is hereby amended additions denoted by underline and deletions denoted by strikethrough to read as follows:

**Sec. 10-46. Same—Fee; purpose of fee.**

The applicant shall pay the city a permit fee at the time the application is filed. The permit fee shall be equal to ten percent of the sales price of a ticket or admission fee, less any state sales tax, times the number of tickets printed or to be printed. The permit fee assessed is for the purpose of compensating the city commission for the investigation of the application plan, compensating the city for additional law enforcement, additional trash, and garbage services and for the necessary public health welfare services required by such music or entertainment festival, for the protection of the public. If no tickets are being sold, the fee shall be determined by Appendix A. If no tickets are being sold, the fee shall be determined by Appendix A.

**SECTION 3.** Codification. The provisions of this Ordinance shall become and be made part of the Code of Laws and Ordinances of the City of Clewiston.

**SECTION 4.** Severability. If any phrase, sentence, or portion of this Ordinance is, for any reason held invalid or unconstitutional by any court of competent jurisdiction, such a portion shall be deemed a separate, distinct, and individual provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 5.** Repeal of Laws in Conflict. All ordinances of the City of Clewiston, Florida, which are in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 6.** Effective Date. This Ordinance shall take effect immediately upon its passage and is consistent with all requirements of general law.

Commissioner \_\_\_\_\_ offered the foregoing ordinance. Commissioner \_\_\_\_\_ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
JAMES PITTMAN, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HILLARY HYSLOPE, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARBARA EDMONDS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MILA GARDNER, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JASON WILLIAMS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, ON FIRST READING, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.**

Commissioner \_\_\_\_\_ offered the foregoing ordinance. Commissioner \_\_\_\_\_ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
JAMES PITTMAN, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HILLARY HYSLOPE, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARBARA EDMONDS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MILA GARDNER, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JASON WILLIAMS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, ON SECOND READING, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.**

**ATTEST:**

**CITY OF CLEWISTON, FLORIDA**

\_\_\_\_\_  
Lakisha Burch, City Clerk

\_\_\_\_\_  
James Pittman, Mayor

**(MUNICIPAL SEAL)**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Dylan J. Brandenburg, City Attorney