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ORDINANCE 2026-01 – AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 21 “TRAFFIC,” ARTICLE I “GENERAL,” AMENDING SECTION 21-16 “PERMITS FOR SPECIAL EVENTS,” TO ESTABLISH REQUIREMENTS AND PROCEDURES FOR SPECIAL EVENT APPLICATIONS AND PERMITS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

WHEREAS, the City of Lake Worth Beach, Florida (the “City”) is a duly constituted municipality having such home rule power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City Commission desires to amend Section 21-16 of Article I of Chapter 21 of the City’s Code of Ordinances, to establish requirements and procedures for special event applications and permits; and

WHEREAS, the City has a substantial interest in protecting, conserving, and maintaining its parks and encourages the use of its public spaces and parks by City residents in a safe and sanitary manner; and

WHEREAS, the City recognizes the desire of various persons, groups, non-profit organizations, and religious organizations to utilize City public spaces and parks for a variety of purposes, including to assist various populations of persons by providing food sharing events; and

WHEREAS, the City recognizes that many events, including food sharing events, occurring within the City’s public spaces and parks involve twenty-five (25) or more people; and

WHEREAS, the City has a substantial interest in managing its park property, including a significant interest in avoiding concentration of similar park uses in a single area given sanitation and logistical problems that arise; and

WHEREAS, the City has considered case law regarding the First Amendment implications of food sharing events in conjunction with appropriate standards that are tailored to further the City’s interests in ensuring safety, appropriate allocation of City public resources, and park conservation; and

WHEREAS, the City may adopt reasonable time, place and manner regulations which will promote the health, safety, and welfare of its citizens by addressing the adverse effects associated with events, including food sharing events, involving twenty-five (25) or more people; and

WHEREAS, the City Commission finds and declares that this Ordinance is appropriate and is in the best interest of the health, safety, and welfare of the City, its residents, and visitors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1: The foregoing “WHEREAS” clauses are incorporated into this Ordinance as true and correct findings of the City Commission.

54 **Section 2:** Chapter 21 "Traffic," of Article I "General," Section 21-16 "Permits for
55 special events," is hereby amended to read as follows (deletions in ~~strikethrough~~ text and
56 additions in underline text):
57

58 **Sec. 21-16. – Permits for special events.**
59

60 (a) It shall be unlawful to organize, conduct or participate in any special event on the streets
61 of the city or at any of the city's outdoor recreational facilities, parks and/or open spaces
62 unless a permit for such special event has been issued by the city manager ~~or their~~
63 ~~designee, or by the city commission if the city manager or his designee determines that~~
64 ~~the proposed event raises an issue of policy that only the city commission can decide.~~
65 A special event is considered to be on the streets when the event substantially inhibits
66 the usual flow of pedestrian or vehicular traffic, even when the event may be primarily
67 conducted on private property. A special event permit shall be issued only after an
68 application has been submitted, on a form provided by the city, no later than sixty (60)
69 days prior to the date on which the special event is proposed to be held.
70

71 (b) Definitions: For purposes of this section, the following words, terms and phrases shall
72 have the meanings ascribed to them in this subsection:
73

- 74 (1) "city departments" shall mean departments of the City of Lake Worth Beach,
75 Palm Beach County Fire Rescue, and Palm Beach County Sheriff's Office.
- 76 (2) "city-sponsored event" shall mean a special event expecting 100-500 people that
77 is hosted or sponsored by the City of Lake Worth Beach.
- 78 (3) "community/neighborhood event" shall mean a special event expecting 25-100
79 people that does not require road closures, has minimal impact on city services,
80 and requires little to no public safety presence.
- 81 (4) "high-impact event" shall mean a special event expecting 101-500 people that
82 requires partial road closures or lane shifts, involves multiple city departments,
83 and may include vendors, amplified sound, stages, or parade components.
- 84 (5) "large festivals" shall mean special events expecting 501 or more people, require
85 full road closures or create major traffic impacts, involve significant coordination
86 with public safety agencies, utilize large-scale infrastructure such as big stages,
87 generators, alcoholic beverage service, or carnival rides.
- 88 (6) "public event" shall mean a special event that is open to the public, with or without
89 charge.
- 90 (7) "public space" shall mean any dedicated or undedicated public street, highway,
91 sidewalk, park, parkway, right-of-way, alley, public way, and the buildings and
92 property owned or operated by any governmental agency within the city including
93 federal, state, county, city, and community redevelopment agency buildings and
94 properties.
- 95 (8) "special event" shall mean any parade, festival, celebration, block party, concert,
96 athletic event or competition, food sharing, or other gathering of persons,
97 animals, or vehicles, or any combination thereof, having a common purpose,
98 design, or goal, which substantially inhibits the usual flow of pedestrian, vehicular
99 traffic, or which substantially preempts the use of a public area or building by the
100 general public, or which attracts, is intended to attract, or is likely to attract twenty-
101 five (25) people or more including event staff, vendors, and volunteers.
102

103 (c) A special event permit shall be issued only after an application has been submitted, on
104 a form provided by the city and all the requirements of this section have been met.
105 Special event permit applications must be submitted as follows:

- 106 (1) For community/neighborhood events: thirty (30) days prior to the date the
107 proposed special event is to be held.
- 108 (2) For city-sponsored and high-impact events: sixty (60) days prior to the date the
109 proposed special event is to be held.
- 110 (3) For large festivals and multi-day events: ninety (90) days prior to the date the
111 proposed special event is to be held.
112

113 (d) Special event permit applications must contain, at a minimum, the following information:
114

- 115 (1) The name of the individual(s) or organization that will be organizing, hosting, or
116 running the event, including serving or distributing food, including contact
117 information;
- 118 (2) The activities that will be part of the event, including entertainment, food and
119 beverage service, alcoholic beverages;
- 120 (3) The location at which the event will be held, including a general site plan
121 describing the layout of the event, including tents, stage, food and beverage
122 service locations, emergency medical facilities, sanitary facilities, trash
123 receptacles, parking areas, and a security plan;
- 124 (4) Whether street closings are requested and, if so, which streets and when;
- 125 (5) Whether utility services, such as electrical power or water, will be required;
- 126 (6) The date(s) when the event will be held, including when food is anticipated to be
127 served or distributed;
- 128 (7) The times of day when the event will be held, including set up and clean up times,
129 and times of day when food service and distribution is anticipated to be served
130 or distributed on each date listed in the notice;
- 131 (8) The approximate or expected number of event personnel, including food
132 preparers and servers on the site for the event; and
- 133 (9) The approximate or expected number of individuals who will attend the event or
134 be served food.
- 135 (10) A certificate of insurance naming the city as additional insured and including
136 general commercial liability coverage in the amount of \$1,000,000.00, or more,
137 per occurrence. In the alternative, the applicant may purchase tenant's and
138 user's liability insurance policy (TULIP) for the time period covering the event.
- 139 (11) For events that serve perishable food items and/or cooked items require all
140 distributors and servers to have a Florida Department of Health Food Handlers
141 certification card or a food safety course completion certificate or certification
142 card approved by the Florida Department of Business and Professional
143 Regulation. A copy of the certification card(s) must be provided to the city with
144 the application for the event.
145

146 (e) Special event permit applications must be accompanied by an application fee and
147 security deposit, as established by resolution of the city commission from time to time.
148 There is no application fee or security deposit required if the applicant certifies that the
149 proposed event is for public expressive conduct or speech.
150

151 (f) Special event permits for food sharing events

- 152 (1) Food sharing events include social service food sharing and any public event for
153 the delivery or service of food at no charge to the recipient in a public space.
154 Activities of city permitted, licensed, or contracted concessionaires, lessees, or
155 licensees which take place within the permitted, licensed, contracted or leased
156 space are not subject to this subsection.
- 157 (2) No more than [redacted] special event permits for food sharing events will be issued
158 to the same person, group, or organization in a consecutive twelve (12) month

159 period for the same public space.

160 (3) Food sharing events are only permitted at the following locations:

- 161 a. Memorial Park Pavilion;
- 162 b. Howard Park Pavilion; and
- 163 c. Northwest Park.

164
165 (g) All special event permits are issued on a first-come, first-served basis and are dependent
166 upon availability.

167
168 (h) The permit holder shall remove or cause the removal of substantially all trash or debris
169 from the site that was generated by the event and deposit the trash or debris in the
170 provided public trash receptacle(s) or in a private trash receptacle if permission from the
171 receptacle owner was obtained.

172
173 (i) All special event permit applications are reviewed by the Palm Beach County Sheriff's
174 Office (PBSO), which is the law enforcement agency for the City. PBSO will determine
175 if law enforcement/security is required for the special event. PBSO will inform the City of
176 its determination and whether PBSO officers are available to fulfill this requirement.

177 (1) If law enforcement/security is required and PBSO has available officers, the
178 applicant shall contract with PBSO to provide this service.

179 (2) If law enforcement/security is required and PBSO does not have available
180 officers, the applicant shall hire a private security vendor utilizing the City's
181 preferred vendor list to provide this service.

182 (3) If law enforcement/security is required and both PBSO and the City's preferred
183 vendor(s) do not have available officers, the applicant shall hire a third-party
184 licensed security company to provide this service and provide the following
185 documentation to the city:

186 a. Valid State of Florida security license (company and officers assigned
187 to the special event);

188 b. Certificate of Insurance meeting the requirements in this section,
189 including naming the City of Lake Worth Beach as an additional insured;

190 c. W-9 and required city vendor forms;

191 d. Proof of worker's compensation insurance coverage or exemption.

192
193 (j) Special event permits may be approved, approved with conditions, approved at alternate
194 locations, or denied. The city will provide a written response to the applicant within ten
195 (10) business days of receipt of the permit application.

196
197 (k) Special event permits may be denied on the following grounds:

198 (1) The application was not timely submitted;

199 (2) The application (including any required attachments and submissions) was not
200 fully completed and executed;

201 (3) The applicant, or the person or entity on whose behalf the application has been
202 made, has on prior occasions damaged city property and has not paid in full for
203 such damage, or has other outstanding and unpaid debts to the city;

204 (4) An application for the same time and place has been received that will result in
205 the issuance of a special event permit to the prior applicant and multiple
206 occupancy of the particular location during the proposed event(s) is not
207 reasonably feasible;

208 (5) The proposed event would conflict with a city event scheduled for the same time
209 and place;

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- (6) The proposed event would present an unreasonable danger to the health or safety of the applicant, government employees, or the general public;
 - (7) The applicant has not complied or cannot comply with applicable licensure requirements, laws, ordinances or regulations of the state, the county, or the city concerning the sale or offering for sale of any goods or services;
 - (8) The application and/or proposed event does not meet the requirements of this section.
- (l) In denying an application for a special event permit, the city may, in the interest of traffic control and public safety, authorize the event in a different location from what was requested in the application. An applicant desiring to accept the permit for the alternate location, shall within five (5) days after notice of the action of the city, file a written notice of acceptance with the city.
- (m) If an individual submits an application for a special event permit for an event to be held by an organization and the application does not disclose the organization's involvement, the permit will be revoked, and the organization will not be issued any special event permits for a period of up to twelve (12) months.
- (n) Any applicant or property owner shall have the right to appeal the denial of a special event permit or the revocation of a special event permit, to the city manager. The appeal shall be submitted to the city clerk no later than ten (10) business days after the date of notice to the applicant of the permit denial or revocation. Upon receipt of a request for appeal, the date and time at which the city manager shall hear the appeal shall be set by the city clerk, but not more than forty (40) business days after the request for appeal is submitted. Upon setting the matter for hearing, the city clerk shall notify the appellant of the date and time of such hearing. The appellant or a designated agent shall be required to appear at the hearing. The appeal shall be heard with the same process as a quasi-judicial item with sworn testimony from the appellant and city staff. If an attorney shall be representing the appellant, a notice of appearance shall be filed with the city attorney's office no less than five (5) days before the scheduled hearing. The hearing on appeal shall be de novo or as if by original jurisdiction. The city manager shall hear evidence as to the manner by which city staff evaluated the criteria set out in this article. The city manager shall sustain or reverse the decision of city staff in accordance with the city manager's judgment as to whether the application meets the criteria set out in this article. Failure of the appellant to appear shall result in denial of the appeal.
- (o) Enforcement.
- (1) Violations of this section may be enforced pursuant to articles VI or X of chapter 2 or by any other legally available means.
 - (2) Due to the limited duration nature of special events, provision of a reasonable time period to correct a violation is not required.
 - (3) Violations of this section shall constitute a misdemeanor enforceable in accordance with section 1-6 of the Code, and may also be enforced by an injunction or other legal or equitable relief in the circuit court against any person violating this section. Such methods of enforcement may be pursued independently or simultaneously with each other and any other method of enforcement.
 - (4) The submission of false or inaccurate information in or related to an application may be considered fraud, which may be reported to applicable law enforcement agencies.
 - (5) The applicant and/or property owner shall be responsible to the city for any

enforcement costs, including reasonable attorney fees, and nothing shall bar the city from collecting such costs and fees, with applicable interest, including all costs that may be associated with any legal remedy undertaken by the city through its city attorney.

(6) If a special event is determined by the city manager, designated city department director or law enforcement to endanger the public health, safety and welfare, the city may exercise its police power to require that said special event cease to operate immediately or at a time certain determined by the city.

(7) Revocation of special event permit.

a. If a special event is held in violation of the terms of the permit or in violation of this section, the city may revoke or rescind the special event permit.

b. The submission of false or inaccurate information in the application, failure to provide all information and documentation required by this section, failure to obtain all other necessary permits, or failure to make payment of fees or charges shall be cause for revocation of the special event permit.

c. The city may revoke a special event permit as provided herein, and shall provide notice of such revocation, and the reasons therefor. The applicant may appeal such revocation in accordance with the procedures in this section for denial of a permit.

d. The city shall not issue refunds for revoked special event permits.

Section 3: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 6: Effective Date. This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by Vice Mayor Malega, seconded by Commissioner May, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch	AYE
Vice Mayor Sarah Malega	AYE
Commissioner Christopher McVoy	NAY
Commissioner Mimi May	AYE
Commissioner Anthony Segrich	AYE

The Mayor thereupon declared this ordinance duly passed on first reading on the 6th day of January, 2026.

315 The passage of this ordinance on second reading was moved by _____,
316 seconded by _____, and upon being put to a vote, the vote was as follows:

- 317
- 318 Mayor Betty Resch
- 319 Vice Mayor Sarah Malega
- 320 Commissioner Christopher McVoy
- 321 Commissioner Mimi May
- 322 Commissioner Anthony Segrich
- 323
- 324

325 The Mayor thereupon declared this ordinance duly passed on the ____ day of
326 _____, 2026.

329 LAKE WORTH BEACH CITY COMMISSION

332 By: _____
333 Betty Resch, Mayor

334 ATTEST:

335
336
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338 _____
339 Melissa Ann Coyne, MMC, City Clerk