



LEVY COUNTY BOARD OF COUNTY COMMISSIONERS
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March 23, 2021

Via Personal Service

Keniuel Gates
2002 N.W. 36th Drive
Gainesville, FL 32601

Re: Notice of Violation—Crabfest

Mr. Gates,

It has come to our attention that you are planning an event in Williston called “Crabfest” which is being advertised for April 24-25, 2021. We have seen a variety of ads on social media, and it appears you are the organizer of the event and that you plan to have musical artists perform at Crabfest. One such ad, posted to your personal Facebook page, is depicted below.



LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

Pursuant to Article II, Chapter 10, Levy County Code of Ordinances, Crabfest falls under the definition of “musical or entertainment festival” as follows:

Musical or entertainment festival means any gathering of groups or individuals for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces, not within an enclosed structures.

Events such as these require a special entertainment permit from the Levy County Board of County Commissioners in order to proceed.

A copy of Article II, Chapter 10, Levy County Code of Ordinances is attached for your review. Section 10-52 lays out the information required to apply for a special entertainment permit. With this correspondence, the County hereby notifies you that you are required to obtain a permit for Crabfest before proceeding. Should you fail to submit an application for a special entertainment permit by **April 5, 2021**, you will be in violation of Article II, Chapter 10, Levy County Code of Ordinances, and the County will be forced to take further legal action.

Sincerely,



Wilbur Dean
County Coordinator

Attachment

Chapter 10 - AMUSEMENTS AND ENTERTAINMENTS

Footnotes:

— (1) —

Cross reference— *Businesses, ch. 22.*

ARTICLE I. - IN GENERAL

Secs. 10-1—10-30. - Reserved.

ARTICLE II. - MUSICAL OR ENTERTAINMENT FESTIVALS

DIVISION 1. - GENERALLY

Sec. 10-31. - 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:

Musical or entertainment festival means any gathering of groups or individuals for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces, not within an enclosed structures.

(Ord. No. 71-1, § 2, 6-8-1971)

Cross reference— Definitions generally, § 1-2.

Sec. 10-32. - Purpose.

This article is enacted for the purpose of providing necessary regulation of any mass gathering of groups or individuals for the purpose of listening to or participating in entertainment which consists primarily of musical renditions conducted in open spaces, not within an enclosed structure, in the interest of the public health, safety, welfare and morals of the citizens and inhabitants of the county.

(Ord. No. 71-1, § 1, 6-8-1971)

Sec. 10-33. - Admittance of persons under 18 years of age prohibited.

The board does hereby expressly declare that it is its intent and policy that admittance of persons under the age of 18 years to any such music or entertainment festival is injurious to the health, safety, morals and well-being of such persons the same as would be the patronage, visiting or loitering of such persons at any dancehall operated in connection with any place of business which sells any intoxicating liquor, or any essence, extract, bitters, preparation, compound or composition which produces intoxication, as specified in F.S. § 562.48. Therefore, no person under the age of 18 years shall be admitted to any festival unless such minor is attended at all times by one or both of his parents, or by his natural guardian.

(Ord. No. 71-1, § 5, 6-8-1971)

Secs. 10-34—10-50. - Reserved.

DIVISION 2. - PERMIT

Sec. 10-51. - Required.

Any person desiring to stage, promote, or conduct any musical or entertainment festival in the county shall first secure a special entertainment permit from the board.

Sec. 10-52. - Required information and minimum conditions.

- (a) The special entertainment permit shall not be issued unless and until the following plans, documents and information are submitted to the board and the following minimum conditions are met:
- (1) Adequate plans for camp construction, sanitation facilities, sewage disposal, garbage and refuse disposal, drainage, floodlighting during darkness, insect and rodent control, water supply and food service. For the purposes of evaluating such plans, the standards established by the state shall be considered as minimum requirements. In evaluating the plans, the board shall also consider the applicability of provisions of F.S. ch. 386 and such other provisions of law, of state rules or of local ordinances, as it may deem necessary in the interests of the public health and welfare.
 - (2) An adequate geographic description and scale map or plan of the festival site, showing the location of all required facilities, including adequate traffic control and parking facilities outside the performance area. Such plans shall provide for at least one parking space for every five patrons, and for safe transportation of the patrons from the parking area to the performance area. No motor vehicle with more than two wheels shall be permitted in the performance area except when necessary to ensure compliance with this section.
 - (3) An adequate plan for medical facilities. There shall be provided one physician licensed in this state on duty at all times for every 2,000 patrons, one nurse licensed in this state on duty at all times for every 1,000 patrons, one bed or cot for every 200 patrons, complete and sterile supply of medicines, bandages, medical compounds, medical instruments, serums, tape and such other supplies as are necessary to treat adverse drug reactions, cuts, bruises, abrasions, bites, fractures, infections, and other injuries commonly connected with such outdoor activities.
 - (4) An adequate plan for internal security, traffic control, communications, fire protection, and emergency services, including ambulance service, in and around the festival area. Such plan shall provide for at least one person professionally trained in security and traffic control on duty at all times for every 500 patrons, with no security personnel working more than one eight-hour shift in any 24-hour period. The plan shall include a detailed description of the plan of security, traffic control, communications, fire protection, and emergency services, including ambulance service, to be used and how it is to be implemented, and a detailed background on the training and ability of the personnel to be used in implementing such plan.
 - (5) A full and complete disclosure in the financial backing of the festival, including the names of all persons with 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, persons or entities staging, promoting, or conducting such festival, or any involvement by which such person, firm, partnership, or corporation stands to gain or lose financially from such festival.

- (6) The names of all persons or groups who will perform at the festival, and executed copies of all contracts or agreements with such persons or groups.
 - (7) The names of all persons, firms, and corporations who will provide products, materials or services, other than entertainment, to or at such festival, and executed copies of all contracts or agreements with such persons, firms or corporations.
 - (8) Full and complete compliance with all zoning and land use laws, beverage license laws and other laws, ordinances and regulations applicable to the county.
 - (9) The exact date and time of commencement and the exact date and time of the conclusion of the festival.
 - (10) A written public liability insurance policy insuring the person, firm, corporation or partnership staging, promoting or conducting the musical or entertainment festival against any and all claims and demands made by any person for injuries received in connection with the staging, promoting, conducting or attendance of or at such musical or entertainment festival, written within limits established by resolution for damage or injury to persons or property. The original or duplicate of such policy shall be attached to the application for a special entertainment permit, together with adequate evidence that the premiums are paid.
 - (11) The actual admission ticket to be used at such musical or entertainment festival. Such ticket shall contain thereon a provision that the holder will consent to the search of his vehicle or any package for drugs, and that if he fails to do so, he will be denied admission and his money will be refunded.
- (b) The board may establish, by resolution, such additional conditions, criteria or detailed specifications for the special entertainment permit as they may deem necessary to carry out the intent of this article, for the protection of the public health, morals, safety and general welfare.
 - (c) The application for a special entertainment permit shall be submitted to the board at least 20 days in advance of the commencement of the festival for which the permit application is filed, to permit the board to evaluate the application in an orderly and expeditious manner.

(Ord. No. 71-1, § 4(1), 6-8-1971)

Sec. 10-53. - Fee.

The board of county commissioners shall assess a daily nonrefundable fee in the amount established by resolution for the issuance of the permit provided in section 10-51. The fees provided by this section are for the purpose of compensating the board for the services required in investigation of the application plan and of providing the necessary public health, welfare and law enforcement services required by such a musical or entertainment festival, for the protection of the public.

(Ord. No. 71-1, § 6, 6-8-1971)

Sec. 10-54. - Revocation.

If there shall be any deviation or violation of or from the conditions and plans submitted under section 10-52, or violation of other provisions of this article, or any material misrepresentation in the application for the permit, the board may revoke the special entertainment permit granted.

(Ord. No. 71-1, § 7(c), 6-8-1971)