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## Section 80-025. Special event permits.

- (A) *[Issuance.]* Permits for certain special events may be issued subject to the granting of a Special Exception and subject to compliance with this section.
- (B) *Minimum site requirements.* All special events shall require a minimum of five acres of open space with not less than 200 feet of street frontage on a public right-of-way.
- (C) *Setbacks.* No activity, temporary tent, mechanical device, temporary sanitary facility, or animal associated with any special event shall be closer than 300 feet from any surrounding residential plot, nor closer than 100 feet from a street line.
- (D) *Access.* Vehicular access onto any plot used for a special event shall be only from a public street as specified in subsection (B), above.
- (E) *Parking.* Event parking shall comply with the requirements of Article 95, "Parking and Loading" insofar as the amount of spaces required, minimum parking space size, and minimum aisle widths. All parking spaces may be on an unpaved surface. Temporary barriers, guides, signs, and other temporary markings shall be erected and placed around and within the parking area to facilitate safe and efficient vehicular traffic flow on site.
- (F) *Lighting.* Temporary lighting used to illuminate the special event after dusk shall be designed and arranged to reflect away from adjacent properties and away from any street, and shall comply with Section 50-030, "Outdoor Lighting."
- (G) *Temporary structures, exhibits, and mechanical riding devices.* Temporary structures, exhibits, and mechanical riding devices shall be permitted in conjunction with special events subject to permit and inspection requirements of all applicable town, county and state agencies. No temporary structure shall be used for living quarters. All such structures, exhibits, and mechanical riding devices shall be removed from the premises within three days after the conclusion of the event.
- (H) *Signs.* One temporary sign advertising the event may be erected on the plot where the event will be held not more than 14 days prior to the event. Such signs shall be no larger than 24 square feet in sign area and no higher than ten feet above the ground, and shall observe the site distance triangle requirement of Article 105, "Sight Distance." The sign shall be removed by the permit holder within three days of the conclusion of the special event.
- (I) *Frequency and duration.* No special event shall be permitted for a period of time exceeding three consecutive days, except that rodeos shall be limited to a maximum of three consecutive days. A total of three special events can be permitted within a calendar year on any given property. Hours of operation of any event shall be limited to 9:00 a.m. to 10:00 p.m., Sunday through Thursday, and 9:00 a.m. to midnight on Friday and Saturday. Any additional time shall require approval by the Town Council, and such requests shall be considered in conjunction with the criteria set forth in Section 170-025(A) for Special Exceptions.
- (J) *Liability insurance.* Before any permit for a special event is issued, the applicant must provide a certificate showing proof of a public premises liability and product liability insurance policy that provides coverage in the amount of \$1,000,000.00. The policy must name the Town as an additional insured and must be issued by an insurance company authorized by the Florida Department of Insurance to do business in the State of Florida. The policy must be approved by the Town Attorney prior to issuance of any special event permit.
- (K) *Performance bond.* Before any permit for a special event is issued, a performance bond or similar security acceptable to the Town and naming the Town as beneficiary in the sum of \$1,000.00, shall be executed by the applicant, as principal, and a surety company authorized to do business in the State of Florida and on the list of the United States Treasury. Such security must be approved by the Town Attorney, and shall be in effect for the duration of the special event and for six months subsequent to the end of the event. The

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security shall be released at the conclusion of the six month time period upon submittal of an affidavit from the applicant that all conditions of the security have been met. The conditions of such security shall be that:

- (1) The applicant shall comply fully with all the provisions of the Town of Loxahatchee Groves Code of Ordinances and all applicable county, state or federal laws regarding the sale of goods as permitted;
- (2) The applicant will pay all judgments rendered against said applicant for any violation of said laws; and
- (3) The applicant will pay all judgments and costs that may be recovered against said applicant by any persons for damage from any misrepresentation or deceptive practice during the transacting of such business.

(L) *Plans.* A plan, drawn to scale, shall be submitted to the Town as part of the Special Exception application indicating the following:

- (1) Plot dimensions;
- (2) Adjoining streets and points of access to the plot;
- (3) Location of all activities and temporary structures and setbacks from plot lines;
- (4) Location and use of any permanent structures and uses existing on the plot;
- (5) Location and amount of existing off-street parking areas, proposed temporary additional off-street parking areas and aisles, including dimensions, location of traffic markings, and signs.
- (6) Location and number of any loud speakers and description of any use of them (i.e. music, announcements);
- (7) Location and number of temporary restroom facilities; and
- (8) Description of proposed waste management for both trash and portable toilet facilities.

(M) *Permit applications.* A permit application shall be submitted to the Town Manager, at least 30 days prior to the special event. The permit application shall include the following:

- (1) The name and address of the applicant;
- (2) The address and legal description of the plot where the event will be held;
- (3) The dates and hours of the event;
- (4) The type of event and sponsor, if any;
- (5) The plan required by subsection (L) above;
- (6) An executed performance bond as required in subsection (K) above;
- (7) Proof of insurance as required in subsection (J) above;
- (8) Notarized authorization of all property owners of record or their authorized agent, for use of the property for the special event;
- (9) Proof that the Palm Beach Sheriff's Office or other security officials will be present during the event for safety, security and to direct traffic.
- (10) A notarized affidavit of proof of posting the notice sign required by subsection (Q) herein;
- (11) The applicable processing and inspection fee, in accordance with the fee schedule in effect;
- (12) Proof of notification of the event to all contiguous properties and the written consent of the contiguous owners;
- (13) Cleanup and site restoration plan.

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- (N) *Agency reviews.* Prior to issuance of a permit for a special event, the following entities, as deemed appropriate on a case-by-case basis, shall review and approve the event in accordance with applicable statutes, ordinances and codes:
- (1) Town Manager;
  - (2) Town Attorney;
  - (3) Health Department (State of Florida) if approval is required;
  - (4) Department of Agriculture (State of Florida) (if food service is to be provided) if approval is required;
  - (5) Fire Marshal;
  - (6) Building Official;
  - (7) Palm Beach County Sheriff's Office; and
  - (8) Town's current waste collector.
- (O) *Permit issuance.* Once the Town Manager confirms that the application and plot are in compliance with this section and any other applicable code, statute or ordinance, the application shall be placed on the next available Town Council agenda for consideration as a Special Exception. Upon approval by the Town Council, the Town Manager shall issue the permit upon payment by the applicant of a cleanup deposit in the amount of \$1,000.00 to the Town to guarantee site restoration. The permit must be posted on the plot for the duration of the outdoor event.
- (P) *Site restoration.* The permit holder shall be responsible for restoring the plot to its original condition within seven days after the end of the special event. Failure to restore the site to its original condition shall result in forfeiture of the cleanup deposit to the Town. The cleanup deposit shall be used for restoration of the location.
- (Q) *Posting of notice.* The applicant must post a sign of sufficient size at least 30 days prior to the beginning date of the special event in a visible location on each street frontage to inform the public of the dates and nature of the special event which will be held on the property.
- (R) *[Exceptions.]* Exceptions for not-for-profit corporations holding events on their own property.
- (1) Not-for profit corporations which hold outdoor events on their own property shall be subject to all of the requirements set forth above, except the requirements for obtaining a performance bond (subsection (K)), a cleanup deposit (subsection (O)) and posting of notice (subsection (Q)).

( Ord. No. 2017-15 , § 4(Exh. C), 12-5-2017)