

ARTICLE II. SPECIAL EVENTS

Sec. 42-16. Definition.

Special event shall mean any organized meeting, activity, gathering or group of 50 or more persons, which involves city financial or in-kind contributions or requires city approvals and which is intended to or does draw public attention and has the potential to inhibit the normal flow or regulation of pedestrian or vehicular traffic upon any public facility, street, sidewalk, swale, alley, or park.

The term shall include, but not be limited to weddings, festivals, carnivals, circuses, tournaments, concerts, parades, athletic events, fairs, rallies and similar gatherings regardless of whether a charge or donation is required for admission. This definition shall specifically exclude any event conducted or sponsored solely by the city or for the primary purpose of First Amendment speech or assembly.

(Ord. No. 1103, § 2, 2-13-07; Ord. No. 2016-18, § 1, 2-14-17; Ord. No. 2022-31, § 1, 10-19-22)

Sec. 42-17. Permit required.

No person or organization shall engage in, participate in, aid, form or start any special event, unless a special event permit shall have been obtained from the city.

(Ord. No. 1103, § 2, 2-13-07)

Sec. 42-18. Permit application.

- (a) A person or organization seeking issuance of a special event permit shall file an application with the city manager's office or designated department on forms provided by the city.
- (b) An application for a special event permit shall be filed with the city manager's office not less than 60 days nor more than 365 days before the first date on which the special event is scheduled to be conducted.
- (c) Upon receipt of a completed application, the city manager's office shall secure all applicable departmental reviews.
- (d) In the event the application is incomplete in a material respect or a prior permit has already been approved for the same area or an adjacent public area has already been scheduled for use at the same time and simultaneous uses cannot be accommodated, the application will be rejected and returned to the applicant for reconsideration.

(Ord. No. 1103, § 2, 2-13-07; Ord. No. 2014-02, § 1, 3-4-14)

Sec. 42-19. Standards of approval.

Issuance of a special event permit shall be contingent upon city manager's determination:

- (1) Surrounding and nearby properties are suitably protected from adverse conditions that may reasonably be expected to result from the special event.
- (2) The proposed special event is not likely to create hazardous vehicular or pedestrian traffic conditions.

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- (3) Adequate off-street parking is available.
 - (4) Adequate utilities, drainage, sanitation management, emergency services and access, traffic control, security and other necessary facilities and services are available and all necessary sanitary facilities have been approved by the appropriate authorities.
 - (5) All applicable laws and regulations of the city and of any other regulatory body or agency will be met prior to the special event.
 - (6) Whether waivers of City Code provisions are appropriate for the event, including, but not limited to:
 - a. Section 6-3, open containers and consumption prohibited;
 - b. Subsection 34-87(5), radios, amplifiers, phonographs, etc;
 - c. Section 46-1, public solicitation; prohibited areas; times allowed;
 - d. Section 58-3, outdoor sales and displays;
 - e. Chapter 58, streets, sidewalks and other public places;
 - f. Section 62-41, special permits for nonprofit enterprise; section 62-43, operating from temporary quarters prohibited; and subsection 62-60(49), exhibits and attractions;
 - g. Section 66-72, limitation on parking in city parking lots and beach access easements;
 1. In the case that a promoter requests free parking for an event, said promoter must pay 75 percent of the lost revenue of the respective lot to the city. This figure is calculated by the revenue the lot in use generates on average.
 - h. Section 102-155, government and public purpose signs.

(Ord. No. 1103, § 2, 2-13-07; Ord. No. 2014-02, § 2, 3-4-14)

Sec. 42-20. Permit conditions.

Special event permits issued under this article shall be subject to the following conditions:

- (1) Special events may only be approved for daylight hours, except in areas possessing appropriate artificial light.
- (2) The sheriff's office may stop a special event where a breach of the peace is occurring or an activity in the nature of a riot has occurred.
- (3) All public areas are to be left clean and restored to pre-event condition following any special event.
- (4) The city manager or his authorized designee shall have authority to restrict, limit or prohibit the use or construction of platforms, chairs or other equipment, if the city manager finds that their use would result in damage to city property or constitute a hazard to safety or would block or infringe upon some other lawful use of the public property.
- (5) The grant of the permit shall not entitle the applicant to violate any other general park rules or regulations applicable to the use of public property.
- (6) The conduct of the event will not substantially interrupt the orderly movement of other traffic contiguous to the event's route.
- (7) The conduct of the event will not require the diversion of so great a number of sheriff's deputies to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city.

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- (8) The conduct of the event will not require the diversion of so great a number of ambulances and fire rescue units as to prevent normal ambulance and rescue service to portions of the city other than that to be occupied by the proposed event and areas contiguous thereto.
 - (9) The concentration of persons, animals and vehicles at assembly points of the event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas.
 - (10) The conduct of the event will not interfere with the movement of firefighting equipment en route to a fire.
 - (11) The conduct of the event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance.
 - (12) Reimbursement to the city for expenses and fees charged for a prior special event held by the applicant or the applicant's predecessor, or any person responsible for conducting the special event pursuant to this article.
 - (13) Proof of insurance, maintained at the applicant's expense, naming the city as an additional insured party for all public areas to be used in conjunction with or adjacent to the special event so that the city and its officers and employees will be protected from any claims for damages to property and for personal injury, including death, which may arise from or occur in connection with the special event.

(Ord. No. 1103, § 2, 2-13-07)

Sec. 42-21. Approval and duration of permit.

- (a) Upon finding that the standards for approval are met, the city manager may issue a special event permit specifying such conditions as will protect the health, safety and welfare of the public and will protect adjoining properties. Each permit shall specifically define all provisions of this Code modified or waived as part of the approvals for the special event.
- (b) Each special event permit shall be issued for a specific period of time not to exceed three days unless specifically waived by the city manager at the time of permit approval.
- (c) In the case of "repetitive" permits, the period during which the permit repeats is not to exceed three years.

(Ord. No. 1103, § 2, 2-13-07; Ord. No. 2014-02, § 3, 3-4-14)

Sec. 42-22. Permit fees and deposit.

Applicants shall pay an application fee and a deposit as established in the fees and collection procedure manual when making application for special event. The city reserves the right to require and charge for services (pre- and post-event) including police, fire, sanitation, utility usage and grounds maintenance, deemed necessary for the safe coordination and clean-up of any event.

(Ord. No. 1103, § 2, 2-13-07)

Sec. 42-23. Permit cancellation or revocation.

The city manager may cancel any special event if use of the property in any way conflicts with federal state, or local laws; if the event or activities thereof discredit the city; or if the event applicant is in default. The city manager or his designee shall have the authority to revoke a special event permit issued pursuant to this article upon violation of the standards for issuance or conditions for issuance prescribed in this article. During the event,

the sheriff's office shall have the authority to order a ceasing of the event, should the continuance of such event contribute to public disorder or endanger life or property or should he find that the application was fraudulent in any manner. City officials may revoke any/all special event permits when conditions become a public nuisance due to, but not limited to noise, smoke, fumes or additional fire hazards, including a "burn ban" issued by the state or Pinellas County.

(Ord. No. 1103, § 2, 2-13-07)

Secs. 42-24—42-29. Reserved.