



47 or adjacent properties. The town, therefore, adopts these procedures to permit and regulate  
48 activities of this nature.

49

50 **Sec. 51-2. Definitions of special event.**

51

52 (a) ~~For the purpose of this Chapter, “special event” means an organized gathering of~~  
53 ~~persons for a limited duration, whether commercial or noncommercial in nature, held on public~~  
54 ~~or private property, which has an impact on health, fire, police, or other services which exceeds~~  
55 ~~those regularly provided by the town. A special event includes, but is not limited to, an event~~  
56 ~~which:~~

57

58 (1) ~~Requires street closings or detours;~~

59

60 (2) ~~Utilizes town property to an extent above normal usage;~~

61

62 (3) ~~Requires additional off site parking facilities that are not contiguous to~~  
63 ~~where the event is being held, to accommodate overflow parking, or requires a bus or shuttle~~  
64 ~~service to the event.~~

65

66 (4) ~~Requires the temporary suspension of established town parking~~  
67 ~~regulations.~~

68

69 (5) ~~Requires dedicated traffic control.~~

70

71 (6) ~~Requires additional seating accommodations outdoors to prevent exceeding~~  
72 ~~the seating capacity established by law; or~~

73

74 (6) ~~Requires fire watch or emergency medical personnel on, adjacent to, or~~  
75 ~~in the vicinity of the premises.~~

76

77 (b) ~~Normal day to day operations of licensed establishments within the town are not~~  
78 ~~considered special events; however, if an establishment holds an event which is not typically~~  
79 ~~considered special, but which, due to unanticipated increased attendance or additional~~  
80 ~~activities, has any characteristics of a special event pursuant to this section, the establishment~~  
81 ~~shall thereafter seek a special event permit if it holds the event in the future.~~

82

83 The following words, terms and phrases, when used in this chapter, shall have the  
84 meanings ascribed to them in this section, except where the context clearly indicates a different  
85 meaning:

86

87 “Applicant” means the sponsor or authorized agent of the sponsor who completes the  
88 special event and other applicable applications and acts as the primary contact person for the  
89 special event.

90

91 “Late Submittal Fee” is a fee assessed to recuperate those unascertainable costs  
92 associated with the diversion of public resources, personnel and services to the evaluation of

93 or response to an anticipated, occurring, or previously transpired event where the relevant  
94 public entities had little or no notice of the needed evaluation or response.

95  
96 “Special Event” is an organized and non-routine event held for a limited duration within  
97 the corporate limits of the town of Ponce Inlet, either in whole or in part, on public or private  
98 property that meets one or more of the following four criteria:

99  
100 (a) based upon the findings of the planning and development director or designee,  
101 the anticipated attendance will exceed the on-site parking capacity of the  
102 premises to include consideration of any elimination of parking spaces due to  
103 temporary structures set up in approved parking areas (excluding vehicles  
104 legally parked on Town streets or other Town right-of-way); or

105  
106 (b) based upon the findings of the fire chief or designee, the anticipated attendance  
107 will exceed the seating capacity and the occupancy rate of the premises as  
108 established by law; or

109  
110 (c) based upon the findings of the police chief, fire chief, public works manager, or  
111 designees, other town services beyond those that are regularly provided, such as  
112 emergency medical services, garbage cleanup, or street closures must be  
113 provided; or

114  
115 (d) The event impinges upon any adjacent public, commercial or residential areas  
116 and involves setting up temporary structures such as tents (excluding 10’x10’  
117 popup), stages, portable toilets, high-intensity lighting, or other such activities  
118 (single family residents may be excluded provided no impact on Town other  
119 than up to two (2) police officers assigned under billable overtime to address all  
120 traffic concerns).

121  
122 Special events may include, but are not limited to athletic events, fishing tournaments,  
123 surfing contests, sailing regattas, carnivals, concerts, religious events, walk-a-thons,  
124 competitions, block parties, street dances, parades, car and boat shows, art and craft shows,  
125 merchandising sales, bazaars, photography and video productions, or other similar activities  
126 which meet this definition. Normal day-to-day operations of licensed establishments within  
127 the town are not considered special events. However, if an establishment holds an event which  
128 is not typically considered special, but which, due to unanticipated increased attendance or  
129 additional activities, has any characteristics of a special event pursuant to this section, the  
130 establishment shall thereafter seek a special event permit if it holds the event in the future.

131  
132 “Special event review committee” is a staff committee composed of representatives of  
133 the public works department, the fire department, the police department, the planning and  
134 development department, the special events coordinator, and other members appointed by the  
135 town manager tasked with reviewing the special event applications.

137 “Special events coordinator” is a staff member appointed by the town manager to  
138 coordinate the application process, serve as the liaison to the applicant, and is a member of the  
139 special events review committee.

141 “Town sponsored event” means that the town, solely or in partnership with other  
142 entities, produces and/or coordinates the event, after determining that the event:

143  
144 (a) provides a local commemoration of a national holiday; or

145 (b) provides cultural enrichment or recreational experiences to town residents that  
146 are not otherwise routinely available in the community.

147  
148 **Sec. 51-3. Event disclosure.**

149  
150 All those seeking to hold an event within the Ponce Inlet Town limits, either in whole  
151 or in part, are encouraged to provide details of the event to the town’s special event coordinator  
152 for determination whether the event is a special event requiring a special event permit. The  
153 special event coordinator shall forward the information to the members of the special event  
154 review committee for their review and comment. If it is determined that the activity will trigger  
155 one or more of the special event criteria, the event organizer will be asked to submit a special  
156 event application.

157  
158 If based on the information provided to the special event coordinator, it was determined  
159 that the activity will not constitute a special event, however the scope of stated activities  
160 changes during the event by utilizing additional off-street parking, creating impact on town  
161 services and/or causing extra expense to the town, the event holder will be required to apply  
162 for after-the-fact permit, be subject to the full permit fee, a 100% late submittal fee, and  
163 reimburse the town for any additional expenses that the town incurred. In such cases, similar  
164 future events by the event holder shall be treated as special events.

165  
166 **Sec. 51-34. Permit required.**

167  
168 (a) — ~~No person shall advertise, engage in, participate in, aid, form, or start~~ hold any special  
169 event unless a permit shall ~~is first have been obtained from the as assigned by the~~ Town  
170 Manager.

171  
172 **Sec 51-5. Exceptions to Permit Requirements**

173  
174 (b) — Exceptions. This section shall not apply to:

175  
176 (1a) Funeral processions.

177 (2b) Lawful picketing. Lawful picketing shall be conducted off the street or roadway  
178 and not in a manner as to obstruct vehicular or pedestrian traffic. Any lawful  
179 picketing which crosses, traverses or is otherwise conducted in or upon any street  
180 or roadway shall not be exempted from the permit requirement.

181 (3c) Activities of governmental agency acting within the scope of its governmental  
182 authority.

183 ~~(4) Events sponsored by the town.~~

184 (d) Normal activities associated with the operation of the Community Center, as  
185 contemplated by the Agreement between the Town and the Ponce Inlet Community  
186 Center, Inc., so long as such activities do not meet the characteristics set forth in  
187 the definition of special event, section 51-2 herein.

188 (5e) ~~Normal day to day~~ activities associated with the operation of the Lighthouse  
189 ~~property by the Lighthouse Preservation Association,~~ as contemplated by the  
190 agreement between the town and the Ponce Inlet Lighthouse Preservation  
191 a Association, Inc., so long as such activities do not violate the restrictions set forth  
192 in the Quit Claim Deed of the Lighthouse property to the Town of Ponce Inlet and  
193 do not meet the characteristics set forth in the definition of special event, section  
194 51-2 herein.

195 (e) The majority of an event takes place in another jurisdiction, and causes minimal  
196 impact on the Town.

197  
198 **Sec. 51-46. Application for permit.**

199  
200 Any person seeking ~~the issuance of~~ a permit for a special event shall file an application  
201 with the ~~Development Services Department or other Department as assigned by the town's~~  
202 cultural services department Manager.

203  
204 (1-a) *Filing period.* An application for a permit shall be filed not more than ~~270~~365  
205 and not less than ~~45~~28 days before the date and time which the proposed special event is to  
206 take place. The application shall be signed by the applicant, ~~whose signature shall be and~~  
207 notarized. Application for sponsorship by the town must be submitted no later than 45 days  
208 prior to the date of the event.

209  
210 (2-b) *Contents.* The application for a permit shall include the following information  
211 and such other information as may be reasonably required:

212  
213 a-1. ~~The name, place of residence, mailing address, email address, and~~  
214 telephone number of the applicant and the person responsible for conducting the event person  
215 seeking to conduct the event;

216 b-2. If the event is to be conducted for, on behalf of, or by an organization, the  
217 name, address, telephone number (should be the most reliable number available), and fax  
218 number (if available) of the headquarters of the organization and of the authorized and  
219 responsible heads of such organization;

220 e. ~~The name, place of residence, mailing address and best contact telephone~~  
221 number of the individual person responsible for the conduct of the event;

222 ~~d.~~ 3. The dates and time schedule for the event;

223 e. 4. The exact location of event;

224 5. The purpose of the event;

225 f. 6. The nature and types of activities that will occur;

226 g. 7. A description of any and all recording equipment, sound amplification  
227 equipment, banners, signs, or other attention-getting devices which will be utilized in  
228 connection with the event;

229                    ~~h. 8.~~ The approximate number of ~~spectators and participants~~ attendees present  
230 or participating in the event as well as any animals by type;  
231                    ~~i. 9.~~ The designation of off-site parking areas and written permission from the  
232 owners;  
233                    ~~j. 9.~~ ~~The purpose of the event;~~  
234                    ~~k. 10.~~ A designation of any public right of way, property, buildings, facilities  
235 or equipment proposed to be utilized;  
236                    ~~l. 11.~~ County permit if county roadway is to be used.  
237                    ~~m. 12.~~ ~~An indemnification agreement~~ in favor of the town and included as part  
238 of the application shall be executed by an authorized representative of the applicant. The  
239 organization will not be required to indemnify the town for the negligent acts of the town's  
240 employees or agents;  
241                    ~~n. 13.~~ If the event is a parade, the following additional information shall be  
242 required:  
243                    ~~1-a.~~ The exact location or any marshalling or staging areas for the  
244 parade;  
245                    ~~2-b.~~ The time at which units of the parade will begin to arrive at the  
246 staging areas and the times at which all such units will be disbursed there from;  
247                    ~~3-c.~~ The exact route to be traveled, including the starting point and  
248 termination point;  
249                    ~~4-d.~~ The approximate number of persons who, and animals and vehicles  
250 which, will constitute the parade, the types of animals and description of the vehicles;  
251                    ~~5-e.~~ A statement as to whether the parade will occupy all or only a  
252 portion of the width of the street, roadway, or sidewalks to be used.  
253                    ~~6-f.~~ Method of cleaning the area after the event and/or mitigating any  
254 potential environmental impacts.  
255                    ~~o. A copy of all permits issued to participating transient merchants.~~  
256                    ~~p. 14.~~ The planned duration of the event including the times the event begins  
257 and ends. If the event is to occur over the course of more than a single day, the application  
258 shall include the number of days of the event as well as the times for each day the event begins  
259 and ends.  
260                    ~~q. 15.~~ A drawing showing the location of any temporary structures, such as tents,  
261 stage, portable toilets, and high-intensity lighting. A permit issued in accordance with the Code  
262 of Ordinances shall be required of all temporary structures. No permanent structures shall be  
263 allowed to be erected for purposes of special events.  
264                    ~~r. 16.~~ A drawing showing the means of vehicular and pedestrian ingress and  
265 egress to and from the special event.  
266                    ~~s. 17.~~ If temporary lighting is to be used, a description of such lighting,  
267 together with a drawing if desirable, showing that the lighting will not adversely affect  
268 adjacent properties.  
269                    ~~t. 18.~~ Statement of extra security, police, fire, and other services and support  
270 required which exceed those regularly provided by the town.  
271                    ~~u. Statement of previous special events permitted by the town in the current~~  
272 ~~calendar year.~~  
273                    ~~v. 19.~~ Public liability and property damage insurance ~~information~~ policy as  
274 required in section 51-79.

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319

(3-c) Fees.

a-1. A ~~permit nonrefundable application~~ fee in an amount to be established by resolution of the town council to cover the expenses incident to processing shall be paid to the Town of Ponce Inlet prior to the issuance of the permit at the time the application is filed.

b-2. If the application is for the use of any town-owned property or if any town services shall be required for the event, the applicant shall pay, prior to the issuance of a permit, the projected cost to the town for services provided. Upon completion of the event, the exact charges for town services will be totaled and the permittee may be subject to additional charges or a partial refund.

3. Late Submittal Fee. All applications that do not meet the minimum 28 day criteria prior to the date of the event application filing requirement shall be charged a late submittal fee in addition to the standard permit fee based on the number of days remaining to the event date. The late submittal fee schedule is as follows:

<u>Days prior to event date:</u>	<u>% of permit fee added to total fee:</u>
<u>21 - 27</u>	<u>25%</u>
<u>14 - 20</u>	<u>50%</u>
<u>8 - 13</u>	<u>75%</u>
<u>0 - 7</u>	<u>100%</u>

4. Response time. The town shall will make every effort to approve, approve with conditions, or deny the application within 214 days from receipt of the fully completed application. This review time period will be condensed for a late submittal application having paid the appropriate late submittal fee.

**Sec. 51-5 51-7. Town services for special event.**

(a) Police protection.

~~After obtaining as much information as the town reasonably deems necessary regarding~~  
a-Upon receipt of the permit application, the chief of police or designee shall determine whether and to what extent additional police or security protection reasonably will be required for the event for purposes of traffic, crowd control and security. In making this determination, the chief of police shall consider those factors set out in section 51-4(2). If additional police, or security protection, or equipment/supplies are needed for the event, is deemed necessary by the chief of police, he or she shall notify the special event coordinator to so inform the applicant for the permit. The Chief of Police shall consider what additional manpower, equipment and supplies are needed, as well as any other items or expenses which will be necessary. The applicant then shall have the duty to secure police or security protection acceptable, and

320 equipment/supplies acceptable to the chief of police at the sole expense of the applicant and  
321 shall prepay the expenses of such protection and any equipment/supplies as required.  
322

323 **Sec. 51-6.**

324 (b) Fire protection and emergency medical services.  
325

326 ~~(1) After receiving notification of the intended event Upon receipt of the permit~~  
327 ~~application, the fire chief shall determine whether and to what extent additional make~~  
328 ~~determination as to the need for on-site fire watch or emergency medical personnel will be~~  
329 ~~required for the event. The fire chief shall consider such factors as the location, number of~~  
330 ~~anticipated participants and spectators, and type of event, including the application of~~  
331 ~~appropriate codes and ordinances. If fire watch and/or emergency medical personnel, or~~  
332 ~~equipment/supplies are needed for the event, are deemed necessary by the fire chief, he or she~~  
333 ~~shall notify the special event coordinator to so inform the applicant for the permit, who shall~~  
334 ~~have the responsibility to secure from the town fire watch/emergency medical personnel at the~~  
335 ~~sole expense of the applicant and shall prepay the expenses of such protection. The applicant~~  
336 ~~then shall have the duty to secure fire watch and/or emergency medical personnel, and~~  
337 ~~equipment/supplies acceptable to the fire chief at the sole expense of the applicant and shall~~  
338 ~~prepay the expenses of such protection and any equipment/supplies as required.~~  
339

340 (2) ~~The conduct of the event shall not introduce extraordinary hazards to fire~~  
341 ~~protection and/or life safety in the immediate or adjacent areas.~~  
342

343 (c) Public works assistance.  
344

345 Upon receipt of the permit application, either the department or division head of public  
346 works shall determine whether and to what extent public works assistance will be required for  
347 the event for purposes of ensuring the area is maintained in a clean and sanitary manner and  
348 for any set-up / take-down needs. If public works assistance or equipment/supplies are needed  
349 for the event, the public works department/division head shall notify the special event  
350 coordinator to so inform the applicant for the permit. The public works department/division  
351 head shall consider what additional manpower, equipment or supplies are needed, as well as  
352 anything else which will be necessary based upon the description of the event or past  
353 experience with the event. The applicant may submit a plan for consideration by the public  
354 works director/manager to cover these needs, if they prefer to avoid this cost. If this plan is  
355 not deemed adequate or the applicant prefers to hire the Town's public works staff for the  
356 event, the applicant then shall have the duty to secure public works personnel and  
357 equipment/supplies at the sole expense of the applicant and shall prepay the expenses of any  
358 town personnel and any equipment/supplies as required.  
359

360 **Sec. 51-78. Standards and conditions for issuance of permit Application Review Process.**  
361

362 (a) Standards and conditions for issuance of permit. The special event review committee  
363 will make every effort to review the application for a special event permit within 14  
364 days of receiving the completed application. Upon review of the application by special  
365 event review committee, tThe town manager or designee shall may issue a permit as



366 provided herein upon certification from the town's department directors, based upon  
367 the following standards and conditions:  
368

369 1(a). The conduct of the event will not substantially interrupt the safe and  
370 orderly movement of other pedestrian or vehicular traffic in, ~~or contiguous to the route or~~  
371 ~~location~~ the vicinity of the event.

372 2(b). The conduct of the event will not require the diversion of so great a  
373 number of public safety personnel or equipment of the town to properly secure the event area  
374 and the areas contiguous thereto, as to prevent current level of public safety services from  
375 being furnished to other parts of the town.

376 3(c). The event shall not take place until inspections of the special event site  
377 have been conducted by the appropriate departments to determine whether this ordinance and  
378 any conditions of the special event permit have been met or satisfied.

379 4(d). The concentration of persons, animals and/or vehicles at the event will  
380 not unduly interfere with proper fire and/or police protection of, or ambulance service to, areas  
381 contiguous to the event area or other areas of the town.

382 5(e). The conduct of the special event is not reasonably likely to cause injury  
383 or intended to cause injury to persons or property, create an environment not compatible with  
384 a residential neighborhood if within or abutting a residential neighborhood, or to result in  
385 disorderly conduct as defined by town ordinance or state statutes, provided that the town may  
386 not deny a permit solely on the basis of the proposed content of speech or ideas of the group  
387 involved.

388 (f). The conduct of the event shall not introduce extraordinary hazards to fire  
389 protection and/or life safety in the immediate or adjacent areas.

390 6(g). Adequate sanitation and other required health facilities are, or will be,  
391 made available in or adjacent to the event area. These include restrooms, trash receptacles, or  
392 anything normally required by the health department.

393 7(h). The conduct of the special event must be in accordance with the town's  
394 noise ordinance.

395 8(i). There are sufficient parking places on site and/or written approvals from  
396 off-site property owners where off-site parking is to occur, to accommodate the approximate  
397 number of automobiles expected to be driven to the special event.

398 9(j). Precautions will be taken to ensure protection of landscaping and  
399 irrigation systems.

400 10(k). The applicant has secured security personnel or police, fire / emergency  
401 medical services protection and public works services, if any, are required under this  
402 procedure. If applicant has secured police, fire / emergency medical services, or public works  
403 services from the town, (s)he must prepay the expenses thereof.

404 11(l). The applicant shall obtain publicPublic liability and property damage  
405 insurance, with the town named as an additionally insured party, ~~shall be obtained by the~~  
406 ~~applicant~~ for any special event that is held on town property or that utilizes town facilities, in  
407 an amount approved by the town, as recommended by the town's insurance carrier~~after~~  
408 ~~consideration of the factors set out in section 51-4(2).~~ The applicant shall place on file with  
409 the town a certified insurance policy issued by a company authorized to do business in the  
410 State.

411           ~~12. (m).~~ Application for a special event permit shall constitute an agreement by  
412 the applicant to pay for town personnel expenses and extraordinary services provided by the  
413 town, including any repairs, renovations and/or landscaping and turf restorations or  
414 replacement of town property which is necessitated by virtue of the special event.

415           ~~13. (n).~~ Any temporary lighting will not adversely affect adjacent properties.

416           ~~14. (o).~~ No applicant shall be granted a permit for an event that is to occur over  
417 a period longer than seven consecutive days.

418           ~~15. (p).~~ No applicant shall be granted more than twelve special events permits  
419 in a single calendar year.

420  
421           ~~(b) At his or her discretion, the town manager or designee may waive the~~  
422 ~~requirement that an application be submitted no sooner than 45 days before a proposed special~~  
423 ~~event date, upon proof by the applicant that mitigating or unforeseen circumstances have~~  
424 ~~occurred, making it impractical or impossible for the applicant to file an application 45 days~~  
425 ~~or more prior to the event. However, applicant shall be required to satisfy all other~~  
426 ~~requirements of this Ordinance.~~

427

428 **Sec. 51-89. Denial of application and revocation of for permit.**

429

430 (a) The town manager or designee may deny ~~an application~~ a permit or revoke a permit for  
431 failure of the applicant to satisfy the applicable standards set forth in this ~~Ordinance~~  
432 chapter and the requirements of the permit.

433  
434 (b) ~~The town manager or designee~~ A special event permit may deny an application for  
435 permit on any of ~~be denied or revoked under~~ of the following grounds ~~circumstances:~~

436

437 (1) The application, including any required attachments and submissions, is not fully  
438 completed and executed;

439 (2) The applicant has not tendered the required ~~application~~ permit fees or projected  
440 costs, indemnification agreement, or insurance certificate;

441 (3) The application contains a material falsehood or misrepresentation;

442 (4) The applicant is legally incompetent to contract or to sue or be sued;

443 (5) The applicant or the person on whose behalf the application was made has on prior  
444 occasions damaged town property and has not paid in full for such damage, or has  
445 other outstanding and unpaid debts to the town;

446 (6) A fully executed application for a special event permit for the same time and place  
447 has previously been submitted, and a permit has been or will be granted to the prior  
448 applicant authorizing uses or activities which do not reasonably permit multiple  
449 occupancy of the particular property;

450 (7) A fully executed application for a special event permit has previously been  
451 submitted for the same time and at a location in the vicinity, and a permit has been  
452 or will be granted to the prior applicant authorizing uses or activities which are  
453 incompatible with the subsequent application; or an additional special event will  
454 create a safety hazard or place an undue burden on the citizens or the town's  
455 resources, services, and roadways;

- 456 (8) The proposed use or activity is prohibited or inconsistent with the town's  
457 comprehensive plan or land use and development code or is otherwise prohibited  
458 by law;
- 459 (9) The use or activity intended would present an unreasonable danger to the health or  
460 safety of the applicant or others;
- 461 (10) The applicant has not complied or cannot comply with other ordinances of the town  
462 concerning the sale or offering for sale of any goods or services;
- 463 ~~(11) The use or activity intended is prohibited by law.~~
- 464 (11) The applicant has failed to clean up or repair a previously permitted site or  
465 building, necessitating the town to perform these functions following the  
466 conclusion of the event;
- 467 (12) Once notified, the promoter and/or property owner failed to require the removal of  
468 a vendor not in compliance with local ordinances, fee schedules, and other  
469 applicable regulations; or
- 470 (13) Other conditions such as additional permitting and licensing requirements and fee  
471 payments have not been met.
- 472

473 (c) Should the ~~application~~ permit be denied/revoked, the town shall notify the  
474 applicant within five working days of the denial/revocation. This notification shall include the  
475 reasons for the denial/revocation of the permit, and shall advise of the appeal procedure set  
476 forth in this Ordinance.

477

478 **Sec. 51-10. Recurring special events.**

479

480 A special allowance may be made for one annual application to be submitted each calendar  
481 year for special events of similar type and durations as follows:

482

- 483 (a) The application will be reviewed once; therefore, only one permit fee will be  
484 assessed. All scheduled dates of the special event for the upcoming calendar year  
485 shall be listed on the application.
- 486 (b) The applicant is responsible for notifying the special events coordinator of any  
487 modifications to its annual application at least 28 days prior to the scheduled  
488 recurring event.
- 489 (c) If a natural disaster or other extenuating circumstances beyond the applicant's  
490 control causes the cancellation or rescheduling of a recurring special event, the  
491 applicant shall submit a written request to modify the application. The special  
492 events review committee will review and make a determination on a case-by-case  
493 basis.
- 494 (d) If the scope of the special event changes from what was proposed on the application  
495 for that year, the applicant shall submit a new application at least 28 days prior to  
496 the event. Changes necessitating one or more additional meetings of the special  
497 event committee will be subject to a new permit fee.
- 498

499 If the notice of a change in the scope of the special event is received from the applicant less  
500 than 28 days prior to the event, a late submittal fee will be applied. The late submittal fee will  
501 be a stand-alone fee if no additional special event committee meetings are necessary. If the







