

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF ORDINANCES ENTITLED "SPECIAL EVENTS"; UPDATING LANGUAGE IN SECTIONS 102.02, 102.03, 102.04, 102.07; CREATING A PERMIT FOR BEACH WEDDINGS IN SECTION 102.04; REMOVING THE THIRTY DAY ADVANCE SUBMISSION REQUIREMENT FOR STATE, COUNTY, AND CITY PERMITS IN SECTION 102.06; PROVIDING FOR THE CITY MANAGER AND/OR HIS/HER DESIGNEE'S WAIVER OF FINANCIAL ACCOUNTABILITY REQUIREMENTS IN SECTION 102.13; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 102 of the Code of Ordinances establishes the regulations and procedures for Special Events within the City of Hollywood; and

WHEREAS; special events play a vital role in improving the civic health of the community; and

WHEREAS, in order to best provide Special event service to the community it is necessary to regularly review and amend or update Chapter 102 in the Code of Ordinances to reflect the changes in the communities needs as well as the Special Events profession; and

WHEREAS, in the following section the Director of Parks, Recreation and Cultural Arts and city staff have determined it necessary to further define areas and stream-line processes to reflect current community areas of participation; and

WHEREAS, the City Commission finds that these amendments to the Code of Ordinances are in the best interest of the public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That Chapter 102 of the Code of Ordinances entitled "Special Events" is hereby amended as follows:

(Coding: Words in ~~struck-through~~ type are deletions from existing law; words underscored are additions)

TITLE IX: GENERAL REGULATIONS

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CHAPTER 102: SPECIAL EVENTS

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§ 102.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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CITY-SPONSORED EVENT. An event which ~~is in major part initiated, financed and executed by the city and approved by the City Commission as a city-sponsored event~~ offers a specific, defined benefit to the local community, in whole or in part, and which is approved by the City Manager or his designee as a city-sponsored event. Examples of city-sponsored events include the annual Latin Festival St. Patrick's Day Parade and business workshops, conferences, expos, trade shows and networking events. ~~It does not include events in which the city is merely listed as a co-sponsor if the city does not carry a major share of the burden of initiating, financing and executing the event.~~

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SPECIAL EVENT. A Special Event shall mean concerts, festivals, athletic events including races, walks, runs, triathlons, fundraising events, circuses, carnivals, shows, exhibitions, public amusement events by an organization, and other events, whether operated totally outdoors, on stage, under tents or with the use of temporary buildings or structures, to which members of the public are invited as participants or spectators and which may include entertainment, dancing, music, dramatic presentations, art exhibitions, parades, or the sale of merchandise, food, or alcohol, or any combination of the foregoing; and/or which of necessity requires for its successful execution the provision and coordination of municipal services to a degree over and above that which the city routinely provides under ordinary everyday circumstances. The definition of special event, used in this chapter, does not include events which are solely political demonstrations, unless such political demonstration is proposed as an integral part of a larger event, as defined herein.

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(A) The Director shall be charged with the responsibility of determining whether or not a particular applicant shall be entitled to a Special Event Permit pursuant to this chapter. In determining whether to grant or deny a particular application, the Director shall take into account the effect the proposed Special Event will have upon the

city's resources and the public health and safety. The Director shall take into account the frequency with which such events are held and the convenience of the public in relation thereto. In no event shall the Director issue any Special Event Permit until such time as the City's Fire Marshal approves the application in writing indicating the Fire Department's approval that all relevant fire and life safety issues have been adequately addressed. In addition, the Director shall not issue any Special Event Permit until the following appropriate Departments and Divisions have approved the application: ~~City Manager or his/her designee, Police Department, Public Works, Neighborhood Programs and the Department of Planning and Development Services.~~ In addition to the above criteria, in making the decision whether to grant the Special Event Permit, the Director shall also take the following matters into consideration:

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§ 102.04 APPLICATIONS.

(A) Any person or organization desiring to hold a Special Event (the "applicant") shall make application for a Special Event Permit ~~no later than 60 days prior~~ to the Director. Such application shall be accompanied by a nonrefundable application fee which shall be established by resolution of the City Commission. The application shall include the following information:

~~(A)~~(1) The name of the Special Event and its purpose.

~~(B)~~(2) The name(s) of the person(s) or organization(s) sponsoring the Special Event, together with the addresses and telephone numbers of all such persons or organizations.

~~(C)~~(3) The proposed date or dates of the proposed Special Event.

~~(D)~~(4) The specific location(s) within the city where such Special Event is being held. At the time of application, Applicant shall submit a site plan describing the layout of the Special Event, including the locations of each and every booth and/or ride and public facilities. In situations where the proposed Special Event will be held within 500 feet of residential property, the sponsors or operators of the event must notify the property owners of the proposed event and submit adequate proof to the Director of their obtaining written waivers of objection for the specific use, length of time and hours of operation for the event, from at least 80% of the property owners (or residents, if said property owner does not reside on his property) within said 500 feet. The said 500 feet shall be measured from the ~~perimeter of all proposed location, rather than from the outside perimeter of the boundaries of the proposed location~~ property lines, and all such activity must remain within the proposed perimeter or the permit may be revoked.

~~(E)~~(5) The number of persons estimated to be in attendance at such event or festival.

~~(F)~~(6) Whether any street closings are requested and, if so, which streets and ~~when~~ the applicable date(s) and time(s).

~~(G)~~(7) Whether any beer, wine or other alcoholic beverages are expected to be present and/or sold for public consumption, together with a detailed proposal for such sale, indicating among other things, who is expected to be the vendor or vendors, whether such vendors presently hold any type of license for the sale and/or consumption of alcoholic beverages and stating the exact locations and times for such sales.

~~(H)~~(8) Whether any temporary out dorr structures are proposed to be built, describing them in detail.

~~(I)~~(9) Whether any signs or banners are proposed to be erected, giving details.

~~(J)~~(10) A proposed budget for the Special Event prepared by the applicant and information on how the gross revenues shall be allocated.

~~(K)~~(11) Whether entertainment will be involved, giving details as to the nature, time and place.

~~(L)~~(12) Whether the applicant proposes either in whole or in part to hire off-duty personnel of the Police Department and the Fire Department to assist in security, traffic control and other matters, giving details.

~~(M)~~(13) Whether utility services such as electrical power or water will be required, specifying the amount and type.

~~(N)~~(14) Whether electrical wiring shall be installed, specifying installation details.

(B) Any person or organization desiring to hold a Beach Wedding shall make application for a Beach Wedding Permit to the Director. Such application shall be accompanied by a nonrefundable application fee which shall be established by resolution of the City Commission. The application shall include the following information:

(1) The name of applicant and general information of persons being married.

(2) The proposed date and time of the Beach Wedding.

(3) The name and contact information for all vendors supplying equipment for the Beach Wedding to be placed on the sandy beach or public right of way.

(4) The specific location(s) within the barrier island where such Beach Wedding is being held. At the time of application, Applicant shall submit a site plan describing the layout of the Beach Wedding, including the locations of each and every structure including but not limited to table(s), chairs, arches. In situations where the proposed Beach Wedding will be held within 500 feet of residential property, the Applicant must notify the property owners of the proposed Beach Wedding and submit adequate proof to the Director of their obtaining written waivers of objection for the specific use, length of time and hours of operation for the Beach Wedding, from at least 80% of the property owners, or occupants within said 500 feet. The said 500 feet shall be measured from the outside perimeter of the boundaries of the property lines and all such activity must remain within the proposed perimeter or the permit may be revoked.

(5) The number of persons estimated to be in attendance at Beach Wedding.

(6) Whether any temporary outdoor structures are proposed to be built, and describing them in detail.

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§ 102.06 APPROVAL.

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(B) Upon approval of the Special Event Permit by the Director, the applicant shall obtain all other state, county or city permits ~~no later than 30 days prior to the scheduled Special Event.~~

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102.07 OTHER PERMITS.

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(B) Building permits. An applicant shall obtain the applicable permits including, but not limited to: electrical, plumbing, mechanical, and structural, from the ~~appropriate City Department~~ ~~City's Department of Planning and Development Services Building Department~~ ~~30 days prior to the scheduled Special Event.~~ An applicant may be required to obtain other permits pursuant to state law, city ordinances and the Florida Building Code, in effect in Broward County, Florida, as revised from time to time. The ~~appropriate City Department~~ ~~Department of Planning and Development Services Building Department~~ shall make inspections deemed necessary to ensure that all Building Code Standards are being followed at the Special Event. Non-compliance of any Building Code Standards may be cause for either revocation of the Special Event Permit or Partial Revocation of the Special Event Permit and the prohibition of any feature or aspect of the Special Event.

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§ 102.13 WAIVER OF FINANCIAL ACCOUNTABILITY REQUIREMENTS.

For non-profit, charitable or civic organizations residing within Broward County and/or which offer a defined benefit to the local community, the ~~City Commission~~ City Manager or his/her designee may, ~~by resolution~~, approve a waiver of all or a portion of the application fee, or associated costs as appears in the Parks, Recreation and Cultural Arts Schedule of Fees and Charges, approved by resolution of the City Commission ~~cost for extra personnel hours or a waiver of the requirement that the applicant provide the city with a certificate of insurance as required by this chapter~~, upon a showing by the applicant of undue financial hardship. The ~~resolution~~ waiver shall contain the specific monetary amount waived by the ~~City Commission~~ City Manager or his/her designee. Such fee waiver shall be requested by the applicant ~~no later than 45 days~~ prior to the commencement of the Special Event. In considering whether to waive certain fees as provided for by this chapter, the applicant, in addition to submitting an executed application with the Director, shall submit to the ~~City Commission~~ City Manager or his/her designee for their review a proposed budget for the proposed Special Event and a detailed explanation of how the gross revenues from the Special Event will be allocated. The city also reserves the right to request and review the revenues and expenditures of all Special Events that receive a waiver in whole or in part.

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Section 2: That it is the intention of the City Commission and it is hereby ordained that the provisions of this ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the sections of this Code may be renumbered to accomplish such intention.

Section 3: That the City Manager or his/her designee may approve a waiver of all or a portion of the application fee, or cost for extra personnel hours or a waiver of the requirement that the applicant provide the city with a certificate of insurance as required by this chapter, upon a showing by the applicant of undue financial hardship.

Section 4: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 5: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.
AN ORDINANCE AMENDING CHAPTER 102 ENTITLED 'SPECIAL EVENTS'.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised _____, 2015.

PASSED on first reading this _____ day of _____, 2015.

PASSED AND ADOPTED on second reading this _____ day of _____, 2015.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL
CITY ATTORNEY