

# CITY OF DEBARY SPECIAL EVENT POLICIES & PROCEDURES



The City of DeBary is committed to facilitating a wide range of special events that foster a sense of community by providing cultural enrichment, promoting economic development, bolstering community identity and pride, and providing fundraising opportunities for the community's non-profit agencies. In order to ensure that all events are conducted in a safe and orderly fashion, weighing the social and economic benefit of the event with the general public's well-being, oversight of all special events is the responsibility of the Parks and Recreation Department. The following definitions and policies regarding organization of events within City limits have been adopted. Please read the following rules and regulations carefully. The applicant agrees to abide by the rules and regulations for special events within City limits. Failure to comply with the terms of this policy will result in forfeiture of applicable deposits or additional fees if no deposit is required.

## I. Definitions

- A) **Activities that require a Special Event Permit:** The City shall require a special event permit for any event, meeting, activity, gathering, or assembly of a group of persons, having a common purpose, design or goal, held upon any private or public property in a nonresidential area, where the event substantially inhibits the usual flow of pedestrian or vehicular traffic on the surrounding public property, including but not limited to streets, sidewalks, alleys, and public parks, or preempts use by the general public requiring City services to ensure safety and coordination. Special events include activities, but are not limited to, festivals, parties, social gatherings, concerts, sporting events, parades, walks and runs.
- B) **Reoccurring Events:** Any one parcel cannot have more than one event permit per month unless the property owner submits a Site Plan Amendment. When something is happening regularly on private property it is no longer a "special" event but a secondary use of the property that should be subject to additional review by the City Manager and City Council. Reoccurring Events include, but are not limited to, ongoing Farmer's Markets, Food Truck Bazaar's, etc.
- a. Recurring special events occurring in the same fiscal year 10/1 – 9/30 are required to complete ONE application. If event details change significantly, such as parking plans, site plans, and/or locations, a new application will be required.
- C) **Applicant:** An organization or individual that is responsible for all aspects of an event or performance (advertising, marketing, talent costs, insurance, hold harmless agreement, etc.) and is responsible for all revenue and expenses for that event.
- D) **Sponsor:** A business, organization, agency or individual who gives cash or in-kind product or service to support an applicant of an event or production by agreement, for the benefit of that agency, business, organization or person.

- II. **Event Classifications:** City staff will take into consideration a variety of factors to determine the classification of the special event. These will include, but not be limited to, total event costs, attendance projections, safety and traffic requirements, event activities, and previous event history. All cost and attendance estimates must be approved by the Parks and Recreation Department, as well as the City Manager to ensure the special event is classified in the appropriate tier.

- A) **Major Event** – An event of one or more day in duration with either an estimated attendance of 300 or more people or a cost of \$1,000 or more for City services, staff overtime and equipment use. Estimated attendance includes staff, registered participants, and all event attendees.
- B) **Minor Event** – An event of one day or less duration, with both an estimated attendance of less than 300 and a cost of under \$1,000 for City services, staff overtime and use of equipment. Estimated attendance includes staff, registered participants, and all event attendees.

The City must receive the special event application at least 30 days prior to the event. Event applicants are required to pay full costs for any equipment or supplies that the City may be required to rent or purchase for the event.

### III. **General Policies**

Parks and Recreation staff shall review the application to determine if the event can be accommodated. The Parks and Recreation Department shall meet with the applicants and sponsors to review the completed packet of information on the proposed event, including a tentative site plan and all activities involved with the event.

- A) **Permits and Licenses:** Event applicants are required to obtain all City, State, County and Health Department permits, licenses and/or inspections as may be needed and have copies of them included with the application.
- B) **Event Promotion:** Event applicants are primarily responsible for event promotion, marketing and advertising. City assistance may be provided upon request and City Manager approval. Use of the City logo on marketing materials will require City approval. Depending on the partnership or involvement of the City, a disclaimer may be required on all marketing materials.
- C) **Insurance:** Event applicants or their contractors are required to submit required certificates of insurance, to include liquor liability when applicable, hold harmless agreements, and any required cash bonds. Insurance certificates may be submitted after the event is approved by the City, but before the event date. Certificate of Liability Insurance of \$1,000,000 is required. Insurance documents will require the City to be an ADDITIONALLY NAMED INSURED.
- D) **Application Exception:** Events held within the City limits of DeBary that do not require City services, City property, City road closures, or City sponsorship will be exempt from the application process unless required by the City Manager.
- E) **Event Fees:** Use of public parks, facilities, and buildings shall require deposits and fees to offset operating and maintenance costs. All required fees, security deposits, authorizations, and other requirements shall be completed prior to scheduling and use of the facility.
- F) **Waiver of Fees:** Waiver of fees and deposits may be issued on a case-by-case basis for DeBary community, civic, and/or non-profit organizations requesting to conduct community-wide events or programs which have open enrollment, registration or attendance by the general public. A Community Based Organization Application must be filled out and returned with a completed special event application. Events or programs sponsored by or co-sponsored by the City of DeBary and groups who have entered into use agreements with the City are included in this category. Co-sponsored events must be approved by City Manager and/or City Council in advance.
- G) **City Services Fees:** All Non-City Sponsored Events are required to pay 100% of all City costs, to include but not be limited to overtime costs and fringe benefits. Use of any City facility for an event that may require temporary sanitary facilities, trash containers and trash collection, Law Enforcement Officers for security or traffic control and/or EMS services must be provided by applicant at the applicant's expense.

- H) Admission Fees: If admission is to be charged to an event on City property, the City will require payment of 15% of the total gate, registration and/or concession proceeds received above the minimum fees and charges for use of that facility. This includes, but not limited to:
  - a. Privately Produced Events
  - b. Non-Profit/Charitable Organization Produced Events
  
- I) Alcohol Policy: A license or permit is required for any business or person to manufacture, import, export, store, distribute or sell alcoholic beverages or tobacco. This includes bottle club establishments that operate for a profit wherein patrons consume alcoholic beverages which are brought onto the premises and are not sold or supplied to the patrons by the establishment. In addition, wine and spirits salespersons must be licensed. Alcoholic beverages are defined as any distilled spirit and all beverages containing one-half of one percent or more alcohol by volume.
  - a. Pursuant to Section 6-5 of the City of DeBary Code of Ordinances governing "Possession of open containers: It is unlawful within the incorporated limits of the city for any person to purchase, use, offer for sale, possess, consume or carry in any cup, glass, can or other open or unsealed container, any alcoholic beverage on the public streets, sidewalks, alleys or rights-of-way or in or upon any parking area or other area outside adjacent to the licensed premises of a vendor of alcoholic beverages. (Ord. #3-96 and 2, 2-6-96).
  
- J) Rental Structures and Equipment: All rentals using structures (such as bounce house, inflatables, carnival games, tents, etc.) must go through a site evaluation and receive authorization from the Parks Maintenance Department prior to event. The use of such structure is restricted to a professional company and requires a \$1,000,000 General Liability Insurance Policy with the City of DeBary listed as an additionally named insured from said company and must be on file with the reservation permit prior to use of the facility. Power for any such structure is not provided at the parks and will require a generator from the company to operate.
  
- K) Trash Removal: All trash is to be thrown away or removed from property at the conclusion of the approved event.
  
- L) Damages: All users will be responsible for expenses in connection with damages and cleanliness issues that arise from use of a City facility.
  
- M) Equal Opportunity: No person, group, or association shall be excluded from use of a City facility because of race, color, creed, or national origin. No organization that discriminates on the basis of race, color, creed or national origin shall be authorized use of a City facility.
  
- N) Religious Events: Church services, religious events, or ceremonies are not allowed at City facilities or parks.

**IV. Submittal Requirement: All applications must be submitted within 30 days of the event date.**

A) **Required Attachments** - Event submittals may require the following (based on the type and size of the event):

1. Certificate of Liability Insurance of \$1,000,000 and the City named as certificate holder/additional named insured. May be submitted after the application for the event has been approved, but before the event date.
2. Site Plan
3. Budget
4. An Event Management Plan for security and safety, which may include accommodating security, first aid, and sheltering measures.
5. A Transportation Management and Parking Plan for traffic control and parking management, which may include accommodating transportation demand management measures.
6. Private Security Plan
7. Alcohol Control Plan
8. Alcohol Liability Insurance
9. Contingency Plan in case of event cancellation. (Refer to Section XII)
10. Pyrotechnic Permit submittals shall be submitted to the Fire-Rescue Department with applicable jurisdiction at least 30 days prior to the scheduled display.
11. Hold Harmless Agreement
12. Maintenance/Clean-Up Plan
13. Entertainment Schedule
14. Set Up and Take Down Schedule
15. Public Health Department Inspection
16. Sign placement plan

B) **Event Staffing**

**Police** – Police or other trained non-sworn personnel may be required

1. At the discretion of the District 6 Commander or his/her designee based upon projected attendance numbers, type of event, traffic/pedestrian concerns, geographic location and site layout.
2. Mandatory police personnel are required for events where alcohol is served or sold by the event applicant, event vendor or other businesses within the event footprint.

**Fire** – Mandatory staffing may be required as determined by the Fire Chief or his/her designee in consultation with the City Manager or his designee when the total estimated crowd at any one time in the venue area exceeds 2,500 people. However, staffing requirements must take into account venue risks, type of activity, and other safety considerations in addition to the size of the event.

**City Staff** – The use of City staff can be requested or may be required based on the size and location of the event. Additional fees may apply.

If the Police/Fire Department determines that there is no undue risk to public safety, then Police/Fire staffing of the event is not necessary.

Event applicants may also, with City approval, substitute other tasks generally performed by the City with volunteers or private contractors, such as trash cleanup.

- C) **Event Payment for City Services** – Event applicants will be required to pay for costs incurred by the City per the following schedule. Event applicants are also required to pay full costs for any equipment or supplies that the City may be required to rent or purchase for the event. These may include but are not limited to generators, portable light towers, variable message boards, barricades, trash boxes, tables, chairs and tents.
- D) **Event Approval** - Minor events will be approved or disapproved at the staff level; all other events will be approved or disapproved by the City Manager.

<b>City Services Outline</b>						
<b>Service</b>	<b>100-500</b>	<b>501-1,000</b>	<b>1,001-2,000</b>	<b>2,001-3,000</b>	<b>3,001-5,000</b>	<b>5,001 +</b>
Trash Barrel	10	10	15	20	20	20
8 Yard Dumpster	1	1	1	2	2	3
Port-o-let-Standard	2	2	4	4	6	6
Port-o-let-Handicapped	1	1	2	2	3	3
Lead Paramedic EMT & Truck	The Fire Department will determine what services are needed for the event and fees will be based on those needs. The same applies if specific services are requested by the applicant. The applicant will get a call from the Fire Department upon receiving the special event application if Fire/EMS services are needed for the event. The fees associated with those services will be discussed at that time.					
Fire Dept. Supervision						
Sheriff's Deputy	\$60/hr.	\$60/hr.	\$60/hr.	\$60/hr.	\$60/hr.	\$60/hr.
City Staff Member	\$25/hr.	\$25/hr.	\$25/hr.	\$25/hr.	\$25/hr.	\$25/hr.

V. **Guidelines for Acceptable Sponsorship of City Events** - Sponsorship shall be businesses, non- profit groups, or individuals that promote mutually beneficial relationships for the City of DeBary. All potential sponsored properties (facilities, events, or programs) should be reviewed in terms of creating positive working relationships with regard to benefit community contributions, knowledge, and political sensitivity. All sponsored properties should promote the mission and goals of the City of DeBary.

- A) **City Sponsored or Co-Sponsored Event Fees** – All or partial charges for City costs may be waived as approved by the City Manager or City Council.

## B) Sponsorship Selection Criteria

1. **Relationship of Sponsorship to Mission and Goals** - The first major criterion shall be the appropriate relationship of a sponsorship to the City of DeBary Mission and Goals. While objective analysis is ideal, the appropriateness of a relationship may sometimes be subjective. This policy addresses this necessity by including Approval Levels from various levels of City management staff to help assist with decision involving larger amounts and benefits for sponsorship.
2. **Sponsors that will NOT be considered are those which:**
  - i. Promote environmental, work, or other practices that took place in the City, that violate City, US, or State laws (i.e. dumping hazardous waste, environmental health, exploitation of child labor, or illegal immigrants).
  - ii. Promote drugs, alcohol, or tobacco that constitutes violations of law.
  - iii. Duplication or mimic the identity and/or programs of the City of DeBary.
  - iv. Exploit participants or staff members of the City of DeBary.
  - v. Offer benefits which may violate other accepted policies of City codes and ordinances.
3. **Partnerships** - Partnerships between the City of DeBary, event sponsors, and the community are valuable in ensuring successful events. The City of DeBary recognizes that events require logistical support and commitment from the sponsoring entities and that the City requirements may represent a significant portion of an event's costs. When setting fees and conditions for events, the City will consider impacts on the event's costs while balancing the City obligation to protect public health, safety, and financial oversight obligations to the City of DeBary.
4. **City Sponsor** - Outside entities receiving financial assistance for Special Events from the City are required to provide the City with a business plan and/or provide a full disclosure of all expenses related to the event.

**VI. Parking** – Parking and traffic control plans must be submitted with the event application. Event applicants may request use of City owned surface lots for reserved parking. Requests need to be in writing and/or on the site plan included in the event permit package.

**VII. Signage** - Temporary signs to promote a special event shall be permitted with a Special Events Permit. A sign-placement drawing or plan must be submitted as part of the permit application. The plan must clearly illustrate all locations, number and size of the proposed signs. No sign shall cause hazardous traffic conditions or unsightly impacts to the surrounding neighborhood.

Signage to be erected on the site of where the special event is to take place shall meet the Temporary Sign criteria pursuant to Chapter 5, Article II, Section 5-35(3) of the City of DeBary Land Development Code, which states that: *a. Such signs shall be placed not more than 14 days prior to the event and must be removed no later than 24 hours after termination of the event. A maximum of three separate occasions or special events may be permitted within any calendar year. Notwithstanding, any new business or relocation of any existing business within the City shall be allowed grand opening signs not to exceed 30 days. b. Properties with less than 100 feet of frontage shall be permitted a total of 32 square feet of sign area for temporary promotional signs. Properties of more than 100 feet of frontage shall be permitted a total of 64 square feet of sign area for temporary promotional signs. In addition, professionally made banners and pennants may be utilized as temporary promotional or special event signs. Banner signs may not be hung on utility poles or vehicles. Inflatable signs may not be used.*

Off-site signs may not be permitted in any public rights-of-way with the exception of directional or way-finding signs to guide participants in bicycle or pedestrian related events. Off-site signs on private property must have the approval of the subject property owner prior to erection. All sign and signage debris, related to the special event, must be removed within 24 hours after termination of the event.

**VIII. Neighborhood Block Parties** – Permit applications for neighborhood block parties will be reviewed by the City Manager or his designee. Consideration of approval will be based upon the following policies:

- A) Permit applications must be received in writing by the City Manager’s Office at least 45 days prior to the event.
- B) Permit applications must be submitted by the Homeowners Association or where there is no Homeowners Association by other individuals with a petition signed by 51% of the homeowners who live on the block.
- C) Approvals will only be given for a one (1) block area.
- D) Consumption or sale of alcohol on City rights-of-way will not be permitted.
- E) Structures other than barricades are not allowed in the City rights-of-way.
- F) Homeowners Association will be required to pay all overtime costs that may be incurred.
- G) Impacts due to other events will be considered in approval process.
- H) Applications will not be approved for any activity past 11:00pm.
- I) Approvals will not be given for individual homeowner sponsored parties or events.

**IX. Grounds for Denial of Permit** – Permit applications shall be reviewed by the City Manager or his/her designee within thirty (30) days of submission of the permit application. Permits may be denied for any of the following reasons:

- A) The application for permit (including any required attachments and submissions) is not fully completed and executed.
- B) The applicant has not complied with Event Policies and Procedures.
- C) Submittal of permit application less than the minimum submittal day requirements per section IV.
- C) The applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement, insurance certificate or security deposit within the times prescribed by the City Manager or his/her designee.
- D) The applicant has not tendered the required fee, or a portion thereof, for prior year’s events.
- E) The application for permit contains a material falsehood or misrepresentation.
- F) The applicant is not legally competent to contract or to sue and be sued.
- G) The applicant or person on whose behalf the application for permit was made has on prior occasions damaged municipal property within the City of DeBary and has not paid in full for such damage, or has other outstanding and unpaid debts to the City of DeBary.

- H) A fully executed prior application for permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular municipal property or part hereof.
- I) The use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the City of DeBary and previously scheduled for the same time and place.
- J) The proposed use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, of City Employees or of the public.
- K) The applicant has not complied or cannot comply with applicable licensure requirements, ordinances or regulations of the City concerning the sale or offering of any goods or services.
- L) The use or activity intended by the applicant is prohibited by law, by the City's Code of Ordinances or by these regulations.
- M) The applicant's staffing/parking needs cannot be met by the City.
- N) The proposed location is inadequate for the size and nature of the event.
- O) The diversion of police and fire resources to support the event will deny reasonable police and fire protection to the City.
- P) The applicant fails or refuses to comply with any permitting requirements or conditions of approval.

**X. Appeals** - If application is denied by any department listed on special event application, the applicant has the right to appeal the decision with the City Manager within the time frame previously stated. If the City Manager denies an applicant's application for special event, he/she is permitted to file a final appeal with the City Council.

**XI. Revocation of Permit** – If the special event is to be held on public property, the City Manager and his/her designee may revoke the permit at any time if he/she determines that as a result of inclement weather, or conduct of the special event would cause unreasonable damage to the public property for which it is proposed. The City Manager or his/her designee also has the right to revoke the special event permit he/she determines that any provision or condition of the permit has not been met or is being violated.

**XII. Event Cancellation on City Property** - If the event is being held on City property and is cancelled for any reason, on or prior to the event date, the applicant agrees to the following:

1. Follow the Contingency Plan submitted and approved during the application process.
2. Contact the Parks and Recreation Director.
3. Contact all registrants and vendors participating in the event (if applicable).
4. Post a notice of cancellation at the event site with a contact phone number.
5. If cancelled within 48 hours of the event date, provide a point of contact to stay at the event site for at least one hour from the planned start time of the event to provide assistance to those that may show up to the event not knowing it was cancelled.