



SANTA ROSA COUNTY DEVELOPMENT SERVICES

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MEMORANDUM

TO: Board of County Commissioners

FROM: Beckie Cato, Planning Director

THROUGH: Tony Gomillion, County Administrator

DATE: May 18, 2016

RE: Discussion of Updates to the Special Events Ordinance and Parks-related County Code Requirements

DISCUSSION

Discussion of updates to the Special Events Ordinance and parks-related county code requirements

BACKGROUND

In January, the Board authorized staff to develop amendments to county code related to parks usage and special events to reflect current practice and intent. Proposed changes to the Special Events Ordinance and County Code are enclosed for discussion.

NEXT STEPS

If approved by the Board, staff will schedule public hearings as required for adoption of the changes, followed by development of updated fee schedules, policy documents, and applications as necessary for implementation.

ARTICLE II. - PARK RULES

Sec. 15-27. - Alcoholic beverages.

It shall be unlawful to bring into, consume, sell, or cause to allow to be sold, any beer, wine, liquors or alcoholic beverages of any kind, in any County Park, ~~except on Navarre Beach~~ when authorized by the Board Santa Rosa County. ~~Alcoholic beverages shall be allowed in Navarre Park by state recognized nonprofit organizations.~~ Proper licensing and insurance shall be required.

Sec. 15-28. - Reservations of facilities and fees.

- (a) ~~Only advanced reservations for pavilion use may be applied for. Certain pavilions, community centers, and outdoor event space may be reserved as identified by adopted Board policy and with fees established by resolution. Reservations for picnic tables and/or playgrounds other designated park areas are prohibited.~~
- (b) A fee for a permit for advanced reservations for pavilions of county properties and facilities will be a designated amount set by the board of county commissioners. ~~Permits may be applied for at the office of parks and recreation located at the county auditorium.~~

Policy Questions and Recommendations

Recommendation: Remove Navarre Beach and nonprofit limitation; keep requirement for Board approval.

Recommendation: Revise policy to allow reservation and rental of pavilions, community centers, and outdoor event space consistent with current practice. Follow up with adopted policy specifying those facilities that may be reserved and establishment of rental fees.

Recommendation:

- Review and/or established rental fees for ratification or approval by the Board.
- Revise policy to reflect reservation of other county facilities/areas.
- Revise policy to remove location for permit application as this is facility dependent.

Sec. 15-29. - Vehicles and parking facilities.

- (a) No person shall park any vehicle, camper, trailer or any towed conveyance in any areas not specifically designated for said vehicle.
- (b) There shall be no overnight parking of any vehicle, camper, trailer or any towed conveyance in any area unless so posted.
- (c) No motorized vehicle shall be allowed on any portion of the recreational facility other than designated roads or parking area.
- (d) Certain parking areas may be used for special events with approval from the Board.

Sec. 15-31. - Pets and animals.

- (a) Bringing a dog, cat, or other animal into a county park ~~unless it is crated, caged, or upon a leash not longer than six (6) feet or otherwise under physical restrictive control at all times,~~ shall be unlawful except for bona fide service animals and animals within identified dog parks, equestrian centers, and the fair grounds.
- (b) ~~Bringing horses or other saddle animals into a county park, which have not been developed to accommodate them, shall be unlawful.~~
- (c) Pet Animal owners are required to pick up after their pets and properly dispose of all ~~pet~~ animal droppings in trash receptacles.
- (d) ~~Any pet that is noisy, dangerous, intimidating, or destructive will not be allowed to remain in the park.~~

Sec. 15-35. - Fireworks.

No person shall discharge or set off on or within a county park any firecrackers, torpedoes, rockets, cap pistols, or other fireworks except for public fireworks displays with Board approval.

Recommendation: Revise policy to allow reservation of certain parking areas for special events with approval from the Board. Parking facilities that can be reserved will be identified by Board policy and fees will be established. Such policy may limit some reservations on a seasonal basis; for example, the Board may choose to limit reservation of the Navarre Pier parking lot to off-season months of the year.

Recommendation: Revise to be consistent with animal control ordinance 2004-30, acknowledging acceptance of service animals and animals at facilities designed for their use.

Recommendation: Revise this policy to allow for public fireworks displays with Board approval.

Sec. 15-36. - Audio devices.

- (a) No person shall operate or use any audio device, including radio, television, musical instruments, or any other noise producing devices, such as electrical generators, and equipment driven by motor engines, in such a manner at such times as to disturb other persons.
- (b) No person shall operate or use any public address system, whether fixed, portable, or vehicle mounted, except when such operation has been approved by the ~~director of parks and recreation~~ the county.

Sec. 15-40. - Commercial use.

No person shall make any commercial use of a county park, unless authorized by Santa Rosa County. Such prohibited uses include, but are not limited to, the sale, or the display for sale, of any merchandise; the servicing or repairing of any vehicle, except the rendering of emergency service; the storage of vehicles being serviced or repaired on abutting property or elsewhere; the solicitation for the sale of goods, property, or services; and the display of advertising of any sort. ~~Nonprofit civic organizations may conduct activities in county parks such as sales of food or merchandise if the civic organization obtains approval from Santa Rosa County for such activity.~~

Recommendation: Revise to allow for such approval by whomever is assigned responsibility for approving the particular event.

Recommendation: Revise to allow commercial use by other than nonprofit organizations. Follow up with policy guidance regarding what constitutes commercial use and which uses require Board approval.

ORDINANCE NO. 2015 - _____

**AN ORDINANCE OF SANTA ROSA COUNTY, FLORIDA;
ESTABLISHING THE SPECIAL EVENTS PERMITTING
PROCESS; AMENDING ALL ORDINANCES IN CONFLICT
HEREWITH, INCLUDING ORDINANCE 77-01; PROVIDING
DEFINITIONS, PERMITTING AND APPLICATION
PROCESS; PROVIDING FOR REVOCATION DUE TO
VIOLATIONS; PROVIDING FOR CODIFICATION; AND,
PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA ROSA COUNTY, FLORIDA:**

SECTION 1. Title and Intent.

This ordinance and chapter are titled and may be cited as the "Santa Rosa County Special Events Permitting Ordinance." The intent of the special event permit is to provide for events that encourage overnight visitors to Santa Rosa County, impacting commercial lodging industry, hotels/motels, campgrounds, condominiums, as well as restaurants, retail establishments and other businesses. To be considered the following criteria must be established:

- ~~1. Each application must be submitted with a signed Certification and Compliance page;~~
2. The event must have the potential to bring or have had past history of bringing out of town visitors;
3. Applicant must provide a marketing/promotions plan and detailed budget for event;
4. Advertising and marketing must occur 90% out-of-market (i.e. outside of Santa Rosa);
5. Applicant must provide a detailed ~~budget and~~ *(budget already required in #3 above)* post event profit and loss statement; and
6. The event must encourage use of commercial lodging establishments within Santa Rosa County.

SECTION 2. Definitions.

The following words and phrases, when used in this chapter are defined as follows:

Private property means property that is owned, leased, operated, maintained or controlled by one (1) or more individuals or private entities.

Public property means property that is owned, leased, operated, maintained or controlled by the county.

Sale or consumption of alcohol within Santa Rosa County facilities and public parks means an event being held within a county facility or public park at which alcohol is to be sold or consumed.

Special event means a temporary preplanned gathering or event of an entertainment, cultural, recreational, educational, political, religious, or sporting nature, or any other nature, that is sponsored by an individual or entity and is open to the public in general, whether on public or private property, which will substantially and demonstrably promote tourism in Santa Rosa County.

Use of county property means an event being held within unincorporated Santa Rosa County, in a county park or facility.

SECTION 3. Permit.

(a) *Required.* The following event types require a permit:

(1) An event that is expected to draw one thousand (1,000) or more persons at any session as participants or spectators, which is proposed to be held on public or private property **and which will substantially and demonstrably promote tourism in Santa Rosa County unless the event is to be held on a county property operated through a management agreement; (Julie indicates that they don't need to see large events not intended to draw tourists. FunFest is an example. Large events such as the fair or ball tournaments would not need this approval.)** ~~and/~~ or

(2) An event at which alcohol is expected to be sold or consumed at times or locations not otherwise allowed by Santa Rosa County Ordinances, including Ordinance 77-01; ~~and/~~ or

~~(3) An event that is expected to be held on public property or within a county park; and/~~ or

~~(4) An event at which alcohol is expected to be sold or consumed within a county facility or public park. (Note: Proposed changes to parks regulations would require board approval of alcohol in county parks regardless of event size)~~

(b) Application. At least sixty (60) days prior to the scheduled start of the event, the completed application with descriptive plans for all arrangements must be submitted to

the TDC Director for review and recommendation and the planning and zoning department along with any applicable fees as set by resolution as may be amended from time to time. The applicant must comply with any and all conditions set forth in the application by the required sign-off agencies and as required by the county administrator or designee. For planning purposes, the applicant may request reservation of county property for their event in advance of submitting the permit application. Such reservation requires approval by the Board at a regularly scheduled meeting.

- (c) *Conditions.* The county reserves the right to establish such additional conditions, criteria or detailed specifications for the special event permit as it may deem necessary to carry out the intent of this article, for the protection of the public health, safety and welfare of the public.
- (d) *Advertising.* No person, corporation, partnership, or other organization may advertise, conduct, maintain, or sell or furnish tickets for a special event in Santa Rosa County unless and until that person or entity has obtained a permit from the county.
- (e) *Insurance.* The applicant, at its sole expense, agrees to procure and maintain in force during the entire term of the event, liability insurance in the amounts determined by county risk management to protect against damages or other claims arising from use of county property by the applicant or its guests. Other limits may also be established by county risk management for events which will be serving or consuming alcoholic beverages at approved county property. The insurance policy must also include coverage for the applicant's contingent liability on damages, claims or losses. "Santa Rosa County Board of County Commissioners" must be named as "additional insured" on the certificate of insurance, and the certificate must be delivered to Santa Rosa County prior to the applicant's use of the property. The insurance may not be canceled during the term of the event, if this occurs, the county has the right to revoke approvals related to use of the county property for the event, without recourse by the applicant.
- (f) *Bond.* At its discretion, subject to other applicable laws or ordinances, the county may require an indemnity and/or performance security bond for an event. The bond must be with a corporate bonding company authorized to do business in the State of Florida, or a cash bond in the form of a cashier's check payable to the board. The bond must

indemnify Santa Rosa County, its agents or employees against any and all claims arising out of the preparations, conduct or aftermath of the event.

SECTION 4. Indemnification.

The applicant agrees to indemnify, release and save harmless the board against any and all claims, costs, demands, damages, judgments or injuries of any nature arising from the conduct or management of, or from any work or thing whatsoever done in or about county property or any building or structure appurtenant thereto or equipment thereof during the term of this permit, or arising during the term of use from any act of negligence of the applicant, applicant's agents, contractors, or employees, or arising from any accident, injury, or damage whatsoever, however caused, to any person or persons, or to any property of any person, persons, corporation or corporations, occurring during the term of this agreement on, in, or about said county property, and from and against all costs, attorney's fees, expenses and liabilities occurring in connection with any such claim or any action or proceeding brought thereon.

SECTION 5. Delivery, acceptance and surrender of premises.

- (a) The applicant agrees to accept the county property on possession as being in a satisfactory state of repair and in sanitary condition.
- (b) The applicant must surrender the premises to the county in the same condition as when the applicant takes possession, allowing for reasonable use and wear, and damage by acts of God. The applicant agrees to remove all business signs or symbols placed on the premises by the applicant before redelivery of the premises to the county, and restore the premises to the condition in which it existed before their placement. Any signs and markings created or used in connection with this event must be temporary and removable; painting roadways, trees or any other fixed object is strictly prohibited. The applicant agrees to clear the county property of litter at the close of the event.

SECTION 6. Consideration of application.

Upon receipt of the completed application with all required attachments, the county administrator or designee will review and present the request to the Board of County Commissioners at a Public Hearing. Prior to any permit issuance, the Board of County Commissioners will hold a public hearing on said application after notice thereof by publication in a newspaper of general circulation in the county. The notice shall describe the time, date, and

place of the special event, identify the applicant, and outline the general purpose of the application.

SECTION 7. Violations. The county may revoke the event permit granted under this chapter upon the occurrence of any violation of this chapter.

SECTION 8. Conflicts. All ordinances or portions of ordinances in conflict herewith are amended consist with this ordinance.

SECTION 8. Codification. The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the County of Santa Rosa. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word “ordinance” may be changed to “section”, “article”, or any other appropriate word.

SECTION 9. Effective Date. This Ordinance shall take effect January 1, 2016.

PASSED AND ADOPTED by a vote of ___ yeas and ___ nays and ___ absent of the Board of County Commissioners of Santa Rosa County, Florida, on the ___ day of _____, 2015.

**BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA**

By: _____
Chairman

ATTEST:

Clerk of Court

I, Donald C. Spencer, Clerk of Court of Santa Rosa County, Florida, do hereby certify that the same was adopted and filed of record and sent electronically to the Secretary of the State of Florida, on this _____ day of _____, 2015.

Donald C. Spencer, Clerk of Court