

LEGISLATIVE #

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CITY OF GAINESVILLE SPECIAL EVENT POLICY

This special event policy is meant to cover all events requiring City of Gainesville event permits. This policy was developed to assist all Citizens of Gainesville to better understand the event permit process.

Section I**Definitions:**

"Event" means any combination of people, animals, or vehicles that substantially inhibits the usual flow of pedestrian or vehicular traffic on any street, highway, sidewalk, or City owned right-of-way. An event may also utilize the majority of space or exclusively occupy a public facility or space. Examples of events are marches, parades, rallies, concerts, festivals, charity events, 5k runs, and parties.

"Public Facility" means any public street, sidewalk, alley, park, right-of-way, City owned building, parking facility, or other public space.

"Public Event" means an event conducted at a public facility. Public events include public assemblies (the primary purpose of which may be the exercise of the participants' constitutional rights of free speech and assembly), craft shows, athletic events, carnivals, festivals, parades and similar activities.

"City Sponsored Event" means any public event that is funded through the City of Gainesville Division of Cultural Affairs Special Events account for support services as a result of application to and approval by the City Commission.

"Commercial Event" means any event held for profit or as a fundraiser including, but not limited to, concerts, arts and craft shows, festivals, and carnivals.

"Constitutional Rights Event" means any public assembly which has the primary purpose of exercising the participants' constitutional rights of free speech, association, and assembly and the communication of ideas as opposed to the generation of a monetary profit or entertainment.

"Cultural Event" means any musical, performing arts, film series, lecture or block party that is promoted on radio, television or newspaper and open to the general public, and is not for profit or a fund-raiser.

"Charity Event" means any event whose primary functions is to raise money for a charitable foundation or organization. The charity for which the event is being held must be a recognized not-for-profit group with a current 501 certification.

"Public Property" means any land, building or area owned by a public entity such as the City, County or State.

"Public Space" means any area that is accessible to the general public, such as a public parking lot, park, sidewalk, alley way or street.

Section II

Permit Types:

Permits are broken down into the following categories:

1. Event Permits with Road Closures (city, county or state roadways): any event that will obstruct a City, County or State roadway, will require a street closing permit. All street closures on State roadways require DOT approval, and all County road closures require the applicant to obtain written County approval for the closure and permit to be granted. **Deadline for submittal of roadway closures involving state roads in 45 days prior to the event. City roadway's no less than 30 days prior to the event. County roadway's closures will require the applicant to make application with the County, and then the applicant must provide written proof to the City of County's approval of the roadway closure application.**
2. Event Permits for Parades or Processions: any event that will obstruct or increase the normal flow of pedestrian or vehicle traffic on a City street or sidewalk requires a Parade Permit. **Same deadlines as above apply.**
3. Event Permits with Extension of Boundaries: any event within the designated downtown area, which requests to extend their service boundary into the streets, these types of permits are generally associated with service of alcohol outside the normal business area of the event organizer(s). **Should these require roadway closures the same deadlines as in item one apply. Extension of Boundary permits that request permission to extend past 11:00 p.m. will also require the written approval of the City Manager.**
4. Event Permits for Noise: any event at which loudspeakers or other amplifiers will be used on Public Property or Public Space may require a Noise Permit.
5. Event Permit: an Event Permit may be required for an event on the Downtown Community Plaza, City Hall Mall, City Park, City parking facility, or City streets; or for any activity on City property not regulated by another City agency or that may require services from two or more City Departments.
6. Park Use Permit: a Park Use Permit is required for any event taking place within a City owned park. These permits may be required in conjunction with an Event Permit for those events taking place on any property listed in Section 18-18 of the City Code of Ordinances. **Deadline submittal is no less than 30 days prior to the requested use.**

The type of the permit required will be determined by the Event Permit Coordinator upon application and receipt of the permit from the applicant. The Event Permit Coordinator will then route the permit for review by the necessary support services departments, based on the type of permit required.

Section III

Delegation of Authority:

The Department of Parks, Recreation and Cultural Affairs shall be responsible for implementing this policy. The Director of the Department of Public Works, the Chief of Fire/Rescue and the Chief of Police shall be responsible for determining if a need exists for the services of their departments at an event. Each of these departments shall also be responsible for providing cost estimates for their services. Each department shall also be responsible for providing a response as to their support or lack of support for an event during the event permit routing process. Each of these Departments may also be requested to approve on a case-by-case basis a request from City Event Staff to allow an applicant to hire outside service providers for security detail, EMS, Parks clean up or Traffic Control.

Section IV

Fees:

When an event requires one or more permits, a permit processing fee will be assessed for commercial, constitutional rights, cultural events and charity events.

Said fees may be waived for constitutional rights events upon satisfactory evidence that the applicant is indigent.

All permit fees shall be paid prior to the event application being routed to the by City Staff to the other support services departments for review.

All support services departmental fees shall be given to the applicant prior to their event. Upon payment of all required fees the event permit will be issued to the applicant. The only exception to this section of the policy will be City events or those events listed each year on the co-sponsored events lists; these events shall be billed for services at the end of the event.

Use of the Downtown Community Plaza, City Park or other facility may be subject to additional fees and charges per the Parks, Recreation and Cultural Affairs Department current fee schedule. All requests for fee waivers or co-sponsorship shall be subject to the approved fee waiver and co-sponsorship policies of each affected department.

Section V:

Insurance:

The City will require comprehensive general liability insurance in an amount based upon the risk of activities involved as determined by the Risk Management Department for all events that are not City sponsored events. The City of Gainesville shall be named as an additional insured and proof of such insurance must be submitted prior to the event. The

City Manager or designee may waive the insurance requirement for sponsors of constitutional rights events upon satisfactory evidence the applicant are indigent.

Section VI

Permit Approval Process:

Information about the event will be routed to by the Facility Coordinator to the Public Works, the Gainesville Fire/Rescue, Gainesville Police, Parks, Recreation and Cultural Affairs Departments and any other appropriate agencies for their determination of need for support services to protect the health and safety of both those attending the event and the general public. Determinations will be made on the basis of expected attendance and the nature of activities planned, but not on the nature of the group sponsoring the event. If a department determines that support services will be needed from their area, it will estimate the cost of such services for which the event sponsors will be required to pre-pay prior to receiving their approved permit (the only exceptions to the pre-pay policy are those events covered under the City-sponsored supports services category).

Should any support services department incur any additional costs during the event above their original estimated costs, the event organizers will be billed for these additional costs after their event takes place. Failure by any event organizer to pay all costs associated with an event may result in the denial of future event permits. In the event that an event organizer can provide sufficient proof to the City's Financial Services Staff that the applicant is indigent, and that their event did not generate adequate funds to cover the cost of billed services, said applicant may apply to the City for a waiver of these additional fees.

Permits for an event will be issued or denied in accordance with applicable City or State ordinances, policies and regulations. Any support services department which feels an event shall present a hazard to the public or City property may state their objection to the issuance of said permit in writing to the permits coordinator. Final approval of all permits shall be the responsibility of the City Manager or their designee.

Provided the event organizer has made application to the City in a timely fashion, notice to deny or grant a permit shall be given to all applicants in writing no less than 10 days prior to their event. If sufficient time is not available said notice shall be given verbally and all applicable support services departments shall be notified of the approval or denial of said permit at the same time. All support services fees shall be provided to each applicant at the time of approval, and must be paid by the event organizer no less than seven business days prior to the event. It is the event organizer's duty to notify the permit coordinator of their intent to withdraw their application for permits no less than 72 hours prior to their event. In the absence of such notice, the event organizers shall be responsible for any support services costs determined to be required and previously scheduled for the event.

Permit Denial Process:

Permits may be denied for the following reasons:

- The event organizer makes false representations of the nature of their event upon the event application.
- The event application is received less than thirty (30) days prior to the planned event, or less than forty five (45) days in the case of state roadway closure requests.
- The site of the event is already scheduled for use at the time of the planned event, or at a time close to the planned event that the site can not be made ready for both events.
- The requested site of the planned event is a City facility and permission is not granted for use of said facility.
- The event involves road closures and said roadway closures are deemed by the appropriate support services department to cause extreme traffic problems, or there is inadequate staffing to cover the requested roadway closures.
- The event involves roadway closures of either state or county maintained roadways; and said closure requests are denied by either agency.
- Failure of the event organizer to provide proof that they have secured a State approved Maintenance of Transportation (MOT) provider as required under state statute for all state roadway closures.
- The estimated attendance at the event exceeds the capacity of the site as determined by any of the reviewing support departments.
- Failure by the event organizer or applicant to pay costs associated with prior year event permits.
- Failure of the event organizer to obtain any other permits required such as a temporary alcohol service permit, required for all extension of boundary events where alcohol is to be served off their permitted premises.

Upon denial of a permit for a constitutional rights event, the City will promptly commence a judicial review of the decision to deny the permit; upon denial of a permit for a commercial or cultural event, the applicant may seek judicial review of the decision. Commercial or cultural event applicants who intend to seek a judicial review of the decision to deny their permit, shall inform the permit coordinator no less than 48 hours after receipt of notice to deny their permit and no less than ten (10) business days prior to their scheduled event.

Section VII:

City Support Services:

City support services for special events will be budgeted by the City Commission during its bi-annual budget process. The Department of Parks, Recreation and Cultural Affairs will submit to the City Commission a budget based on complete applications received since the last budget cycle. Applications must contain a detailed description of the proposed City sponsored event in order to be considered.

Individuals or organizations that miss the City support service application period will be referred to the Department of Parks, Recreation and Cultural Affairs for assistance in applying during the next budget cycle. If the City Commission desires to provide financial assistance to an agency outside of the funding cycle the Commission may recommend that the matter be sent back to the Recreation, Cultural Affairs and Public Works Committee for consideration.

Section VIII:

Vendor Policies:

Individual vendors at a permitted event must each obtain a separate permit in order to sell products at the event. Permits for mobile food carts for the Community Plaza will not cover the period during the special event.

The organizers of the special event will process permit applications for vendors at their event. The Department of Parks, Recreation and Cultural Affairs will provide the event organizers with specific instructions on the procedures for vendor permitting.

Section IX:

Authority:

This policy is established under the provisions of Sec. 18-17 of the Code of Ordinances of the City of Gainesville. This revision supersedes all prior revisions of this policy.

Russ Blackburn, City Manager

Date