

ORDINANCE NO. 529

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA AMENDING CODE OF ORDINANCES SECTION 74-34 “SPECIAL RELIEF PERMITS”; DEFINING “MAJOR EVENT”, PROVIDING FOR ADDITIONAL CATEGORY FOR MAJOR EVENT TEMPORARY RELIEF; PROVIDING FOR MAJOR EVENT APPLICATION TO TOWN COMMISSION; PROVIDING FOR MAXIMUM NUMBER OF MAJOR EVENT PERMITS; PROVIDING FOR MAXIMUM PERIOD OF RELIEF; PROVIDING FOR PUBLIC HEARING PROCEDURE; PROVIDING FOR FEES IN CONNECTION WITH APPLICATION; PROVIDING FOR REQUIRED CONTENTS OF APPLICATION; PROVIDING FOR POWER OF COMMISSION TO ATTACH CONDITIONS OF ISSUANCE; PROVIDING FOR EXPIRATION OF APPROVALS; PROVIDING FOR RIGHT OF ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Commission previously adopted Ordinance 521 creating new code Section 74-34 to address desires to provide temporary relief from certain code restrictions by establishing a permitting process; and

WHEREAS, it has been determined that certain major events, defined as events expected to last more than 72 hours or have more than 1,000 attendees will require temporary relief from regulations of the town in addition to those provided for in Section 74-34; and

WHEREAS, in order to accommodate such major events within the Town, the Commission desires to supplement and amend Code Section 74-34 to provide additional temporary relief the major events will require.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA:

SECTION 1. ORDINANCE AMENDMENTS. Section 74-34 of the Town of Belleair Code of Ordinances, entitled “Special Relief Permits,” is hereby amended to add Subsections (h) to provide supplemental requirements and mechanisms for obtaining temporary relief from any applicable Town ordinance or regulation for Major Events (as defined) as follows:

(h) Additional Requirements for Major Events.

(1) Major Events are defined as any event or series of related events which will:

be conducted for more than 72 hours;

are anticipated to be attended by more than 1000 persons; or

significantly impact public streets, rights of way, and the need for emergency services such as police, fire or medical aid (with any event which involves an open invitation to the public to attend presumed to be an event that will have a significant impact on public streets, rights of way or emergency services).

(2) Applications for Major Event special relief permit shall include all of the information listed in Subsection (f) hereof and such additional information as shall be requested by the Town.

(3) The Town Commission shall have the authority to grant temporary relief from any additional provisions of the Code of Ordinance not listed in Subsection (a) hereof if applicable to the Major Event.

(4) Consideration of Major Event special relief permits, except for a Major Event sponsored and conducted by the Town, shall require two public hearings before the Town Commission.

(5) In addition to the application fee provided for in Subsection (d), applicants for Major Event special relief permits shall pay an additional fee of \$1,000 to defray the cost to the Town's departments in establishing their plans to accommodate the Major Event. This application fee shall be due upon submittal of the Major Event Special Relief Permit Application. The Commission reserves the right to waive or reduce this fee at its discretion.

(6) To the extent any of the Town's departments including, but not limited to, Police, Parks and Recreation, Public Works, and Solid Waste will incur additional costs relating to required service to accommodate a Major Event, the Town Commission may impose as a condition to the special relief permit, the agreement by the applicant to reimburse the Town for such additional costs. In this case, a deposit of the total estimated amount due shall be paid in-full to the Town within five (5) business days of the permit's approval at second hearing. Any adjustments to the estimation of staff's additional cost(s) shall be reconciled following the event.

(7) The Town Police Department is specifically authorized to enforce any conditions imposed by the Town Commission with respect to any Major Event special relief permit including, but not limited to parking and traffic plan and restrictions and all public safety requirements in the same manner as the ordinances of the Town.

SECTION 2. SEVERABILITY. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence or paragraph hereof.

SECTION 3. SUPERSEDING CLAUSE. All ordinances, resolutions or parts thereof in conflict or inconsistent with this ordinance are hereby superseded insofar as there is conflict or inconsistency.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passing.

PASSED ON FIRST READING: March 3, 2020

PASSED ON SECOND READING: March 18, 2020, 2020

Mayor

ATTEST:

Town Clerk