Special Events Policy Discussion

City of Fort Lauderdale

Policy and Ordinance Implications

Special Event Definition

Special Event Application Deadline

Fees

Enforcement of Permit Compliance

Event Limitation (Location, Type and Quantity)

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A Look at Other Cities

Defining Special Events

Fort Lauderdale's Definition → Outdoor events shall mean any event held in an area not within an enclosed building on public property, private property, or both, 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 such as but not limited to concerts, festivals, races, walks, triathlons, circuses, carnivals, shows, exhibitions, and any other similar event conducted outdoors.

Criteria Other Cities Use in Definition

Requires city services (Police, Fire, or Parking)

Must have a common purpose, design or goal (as defined by the City Commission)

Attendance minimum

Involves activities otherwise prohibited by Code (such as sound levels, road closures, sale of merchandise, alcohol)

Include indoor events as well

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Special Event Application Deadline

Fort Lauderdale

- 60 days prior to an event.
- includes obtaining City Commission approval.

Delray Beach

- 45, 90, or 180 days prior to the event (depending on the type of event).
- Only new major events in their downtown require Commission approval and have a 180-day application deadline

West Palm Beach

- 6 weeks prior to the event
- 6 months for high impact events
- City Commission approval not required

Miami Beach

- 15, 30, or 60 days prior to the event (depending on type of event)
- City Commission approval not required

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Special Event Application Deadline

Bayfront Park

- No deadline
- Application approved by Bayfront Trust Board

Seattle

- 90 days prior to the event
- Applications are approved by a mayor-appointed committee

Austin

- 3 days-6 months prior to the event
- City Commission approval not required

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Special Event Fees/Costs

Fort Lauderdale charges a $200 application fee for applications submitted at least 60 days prior to the date of the event. Applications submitted within 60 days of the event are charged $400.

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Special Event Fees/Costs

Delray Beach

- Application fee $150 (non-refundable)
- Special event fee $150-500 (depending on event)

- Security deposit 50% of total estimated costs
- Hourly rates for staffing services (in addition to public safety detail)
- Equipment rental
- City may discount fees for certain events and non-profits

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Special Event Fees/Costs

West Palm Beach

- Application fee $50 (non-refundable)
- Special Event fee $25-$15,000+
- Security deposit $500-$15,000
- Downtown promotions fee $500
- Special event staff   on-site -- $35/hour; on call $25/day, OT if called
- Cancellation policy   50% of deposit returned if event canceled btw 3 months and 6 weeks

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Special Event Fees/Costs

Miami Beach

- Application fee $250 plus a $250 late fee (non-refundable); can be waived for non-profits

- Special Event Fee $250-500 (can be waived for non-profits)

- Security deposit $2,500-20,000

- Reinstatement fee   If requirements not fulfilled 14 days before event, charged amount equal to special event fee

- Vehicle Access Pass $150 per pass/per vehicle/per event

- Square footage fee $.25 per sf + 7% sales tax

OR

- Concessions Agreement   Beach events – 15% of food, beverage, ticket sales and merchandise (non-beach events – 10%)

- User fees   Park and Lincoln Road– 25% of total city services

- Light Pole Banner $50 per pole ($25 for non-profits) + $50 admin fee

Special Event Fees/Costs

Bayfront Park (Miami)

- Non-refundable deposit to hold date $6,500
- Damage deposit $1,000-10,000 (based on event type)

- Park/Pavilion Rental $75,000 plus add'l fees for park staff

- Beer/Alcohol Vending $400 per location
- Soda/Beverage/Food Vending $100 per location
- Arts/Merchandise/Sponsor Vending $75 per location
- Ticket surcharge $.75-$12 per ticket (based on ticket price

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Special Event Fees/Costs

Austin

- Application fee $250
- Safety Inspection fee $76 minimum
- Sound Permit Fee $33 per day
- Sound Impact Evaluation $40
- Permit fees $200 per block per day ($4,000 max/day)
- Security deposit $2,000 (refundable upon written request)
- Safety closure fees if surrounding right-of-way is closed
- Traffic Control Plan $1,500 city-engineered and sealed' $500 reuse of previous TCP
- Fee Paid Event 2.5% – 4.5% of admission fee (based on ticket price
- Temporary food event permit $35-$98

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Special Event Fees/Costs

- Seattle
  - Application fee $75/$150 if late (non-refundable)
  - Street Use fee   Charged per block/per hour
  - Waterway Use fee $600
  - Parks use fee   as per department
  - Commercial sales vendor fee $20
  - Alcohol sales area $200 ($100 each add'l)
  - All above fees (except application) get a prior-year discount of 25%; fee is increased to be 120% of calculation if application is late
  - Staff/inspection fees   hourly rate
  - Cancelation policy   % of fees are refundable depending on date of cancelation

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Enforcement of Permit Compliance

Delray Beach fines event producers found in violation of the permit $250/day until the violation is corrected. They may also receive separate fines from the City for specific violations or citations.

Miami Beach issues civil fines of $1,000 for the first offense in 12 month period, $2,500 for the second offense and $5,000 for the third and subsequent offenses. Habitual offenders are restricted from receiving permits for a set period of time.

Austin issues fines for $2,000 for a violation of fire safety, zoning, or public health and sanitation and $500 for all other violations for each day.

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Event Limitation

Delray Beach:

Major events occurring in their Downtown Core are limited during the season (one/month)

No permitted events are allowed to occur concurrently or simultaneously in the Downtown Core during the season

They limit the number of times A1A can have street closures annually (12)

They reserve the right to limit events based on availability of City resources

Hometown events have priority and preference

Events that are family-oriented and focus on arts, culture, education, etc are preferred

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Event Limitation

Miami Beach:

Venues are limited to 5 special event permits per calendar year (City events do not count)

Permits cannot be issued to organizers for substantially similar events for more than 4 consecutive days or five non-consecutive days

Staff Recommendations

➢ Expand the special events definition to include

- All public events and events on public property (except special use parks)
  - with anticipated sustained attendance over 250 <u>and</u>
  - Have overt impact* on city services and/or a road closure

- All events in "special use" parks

- All events on private property that have overt impact* on the services that are regularly provided by the city such as public safety and/or road closures.

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Staff Recommendations

- Events that don't require permits:

  - Organized activities conducted at sites or facilities intended and used for such activities (i.e., sporting event managed by City, weddings, etc.)

  - Activity by a non-City of FL gov't agency acting within scope of function as long as it doesn't require city services or road closures.

  - Public events or events on public property (except special use parks) with sustained attendance levels under 250

  - Events on private property that do not have overt impact on city services or a road closure

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Staff Recommendations

➢Establish event categories

- Minor: <=2,500 total attendance <u>and/or</u> do not have overt impact on City services or a road closure. Commission approval not required (administrative approval only)

- Intermediate (require Commission approval) 2,501-5,000 total attendance

- Major (require Commission approval) 5,001+ total attendance

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Staff Recommendations

➢Extend the application deadline for all but minor events

- 90 days for legacy* intermediate events

- 120 days for legacy* major events and non-legacy intermediate events

- 180 days for new major events

- Applications for intermediate or major events submitted within 60 days of event are not accepted.

* events with 2 or more years of history in good standing

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Staff Recommendations

➢Implement Additional Fees

In addition to non-refundable application fee, add a permit fee

Type	Non-501c3	501c3
<500 total attendance until 9 or 10 pm	$150	$75
<500 total attendance past 9 or 10 pm	$200-250	$100-125
500+ total attendance until 9 or 10 pm	$250	$125-150
500+ total attendance past 9 or 10 pm	$300-350	$150-175

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Staff Recommendations

- Recurring events to apply annually and pay one application fee annually. However, the permit fee will be based on frequency of event: Weekly events pay a $1500 permit fee quarterly; Monthly events pay $450 quarterly; 501(c)(3) weekly events pay $1000 quarterly and monthly events pay $300 quarterly.

- Add a $500 security deposit for non-beach events on public property. If on private property, deposit equal to amount of City services -- $500 maximum

- Add a road closure fee of $25/block/hour (beach events= $25/500 feet/hour) and $25/intersection/hour. Fee will be half the cost for partial closures. 501(c)(3) pay $10/block/intersection/hour

- For events on private property that only require a sound waiver (and, thus, no permit is required)–they pay $50 per hour. 501 (c)(3) pay $25/hour

Staff Recommendations (Beach/A1A Events)

➤ Implement fees specific to events on the beach or on or near A1A

- Require escrow amount of 110% of anticipated City services for major events, 75% for intermediate events and 50% for minor events.

- Charge a user fee
  - Events with tickets sales or concessions sold: ticket surcharge ($2-$3 based on ticket price) OR charge $.10/square foot (paid City parking areas excluded). Whichever is greater. Minimum $1,500/day
  - Free admission events with no/concessions sold = $500 per day per 50,000 sf (no charge for events less than 50,000 sf)
  - User fee of $1,000/day for set-up and break-down days (if additional to event days)

Staff Recommendations

➢Implement Compliance Measures

- Issue fines for violations of permit in accordance with state law

- Require event organizers to pay special event staff "detail" to ensure compliance for events

- Event organizers must return an executed agreement before the Commission meeting at which their event is considered. If the agreement is not received, the item will be pulled from the agenda and a permit will not be issued. For events that don't require Commission approval, the agreement must be returned 14 days prior to the event or permit will not be issued.

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Staff Recommendations

➢Implement Event Limitations

- Two intermediate or major events cannot be held on the beach, or on or near A1A on the same weekend (except for legacy events that have historically overlapped)

- Two or more non-beach, intermediate or major events located within one mile of the other (i.e., Huizenga Plaza and Esplanade Park) cannot be held simultaneously or concurrently. Exception for the Huizenga Plaza ice rink.

- Promotional events designed primarily to advertise or create publicity for product will not be permitted

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Immediate Open Issues

- The City is being asked to consider multi-year agreements for Pridefest (beginning in 2020) and the Boat Show (beginning in 2018). Staff is requesting Commission direction on fees charged for these events.

- Staff is also seeking direction on permitting events on SW 2nd Street (including Esplanade Park) during *Hamilton* performances at BCPA (Dec 18-Jan 28).