



Greetings!

The City of Bonita Springs loves to celebrate and have events and is proud to host many events year round. Whether the event is a small neighborhood festival, charity run/walks or concerts the Riverside Park area is a popular park for special events.

The following Special Events Packet was developed to assist you, the Event Organizer, through the permit process. It is your responsibility to make sure that both the park users and the surrounding neighborhood is safe and not unduly impacted. As the Event Organizer it is also your responsibility to ensure that participants are provided with a safe and enjoyable event. It is our goal to assist you in planning a safe and successful event.

Event Permitting Frequently Asked Questions

“Special Event” means a temporary event or gathering, using either private or public property, in which the estimated number of participants and spectators exceeds 200 at one time during any day of the event and involves one or more of the following activities: air shows; art shows (excluding arts and crafts and other sales less than 30 booths / vendors provided they obtain a temporary use permit); running or walking events (including triathlons); carnivals; concerts; festivals; fireworks; parades; commercial photography shoots; musical presentations; street dances; other similar event activities requiring off-site parking, street closures, sound amplification EXCEEDING THE NOISE ORDINANCE (above 65 decibels); City co-sponsorship or use of City personnel or public property.

1. For which activities are special events permits needed?

Parades, runs, walks, carnivals, festivals or any events that include the criteria listed above will require a special event permit.

2. What is the latest that I can apply for a Special Event Application?

Completed Special Event Permits take 45 days to process with all necessary attachments. Your permit will go to the next scheduled Council Meeting after the 45 day processing. Council Meetings are held twice a month (1st and 3rd Wednesdays). **Please take this into consideration when planning your event.** If the application is not filled out completely or if there are errors, the process will be delayed.

3. Are there circumstances under which I should get a permit even though my group has fewer than 200 people?

Yes. Events erecting a stage, or utilizing portable toilets (unless being used for construction purposes) or any of the items listed above will require a special event permit even if the attendance is below 200 people.

4. Can I get my application fee back if I don't get what I requested, if it rains, if I decide not to hold my event, etc.?

The application fee is non-refundable. Nevertheless, in case of inclement weather, you may be able to reschedule your event within 30 days subject to approval by the City Manager and/or City Council.

5. Will I get everything I ask for in my application?

While we do try to accommodate our clients' requests as much as possible, it is sometimes necessary to offer the applicant different times, locations, or dates for events, due to the volume of requests, conflicting events, or other unforeseen circumstances.

6. May I hold my event on a major holiday weekend (Memorial Day, Independence Day, or Labor Day)?

You may be able to hold your event on a major holiday depending on the availability of police presence, City staff, event location, and conflicts with other events. The Office of Special Events will make a determination if there are not enough resources to ensure public safety during any holiday period.

7. May we erect a tent and/or hang signs or banners at our event?

You must inform the Office of Special Events on your application if you plan to hang signs or banners at your event. This information must be included in the final permit. No signs or banners can be affixed to trees, fences or any City artwork or statues at any time. You may hang signs and banners the day of your scheduled event without a permit. If you wish to hang banners or signs before your event you must obtain a temp sign/banner permit from Bonita Springs Community Development AFTER your Special Events Application has been approved by City Council. Please be sure to take a copy of your approved permit and green sheet with you to Community Development.

8. How much does it cost for sign, tent and/or banner permits?

- Temporary Sign / Banner Permit \$25.00
- Temporary Use Permit w/ Tent \$150.00
- Temporary Use Permit w/o Tent \$20.00

For more information, you may contact Bonita Springs Community Development directly at:

9220 Bonita Beach Road, Suite 111
Bonita Springs, FL 34135
(239) 444-6150

9. Will I need any other permits to hold an event?

Yes. Depending on the type of event, other permits may be needed. When an application has been filed with the Office of Special Events, contact information will be provided to clients for any departments they may need to contact to obtain additional permits.

10. Will I receive permission to have amplified sound at my event?

Not necessarily, there are restrictions on where, when, and how the City grants permission to apply for amplified sound. The Special Event Permit abides by the 'noise' guidelines set forth by the Bonita Springs Noise Control Ordinance.

11. Do I have to have insurance?

Yes. Permittee is required to obtain and present evidence of comprehensive liability insurance naming the City of Bonita Springs as an additional insured. The insurance requirement is a minimum of \$1,000,000.00 general liability (personal injury) and \$100,000.00 property damage against all claims arising from permits issued. If the event poses higher risks than covered by such insurance, permittee shall be responsible for assessing the risks of the event and obtaining additional insurance coverage.

Liquor liability insurance is required of all events selling or serving alcohol regardless of attendance amounts. Other instances that may require insurance are animals at the event, fireworks, amusement rides, food vendors, bounce houses, etc. Additional insurance may be required for a special event if such additional insurance is recommended by the City Manager as being necessary for the protection of the City or the public health, safety, and welfare.

12. How do I get a permit to sell something at my event?

You must apply for a short term vendor permit. A non-refundable fee of \$50 is required for each vendor.

13. We are a non-profit organization. Can the event permit fee be waived?

The permit fee is an application-processing fee, and therefore, everyone is required to pay. All processing fees are non-refundable.

14. Do I need a Special Event Permit to stage a protest or demonstration?

Protests, demonstrations, and rallies are considered a First Amendment right; therefore, a Special Event Permit is not required for these types of events. Organizers are asked to contact the Office of Special Events to verify that no events are scheduled in the areas where protests are being planned and to ensure public safety precautions are in place.

15. How do I obtain a Special Events Permit Application?

You may visit:

Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135

Bonita Springs Recreation Center
26740 Pine Avenue
Bonita Springs, FL 34135

Or you can download the Special Event Permit Application and forms online at:

http://www.cityofbonitasprings.org/UserFiles/Servers/Server_11726458/File/Departments/Communications/Special%20Event%20Application/1-Special_Event_PacketNew-1.pdf

16. How long does it take for my Special Events Application to be approved?

Council meetings are held twice a month. You will be contacted at least 48 hours in advance (by phone or email if stated on application) as to when your Special Event Permit Application will be scheduled to go before City Council. It takes 45 days to process a Special Event Permit from the time we have all attachments without errors.

17. Do I need to attend the Council Meeting in order for my Special Events Permit Application to be approved?

You are not required to be at the City Council meeting for permit approval. However, we encourage you to attend in case City Council has any questions regarding your event. If the questions are unable to be answered, there is a possibility that your permit may either be delayed or denied.

18. How do I know if I have been approved if I could not make the Council Meeting?

You will be contacted within 5 business days after the City Council meeting letting you know if you have been approved or denied. If approved, you will be emailed the approved application or we will call you letting you know when you may pick up your approved permit at the reception desk in Bonita Springs City Hall. If you need further assistance after the meeting, please contact Jesus Cobos at (239) 949-6262.

19. What do I do after my Special Events Permit is approved? Where do I go? Who do I pay?

You will need to take your approved permit and greensheet, if applicable, to the Bonita Springs Recreation Center located at 26740 Pine Avenue then fill out a Rental Agreement and pay for ALL rental fees (excluding the up to \$38 per hour for City staff). For more information, you may call them directly at (239) 992-2556.

If you have been approved to serve alcohol and/or need tents, you will also need to take a copy of your approved application to Community Development. See pg. 12 of this packet for more information pertaining to these fees.

20. Is alcohol allowed at my event if I get a Special Event Permit?

No alcohol beverages shall be sold, brought within, given away, delivered or consumed on park property, except pursuant to Festival/Performance Special Event Permits, or with the Special Event Venue Rentals (with a preferred caterer). Additionally, the City of Bonita Springs requires a Temporary Alcohol Permit through Lee County for any alcoholic beverage service. Please see the attached "Process of obtaining a temporary Alcohol Permit through Lee County" on pg. 19 for more information. Or contact:

ABT Licensing District Office – Fort Myers
2295 Victoria Avenue, Ste.145
Fort Myers, FL 33901
(239) 344-0885

21. Are restroom facilities available for my event? Am I required to obtain portable toilets for my event?

Public restrooms in the parks are open during the day. Arrangement may be made in advance to have the restrooms available. If restrooms are specifically opened for your event, you will be responsible for cleanup and trash removal. Portable toilets will be required for larger events if you are anticipating 200 or more participants. Location of portable toilets is subject to City of Bonita Springs approval.

22. Does the City of Bonita Springs provide tables, chairs, benches, sound systems or any other equipment?

The City of Bonita Springs does not supply such equipment. Applicants are responsible for securing any and all event-related supplies or equipment.

23. Do I need to clean up after my event, or will the City of Bonita Springs provide maintenance and clean up services?

You are responsible for the cleanup of your event.

24. What if groups or individuals are using the park space that I am permitted for when I arrive?

Make sure that you have your approved Special Event Permit and Green Sheet on hand. This permit and green sheet shows that you have exclusive rights to the space for the stated time and date.

25. When will my security deposit be refunded?

Upon the conclusion of your event, City of Bonita Springs staff personnel will review the event. If it is determined that there has been no damage to any of property beyond reasonable wear and tear, the security deposit shall be refunded within thirty (30) days of the conclusion of the permitted event.

26. If it rains or there are other inclement weather conditions on the day of my event, can I be refunded for the event?

The City of Bonita Springs reserves the right to cancel events due to poor weather and/or turf conditions prior to or on the day of the event that may cause excessive damage to City of Bonita Springs property. Special Event Permits are non-transferable. No rain dates will be issued. Refunds will not be granted for inclement weather.

27. May I have a list of every event going on at every City property?

We do not provide a list of every event taking place on all of our properties. However, we do have a list of major events or co-sponsored events taking place. Many of our rentals are private events. It is best to have a range of dates that you are interested in beforehand. What may be available one day may not be available the next.

28. If a date is available, may I go ahead and book the date so no one else can take it?

No. All dates are available on a first come first served basis and will not be held for any reason. If a permit has been handed into the Office of Special Events and the date is available at that time, we will make the date "tentative" and will not rent out the property until it is approved or declined by City Council or by the Office of Special Events.

29. Do I have to have the Lee County Sheriff's Office (LCSO) sign-off sheet filled out?

The Lee County Sheriff's Office (LCSO) sign-off sheet must be completed before you hand in the application to City Hall. LCSO will require the

1.) completed special event application, **2.)** a brief letter explaining the event, **3.)** the site map, and **4.)** certificate of insurance naming the City of Bonita Springs as additional insured. E-mail these documents to jhillery@sheriffleefl.org and asellers@sheriffleefl.org for them to finalize your sign-off sheet. All files can be sent together as one packet. For questions about the LCSO sign-off sheet call 239-477-1199.

Riverside Park & Community Center Rental Information

Organizations apply for use permits shall be classified into categories for purposes of use priority and charges for facilities. The categories listed in descending order of priority use are as follows:

Rental Hours:

8:00 am - 9:00 pm

NON-PROFIT: Any non-profit group/organization that holds a consumer Certificate of Exemption Demonstrating IRS (501)(c)(3) status. The group must show a valid certificate for consideration into non-profit.

Damage/Cleanup Deposit: \$250.00 (Money Order Only)
Community Hall / Riverside Park - \$30.00 per Hour
Park Staff: Up to \$38.00 per Hour. Park staff must work 1 hour before, during and 1 hour after.

PRIVATE GROUP: Any private group, private organization and/or individual using the facilities for parties, dinners, weddings and receptions. No alcoholic beverages permitted.

Damage/Cleanup Deposit: \$500.00 (Money Order Only)
Riverside Park - \$65.00 per Hour
Park Staff: Up to \$38.00 per Hour. Park staff must work 1 hour before, during and 1 hour after.

Private Groups using the facilities for the purpose of **fund raising, special events open to the public.** No alcoholic beverages permitted for any function.

Damage/Cleanup Deposit: \$500.00 (Money Order Only)
Riverside Park - \$75.00 per Hour
Park Staff: Up to \$38.00 per. Park staff must work 1 hour before, during and 1 hour after.

ADDITIONAL REQUIREMENTS FOR REQUIRING A SPECIAL EVENTS PERMIT FOR LARGE SCALE EVENTS

Events large enough to require a special events permit must also provide the following items before the issuance of a permit to use the Park facility:

- (1) Proof of Liability Insurance
- (2) Copies of permits for tents, the sale of alcoholic beverages, event signage and amplified music obtained from Bonita Springs Community Development.
- (3) A Traffic Control Plan
- (4) A Security Plan
- (5) A Garbage Removal Plan

If the event causes the Park and Recreation Department to incur expenses for staff overtime the entity hosting the event will be responsible for reimbursing the City for its costs. Failure to reimburse the City will result in a forfeiture of the facility deposit and denial of future permits until such time that the costs are reimbursed.

Consumer's Certificate of Exemption

DR-14
A. 04/11



Issued Pursuant to Chapter 212, Florida Statutes

G-801261 126106C	12/31/2011	12/31/2016	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

NORTHSIDE NAPLES
858 NAPLES SIDE DR
NAPLES FL 341 03

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.

Important Information for Exempt Organizations

DR-14
A. 04/11



1. You must provide all vendors and suppliers with certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption*, solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except where they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

Helpful Special Event Contacts

The CDC provides a readiness and planning tool for events, should the applicant wish to review it <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community/COVID19-events-gatherings-readiness-and-planning-tool.pdf>

For Deputies/Road Closures/Alcohol and Security

Lee County Sheriff's Office
(239) 477-1199

For Signs/Banners/Tents/Balloons Permits/Alcohol Sign Off

Bonita Springs Community Development
9220 Bonita Beach Road
Bonita Springs, FL 34135
(239) 444-6250

For Alcohol License

ABT Licensing District Office
2295 Victoria Ave, Suite 145
Fort Myers, FL 33901
(239) 344-0885

Non-Profit Organizations

Lions Club
(239) 992-3034

Lions Club West
(239) 200-1583

Bonita Assistance Office
(239) 992-3034

Rotary Club of Bonita Beach Sunset
1RickPerry@gmail.com

Bonita Rotary Club
(239) 947-8900

For a list of non-profit organizations, please visit...
<http://local.bonitaspringschamber.com/CharityVolunteer-Organization>

You do not have to partner with the charities on this list. You may choose any charity. This list is intended as informational only.

SPECIAL EVENT PERMIT APPLICATION

PERMIT. SEP- _____



City of Bonita Springs
9101 Bonita Beach Road
Bonita Springs, FL 34135

Date Received: _____

Effective Date/Time: _____

Application Fee: \$50.00

Phone: 239/949-6262

Fax: 949-6239

\$25.00 (501C3 organizations)

Fee is non-refundable

Use this form for: Parades, Festival/Carnival, Any Activity Requiring Off-Site Parking, Street Closure, Sound Amplification or City Personnel, Run/Race/Walk, Art Shows, Concerts, Special Musical Presentation, Street Dances, Photography Shoots, and Fireworks. For information call 949-6262.

Completed Special Event Permits take 45 days to process with all necessary attachments and without errors. Your permit will go to the next City Council Meeting after the 45 days. Please take this into consideration when planning your event.

Organization: _____

Nature of Event: _____

Location (Attach Site Plan): _____

Date

Set-Up Time

Actual Event Times

Take Down Time

_____ to _____ to _____ to _____

For multiple dates, please attach letter.

Has this event been held in the past? _____

If so, when was the last event? _____

Individual Contact for Activity/Event: _____

Phone: _____

Address: _____

Website: _____

E-Mail Address: _____

Major Sponsor(s): _____

Promoter(s): _____

Phone or Contact #: _____

1. Crowd: Is anticipated crowd size 1,000 or more?

Yes **No**

Actual Anticipated number: _____

2. Parking: Will off-site parking be provided? _____

Will "shuttle" service to parking be provided? By whom? _____

4. Noise: Will there be amplified music or entertainment? If yes, please attach type(s) of Entertainment and time(s) of performances(s). Indicated stage location(s) on siteplan.

- | | Yes | No |
|---|--------------------------|--------------------------|
| 5. City Co-Sponsorship:
Is City co-sponsorship being requested? If yes, please explain with letter of attachment, listing benefitting organizations. | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Fireworks: Is this a public _____ or private _____ display? Applicant must comply with State Law F.S. 791; and NFPA 1123 and obtain any applicable Lee County permit. | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Banners, Signs, Etc.: Will exterior banners, balloons, signs or other types of advertising techniques be used? Temporary signs may only be placed in accordance with the Sign Ordinance. | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Alcohol Beverages: Will alcoholic beverages be sold _____ or consumed _____ on the premises? Please check one or both. A copy of the Florida Beverages Commission permit is required to finalize before event. Permit Holder: _____
Division of Alcoholic Beverages and Tobacco: (239) 278-7195. | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Security: Will private security be provided to protect exhibits, equipment or facilities brought on-site for the event? Name of Company: _____
Contact Number: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Private Property: Does the applicant own the property where the event is to be held? If not, please attach a letter of permission from the property owner. | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Public Safety: Will Police and Fire District Personnel be requested? (Based on responses to questions 1-6 certain Public Safety personnel may be required, i.e., Lee County Sheriff's Office, emergency services, fire, etc. Once staffing needs are determined, applicant will be required to provide copies of its contracts detailing obligated public safety staff necessary for event. | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Tents/Canopies: Will tents or canopies be used? <u>If yes, indicate on site plan the tent size, location, and type of surface on which the tent(s) will be installed and intended use of each tent.</u> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Air Conditioning Units/Power Generators: Will exterior air conditioning units or power generating equipment be operated from vehicles or trailers? <u>If yes, indicate location of equipment on-site plan.</u> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Food/Cooking: Will food be cooked _____ catered _____ on-site during this event? <u>Indicate on site plan the location of vendors and cooking equipment to be used.</u> (Appropriately rated fire extinguishers required.) Lee County Health Department approval is required to finalize permit before event. Environmental Health Section: (239) 332-9559. | <input type="checkbox"/> | <input type="checkbox"/> |

Special Event Fee Schedule

Private Organization Fees for Special Events @ Riverside Park City Fees

Special Event Application.....	\$50 (Fifty Dollars)
Vendor Permit Application.....	\$50 (Fifty Dollars) per vendor
Damage/Cleanup Deposit.....	\$500 (Five-hundred Dollars)*
Park Rental Fee	\$65/hr.
City Staff Fee.....	Up to \$38/hr.

Non-Profit Organization Fees for Special Events @ Riverside Park City Fees

Special Event Application	\$25 (Twenty-Five)
Vendor Permit Application.....	\$50 (Fifty Dollars) per vendor
Damage/Cleanup Deposit.....	\$500 (Five-hundred Dollars)*
Park Rental Fee	\$30/hr.
City Staff Fee.....	Up to \$38/hr.

Community Development Fees

Sign/Banner Permit Fee.....	\$25 (Twenty-five Dollars)
Temporary Tent Fee (Larger than 10 x10)	\$150 (One-hundred and fifty Dollars)
Temporary Use Permit.....	\$20 (Twenty Dollars)
Consumption on Premises (COP Alcohol) Permit... ..	\$25 (Twenty-Five Dollars)
(Additional fees may be charged by Division of Alcoholic Beverages and Tobacco)	

*Deposit is refunded after event.

PLEASE NOTE: Lee County Sheriff's Department will not sign-off on your event unless they see a completed Special Event Packet. This sign-off sheet must be completed by the Lee County Sheriff's Office with your Special Event Packet when you return it to Bonita Springs City Hall.



CITY OF BONITA SPRINGS SPECIAL EVENT DEPARTMENT
9101 BONITA BEACH ROAD | BONITA SPRINGS. FL 34135 | (239) 949-6262

LEE COUNTY SHERIFF'S DEPARTMENT SIGN-OFF

Details Unit - (239) 477-1199 or jhillery@sheriffleefl.org or asellers@sheriffleefl.org

Event Name

Parking:

Road Closures (Please Explain):

Alcoholic Beverages:

Special Arrangements:

SHERIFF'S PERSONNEL USE ONLY

LCSO DETAIL COMMANDER: _____ DATE: _____

SIGNATURE

DEPUTIES BOOKED FOR EVENT (How Many?): _____ DATE BOOKED: _____

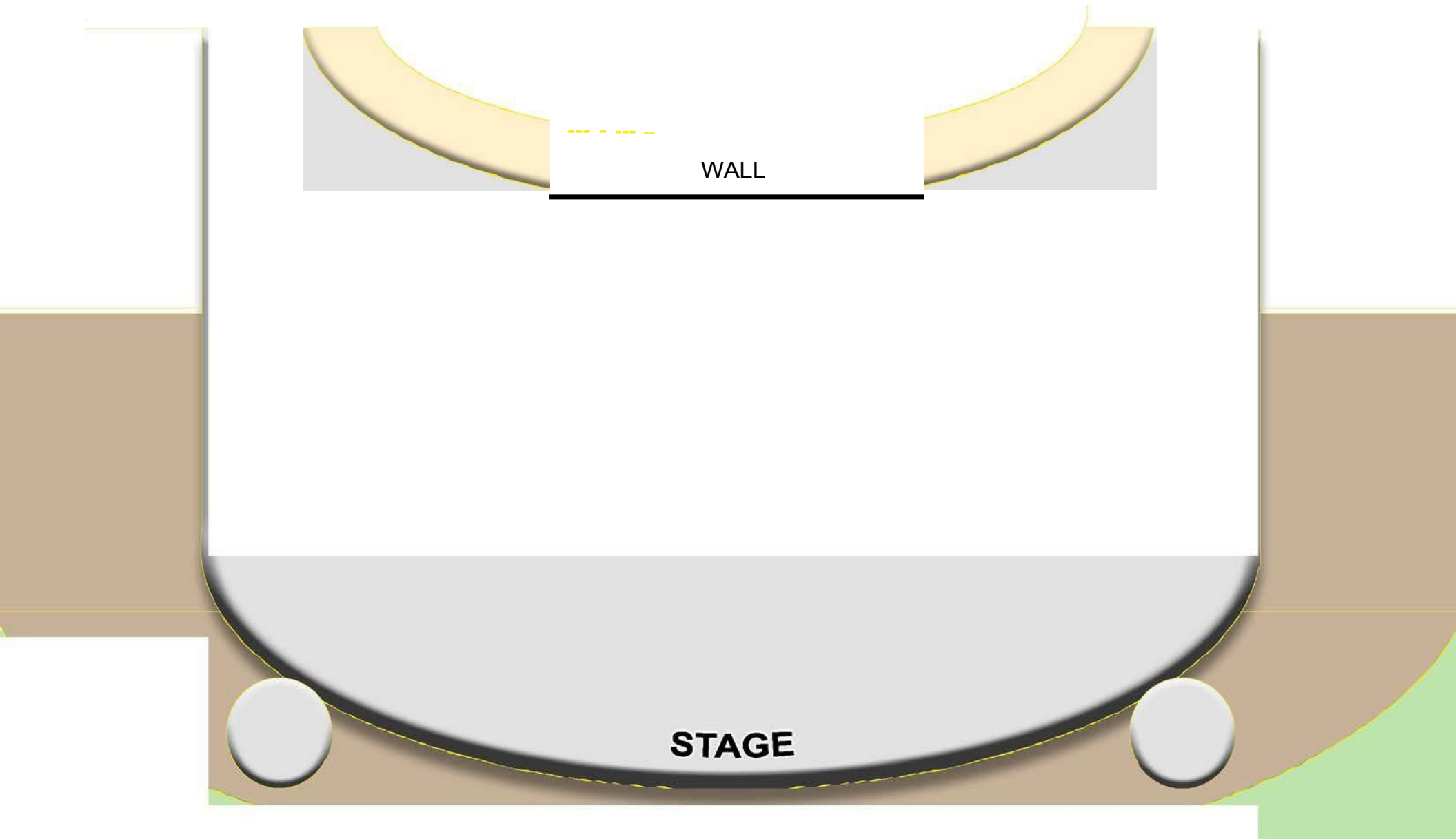
Please Note: "Deputies Booked for Event" is an estimate. Amount of Deputies may change at any time before or during your event.

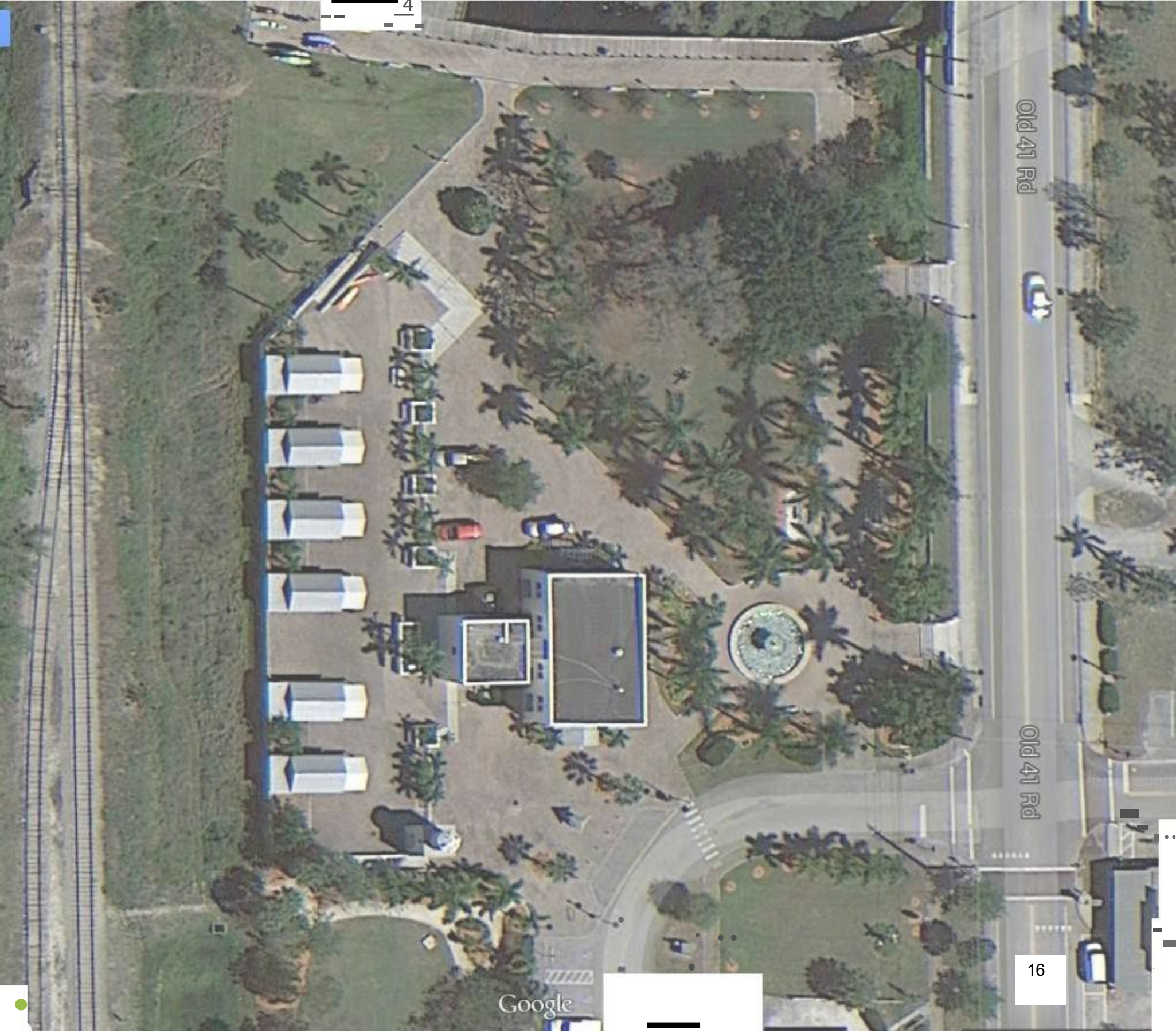


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© 2014 Google

GO





Old 41 Rd

Old 41 Rd

CHECKLIST

Please be sure to have the following with your Special Event Application when you hand it in...

- Site Plan/Layout- Explain where everything will be on the property. This includes dumpsters, vendors, tents, restrooms, parking, stages, etc. many people use Google Earth or Google Maps for this. A drawing is also acceptable as long as it is legible.
- Letter: Explain what the event is. Please include your complete entertainment list and schedule.
If you are requesting co-sponsorship from the City, you may include this in the same letter.
- Property Permission Letter: If not on City property, you will need a letter from the Property Manager or owner giving you permission to hold your event on their property. If they have restrooms, be sure to include in the letter that they give you permission to use them.
This also includes someone else's property for parking.
- Lee County Sheriff's Office sign-off sheet – This must be completed before you hand in the application to us. They require all of the above.

Non-Profit:

- Copy of your 501(C)3 – If you would like to City to co-sponsor your event.
- Co-Sponsorship Letter- We require a letter requesting the City co-sponsor your event with the following information:
 - Request for advertisement on the City's website and on Bonita Channel 98.
 - Must be registered with the "Check a Charity" section of the Department of Agriculture and Consumer Services. For more information, call 800-435-7352 or 850-410-3800

All tent, signs and banner applications go to Community Development after you are approved by Council and should not be included in your Special Event Application.

FORM DBPR ABT – 6003
APPLICATION FOR TEMPORARY PERMIT OR SPECIAL SALES LICENSE
DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO

FORM DBPR ABT – 6003 IS REQUIRED TO:

- Apply for a temporary permit, not exceeding three days, to sell alcoholic beverages for consumption on premises only; or
- Apply for a special sales license, not exceeding three days, for the package sale only of alcoholic beverages.

FORM DBPR ABT – 6003 CHECKLIST

TRANSACTION	APPLICATION REQUIREMENTS
TEMPORARY PERMIT	<ul style="list-style-type: none"> <input type="checkbox"/> APPLICATION FORM DBPR ABT – 6003 <ul style="list-style-type: none"> <input type="checkbox"/> Complete Sections 1-6. <input type="checkbox"/> Obtain Notarization for Applicant Affidavit in Section 6. <input type="checkbox"/> Determine if Section 8 applies to the location of the event and obtain attestation of permanent licensee if applicable. <input type="checkbox"/> APPROVALS BY OTHER STATE OR LOCAL AGENCIES <ul style="list-style-type: none"> <input type="checkbox"/> Section 3 - Sales Tax Certification Obtain approval from the local area office of the Florida Department of Revenue. <input type="checkbox"/> Section 4 – Zoning Approval Obtain approval from the city or county zoning authority governing the location of the event. <input type="checkbox"/> APPLICATION FEE <ul style="list-style-type: none"> <input type="checkbox"/> \$25.00 Payable To: Div. of Alcoholic Beverages and Tobacco <input type="checkbox"/> FILE APPLICATION FORM DBPR ABT - 6003 <ul style="list-style-type: none"> <input type="checkbox"/> Submit the original, completed application with the required approvals and the application fee at least seven (7) days prior to the first date of the planned event.
SPECIAL SALES LICENSE	<ul style="list-style-type: none"> <input type="checkbox"/> APPLICATION FORM DBPR ABT – 6003 <ul style="list-style-type: none"> <input type="checkbox"/> Complete Sections 1-3 and 7. <input type="checkbox"/> Obtain Notarization for Applicant Affidavit in Section 7. <input type="checkbox"/> <input type="checkbox"/> APPROVALS BY OTHER STATE OR LOCAL AGENCIES <ul style="list-style-type: none"> <input type="checkbox"/> Section 3 - Sales Tax Certification Obtain approval from the local area office of the Florida Department of Revenue. <input type="checkbox"/> APPLICATION FEE <ul style="list-style-type: none"> <input type="checkbox"/> \$25.00 Payable To: Div. of Alcoholic Beverages and Tobacco <input type="checkbox"/> FILE APPLICATION FORM DBPR ABT - 6003 Submit the original, completed application with the required approvals and the application fee at least seven (7) days prior to the first date of the planned event.

GENERAL INSTRUCTIONS**TO PREPARE FORM DBPR ABT – 6003:**

All fields must be completed. If a question on the form is not applicable, insert "N/A." The form must be signed by the applicant prior to filing the application with the Division.

TO SUBMIT FORM DBPR ABT – 6003:

The completed, original application must be submitted, by mail or hand delivery, to a Division District Office serving the location of the licensed premise address at least seven days prior to the first day of the planned event to ensure the permit is issued by the requested event date. District Office contact information is available at:

<http://www.myfloridalicense.com/DBPR/alcoholic-beverages-and-tobacco/>.

LAWS AND REGULATIONS RELATED TO THE TEMPORARY PERMIT**Florida Law for Temporary Permits**

Pursuant to section 561.422, Florida Statutes, upon the filing of an application and payment of a fee of \$25 per permit, the division may issue a permit authorizing a bona-fide nonprofit civic organization, charitable organization, municipality, or county to sell alcoholic beverages for consumption only on premises for a period not to exceed 3 days, subject to any state law or municipal or county ordinance regulating the time for selling such beverages. Any such civic organization, charitable organization, municipality or county may be issued up to twelve temporary permits per calendar year, except in those counties or cities with special acts governing the number of permits allowed annually. Information regarding the cities and counties with applicable special acts can be found at:

<http://www.myfloridalicense.com/DBPR/alcoholic-beverages-and-tobacco/>.

Purchases of Alcoholic Beverages and Related Records

The permitted bona-fide nonprofit civic organization, charitable organization, municipality, or county may purchase alcoholic beverages from a distributor or vendor licensed under the beverage law. All records of alcoholic beverage purchases and sales must be retained for examination upon request of the Division of Alcoholic Beverages and Tobacco.

Sales of Alcoholic Beverages and Related Revenue

All alcoholic beverage sales transacted under the authority of the permit must be made by responsible members of the permitted organization, only during the permitted time frame, and only at the permitted location. All net profits from sales of alcoholic beverages collected during the permit period must be retained by the permitted nonprofit civic organization or charitable organization. When a temporary permit is issued to a municipality or county, all net profits derived from sales of alcoholic beverages during the permit period must be donated to a nonprofit civic or charitable organization within 90 days after the event.

Changes to the Permitted Event Date(s) or Event Venue

If, before the first day of the event date, the permitted event is rescheduled for reasons outside the control of event organizers, the applicant organization must notify the Division within 14 days of the cancellation to be eligible for reissuance of the temporary permit on the rescheduled date(s) at no additional application fee.

If the permitted venue becomes unavailable and a new venue is chosen, the city or county zoning authority serving the new event venue must complete a new Section 4 of this application confirming zoning approval.

ADDITIONAL INSTRUCTIONS FOR TEMPORARY PERMIT APPLICATION SECTIONS	
SECTION	ADDITIONAL INSTRUCTIONS
Section 1: Applicant Information	<p>Registration of Legal Entity or Proof of Nonprofit Status All corporations, domestic or foreign, and limited liability companies seeking a permit are required to be registered with the Florida Secretary of State, Division of Corporations, as an active nonprofit. Organizations which are not incorporated must submit one of the following: a letter outlining the purpose and the goals of the event and who will benefit from the event's profits; the organization's national, state, or local charter; the organization's by-laws, 501(c)3 registration, or minutes of meeting. The application will be considered incomplete without this active registration and proof of nonprofit status. For further information, contact the Department of State at (850) 488-9000 or www.sunbiz.org.</p>
Section 3: Sales Tax Certification	<p>Sales Tax Certification Section 3 must be completed by the Florida Department of Revenue confirming that the applicant has complied with the Florida Statutes concerning registration for Sales and Use Tax and has agreed to pay any applicable taxes due. Applications must be submitted within 90 days of DOR approval. The address and other contact information for Department of Revenue area offices can be found at: http://dor.myflorida.com/dor/taxes/servicecenters.html.</p>
Section 4: Local Zoning Approval	<p>Local Zoning Approval Section 4 applies only to applications for a temporary permit, not exceeding three days, to sell alcoholic beverages for consumption on premises only. The city or county zoning authority serving the area where the event or special sale will be held must complete this section confirming zoning approval. Applications must be submitted within 180 days of receiving zoning approval. The address and other contact information for area zoning offices can be found at: http://www.myfloridalicense.com/DBPR/alcoholic-beverages-and-tobacco/.</p>
Section 5: Description Of Premises of Temporary Event	<p>Description Of Premises of Temporary Event (Premises Sketch) Section 5 requires a complete sketch of the premises, drawn in ink or computer generated (letter size), detailing all permanent walls, doors, windows, counters, and labeling each room and area. Any outside areas where alcoholic beverages will be sold, consumed, or served must also be included in the sketch. Due to the difficulty of scanning, no blueprints will be accepted.</p> <p>When the event will be held at a location currently licensed for the sale of alcoholic beverages, a sketch of the entire premises must be submitted. If the event will not make use of the entire licensed premises, the sketch must identify the separate room or enclosure area of the licensed premises where the event will be held. In such circumstances, the attestation in Section 8 of this application must be signed by the current, permanent licensee and must be submitted by the nonprofit civic organization, charitable organization, municipality or county as part of its completed application.</p>
Section 6: Affidavit of Applicant for Temporary Permit	<p>Affidavit of Applicant for Temporary Permit Section 6, the affidavit of applicant for temporary permit, must be read and signed by an officer of the applicant organization in the presence of a notary, with the notary's seal affixed.</p>
Section 8: Attestation By Permanent License Holder	<p>Attestation By Permanent Licensee For Use Of Licensed Premises As A Permitted Temporary Event When the event will be held at a location currently licensed for the sale of alcoholic beverages, the attestation in Section 8 of this application must be signed by the current, permanent licensee and must be submitted by the nonprofit civic organization, charitable organization, municipality or county as part of the completed application.</p>

LAWS AND REGULATIONS RELATED TO THE SPECIAL SALES LICENSE

Florida Law for Special Sales Licenses

Pursuant to section 561.20(12)(a), Florida Statutes, upon the filing of an application and payment of a fee of \$25 per license, the division may issue a license authorizing the sale of alcoholic beverages in sealed containers only, for a period not to exceed 3 days. This license is issued only for the purpose of authorizing: a sale pursuant to levy and execution; a sale by an insurance company in possession of alcoholic beverages; a bankruptcy sale; a sale resulting from a license suspension or revocation; a sale of damaged goods by a common carrier; a sale by a bona fide wine collector; or a sale pursuant to Part V of Chapter 679, Florida Statutes.

ADDITIONAL INSTRUCTIONS FOR SPECIAL SALES LICENSE APPLICATION SECTIONS

SECTION	ADDITIONAL INSTRUCTIONS
Section 1: Applicant Information	<p>Registration of Legal Entity All corporations, domestic or foreign, general partnerships, limited liability companies, limited liability partnerships, and limited partnerships seeking a license are required to be registered with the Florida Department of State, Division of Corporations. The application will be considered incomplete without this active registration. For further information, contact the Department of State at (850) 488-9000 or www.sunbiz.org.</p>
Section 3: Sales Tax Certification	<p>Sales Tax Certification Section 3 must be completed by the Florida Department of Revenue confirming that the applicant has complied with the Florida Statutes concerning registration for Sales and Use Tax and has agreed to pay any applicable taxes due. Applications must be submitted within 90 days of DOR approval. The address and other contact information for Department of Revenue area offices can be found at: http://dor.myflorida.com/dor/taxes/servicecenters.html.</p>
Section 7: Affidavit of Applicant for Special Sales License	<p>Affidavit of Applicant for Special Sales License Section 7, affidavit of applicant for special sales license, must be read and signed by the individual applicant, every partner of a general partnership, every general partner of a limited partnership, a managing member, manager, or officer of a limited liability company, a managing member, manager, or officer of a limited liability partnership, or an officer of a corporate applicant, in the presence of a notary, with the notary's seal affixed.</p>

TYPE OF APPLICATION	
<input type="checkbox"/> Temporary Permit	<input type="checkbox"/> Special Sales License

SECTION 1A: APPLICANT INFORMATION			
<p>Full Name of Applicant(s) The permit will be issued in the name of the applicant as provided on the application.</p>			
<p>Applicant Mailing Address</p>			
City	County	State FL	Zip Code
Applicant Telephone Number		Applicant E-mail Address	
<p>Corporation or Other Legal Entity If the applicant is a corporation or other legal entity, enter the name and the document number related to the legal entity as registered with the Florida Department of State Division of Corporations.</p>			
FEIN Number		Florida Department of State Document Number	

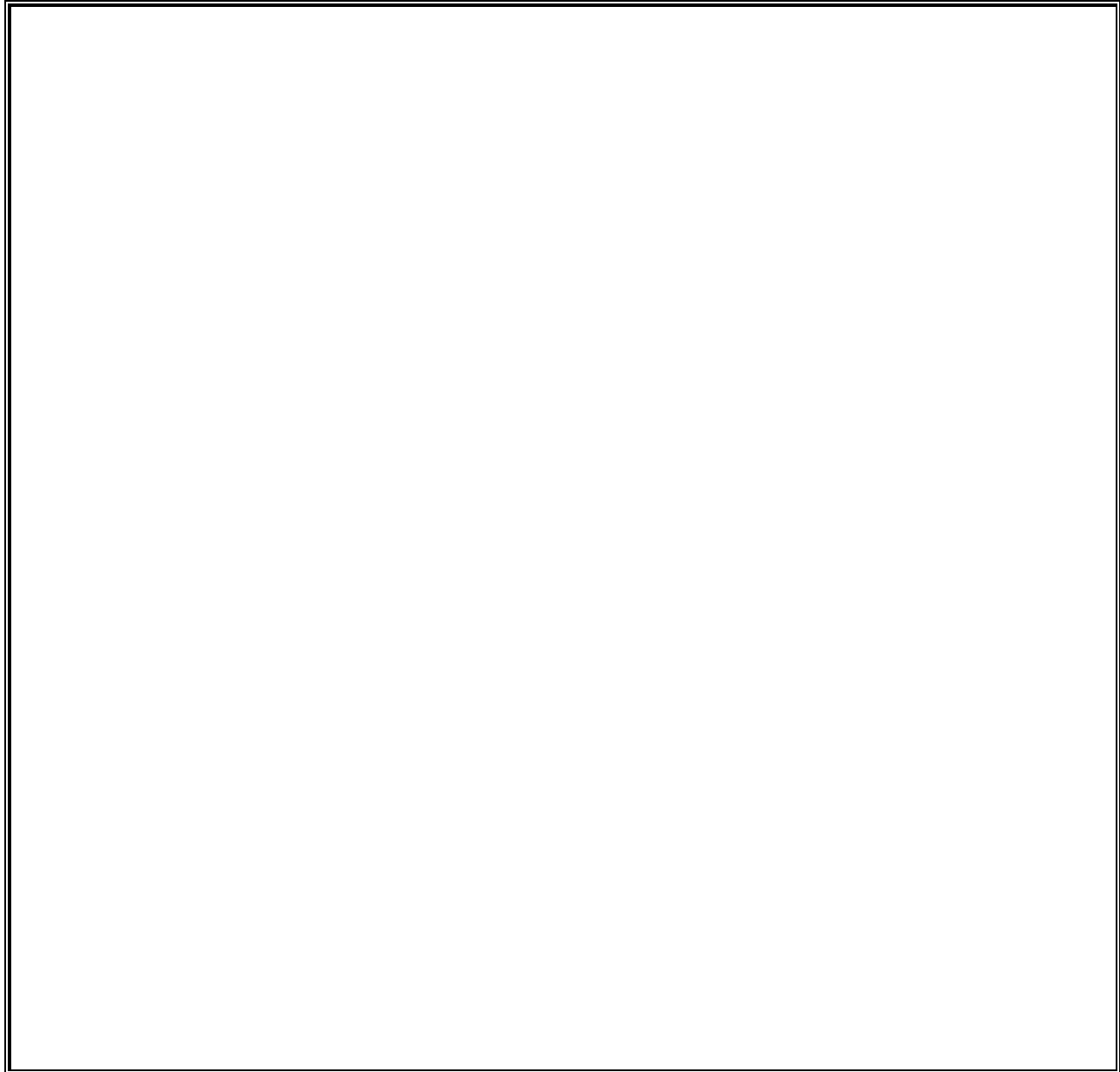
SECTION 1B (OPTIONAL): DESIGNATED CONTACT			
<p>A contact person must be designated below if the applicant prefers to designate a person other than the applicant to receive and reply to Division communications regarding this application. The designated contact person will be permitted to make changes to the application paperwork on behalf of the applicant, and the Division will communicate directly with the contact person regarding the application. The applicant will not be copied on communications from the Division to the designated contact. It is the responsibility of the applicant to inform the Division if there is a change of designated contact and/or to the contact information of the designated contact.</p>			
<p>Full Name of Designated Contact</p>			
<p>Designated Contact Mailing Address</p>			
City	County	State FL	Zip Code
Designated Contact E-mail Address		Designated Contact Telephone Number Ext.	

SECTION 2: DATES AND LOCATION FOR PERMIT OR LICENSE			
Dates of Active Use for Temporary Permit or Special Sales License			
Provide the date(s) of the event or sale when the permit or license will be effective. The dates provided may not exceed three days.			
Day 1	Day 2	Day 3	
Address for Physical Location of Temporary Event or Special Sales Event			
City	County	State	Zip Code
		FL	
Is the event location currently licensed for sales of alcoholic beverages under a permanent license issued by the Division? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, obtain attestation of permanent license holder in Section 8.			

SECTION 3: SALES TAX CERTIFICATION TO BE COMPLETED BY THE FLORIDA DEPARTMENT OF REVENUE
Full Name of Applicant(s)
Florida Department of Revenue Verification of Registration The named applicant(s) for a temporary permit or special sales license has complied with Florida Statutes concerning registration for Sales and Use Tax and has paid or agreed to pay any applicable taxes due.
Authorized Agency Signature _____
Printed Name _____
Title _____
Date _____

SECTION 4: LOCAL ZONING APPROVAL			
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING THE TEMPORARY EVENT LOCATION			
Location of Temporary Event Street Address _____			
City _____	County _____	State FL	Zip Code _____
Local Zoning Approval The location of the temporary event complies with local ordinances for the temporary sale of alcoholic beverages based on the information supplied by the applicant in this application.			
Authorized Agency Signature _____			
Printed Name _____			
Title _____			
Date _____			

SECTION 5: DESCRIPTION OF PREMISES OF TEMPORARY EVENT	
Full Name of Applicant(s)	
Name or Title of Temporary Event	
Neatly draw a floor plan of the premises in ink, including: sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, points of sale of alcoholic beverages, storage areas, restrooms, bar locations, and any other specific areas which are part of the premises where the event will be held. A multi-story building where the entire building is to be licensed must show the details of each floor.	



**SECTION 6: AFFIDAVIT OF APPLICANT FOR TEMPORARY PERMIT
NOTARIZATION REQUIRED**

Full Name of Applicant(s)

"The applicant requesting the permit in the above and foregoing application is a nonprofit civic organization, charitable organization, municipality or county, and the permit, if used, will be used only by the applicant organization on the date(s) requested and at the location stated. By acceptance of this permit, the applicant agrees that, as a nonprofit or civic organization, all net profits from sales of alcoholic beverages during the permitted period will be retained by it, or, as a municipality or county, all net profits from sales of alcoholic beverages during the permit period will be donated to a nonprofit civic or charitable organization within 90 days after the permitted event. As a municipality or county, the applicant attempted to solicit a qualified nonprofit civic or charitable organization to conduct such sales for the permitted event but has been unable to find such a qualifying nonprofit civic or charitable organization in a reasonable and practicable manner and timeframe. The applicant organization has not received more than twelve (12) permits within the calendar year, unless otherwise authorized by law, and the applicant agrees that the location may be inspected and searched during the time that the permit is issued and business is being conducted without a search warrant by authorized agents or employees of the Division of Alcoholic Beverages and Tobacco, the Sheriff, Deputies, and Police Officers for purposes of determining compliance with the Florida Beverage Law.

I, the undersigned individual, or if a corporation, for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I swear under oath or affirmation under penalty of perjury as provided for in sections 559.791, 562.45, and 837.06, Florida Statutes, that the foregoing information is true and correct."

Signature of Applicant/Affiant

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20 _____,

by _____ (print affiant name).

() Personally Known

() Produced Identification

Type of Identification Produced _____

Signature of Notary Public – State of Florida

Name of Notary Public – Typed, Printed, or Stamped

(NOTARY SEAL)

Commission Expires: _____

FOR DIVISION USE ONLY

DATE ACCEPTED BY DISTRICT OFFICE:

**SECTION 7: AFFIDAVIT OF APPLICANT FOR SPECIAL SALES LICENSE
NOTARIZATION REQUIRED**

Full Name of Applicant(s)

"As the applicant requesting the special sales license in the above and foregoing application, I understand that this license allows package sales in sealed containers for a period of up to three days, and does not permit the sale of alcoholic beverages for consumption on the premises. I agree that the location may be inspected and searched during the hours that the special sale is being conducted without a search warrant by authorized agents or employees of the Division of Alcoholic Beverages and Tobacco, the Sheriff, Deputies, and Police Officers for purposes of determining compliance with the Florida Beverage Law.

I, the undersigned individual, or if a corporation, for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I swear under oath or affirmation under penalty of perjury as provided for in sections 559.791, 562.45, and 837.06, Florida Statutes, that the foregoing information is true and correct."

Signature of Applicant/Affiant

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20 _____,

by _____ (print affiant name).

Personally Known

Produced Identification

Type of Identification Produced _____

Signature of Notary Public – State of Florida

Name of Notary Public – Typed, Printed, or Stamped

(NOTARY SEAL)

Commission Expires: _____

FOR DIVISION USE ONLY

DATE ACCEPTED BY DISTRICT OFFICE:

SECTION 8: ATTESTATION BY PERMANENT LICENSE HOLDER FOR USE OF LICENSED PREMISES AS A PERMITTED TEMPORARY EVENT		
<p>An attestation is to be obtained from the current, permanent alcoholic beverage license holder when the temporary event of the applicant nonprofit civic organization, charitable organization, municipality, or county is hosted at a location that is permanently licensed by the Division of Alcoholic Beverages & Tobacco for the sale of alcoholic beverages.</p> <p>NOTE: The attestation must have the original signature of the alcoholic beverage license holder (only persons on file with the Division may sign) and must be submitted by the nonprofit civic organization, charitable organization, municipality, or county as part of the application for the Temporary Permit.</p>		
Full Name of Permanent License Holder at Temporary Event Location		
Business Name (D/B/A)		
License Number	Series of Permanent License	
	Series	Type:
Contact Person for Permanent License Holder	Contact Person Telephone Number	
	Ext.	
Contact Person E-mail Address		
Name of Applicant for Temporary Permit		
Date(s) of Temporary Event		
Day 1	Day 2	Day 3
<p>A temporary permit is being requested for an event to be held on your licensed premises. During the permitted dates and times of the event, no sales or service of alcoholic beverages may be made under your permanent alcoholic beverage license in the area identified for use by the temporary permit applicant in Section 5 of this application. Failure to comply may result in administrative charges being filed against your license.</p>		
_____ Signature of Permanent License Holder at Temporary Event Location		Date _____
_____ Printed Name of Permanent License Holder at Temporary Event Location		

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 18 – 02

AN ORDINANCE AMENDING THE CITY OF BONITA SPRINGS SPECIAL EVENTS PERMIT CRITERIA IN BONITA SPRINGS CODE §§6-19 – 6-22; REGULATING OUTDOOR ENTERTAINMENT EVENTS; DEFINING SPECIAL EVENT ACTIVITIES; ESTABLISHING PERMIT REQUIREMENTS AND APPLICATION PROCEDURES FOR DIFFERENT TYPES OF CLASSES OF SPECIAL EVENT PERMITS; PROVIDING APPEAL AND REVOCATION HEARING PROCESS; PROVIDING FOR VIOLATIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes §166.01, the Municipal Home Rule Powers Act, authorizes cities to establish, co-ordinate and enforce the laws that are necessary for the protection of the public; and

WHEREAS, Bonita Springs City Charter provides the City with the authority to adopt regulations that are designed to promote the public health, safety and general welfare of its citizens, and

WHEREAS, the City adopted Bonita Springs Ordinance No. 02-02 to encourage outdoor concerts and special events, but to regulate them in such a manner so as to ensure public safety.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: BONITA SPRINGS CODE CHAPTER 6

Sections 6 -19 through 6-22 of the Bonita Springs Code is to read as follows, with strike-through identifying deleted language and underline identifying additional language:

ARTICLE II. - SPECIAL EVENTS

Sec. 6-19. - "~~Special event~~" defined. Definitions for Special Events

Unless otherwise expressly stated, the following words and terms, for the purposes of this ordinance, have the meanings shown in this section.

- A. ~~The term "s~~"Special event" is a type of temporary use, and means the following:
- (1) An event providing a community-wide activity which is temporary in nature and would not typically be permitted on a permanent basis and which, by this ordinance or other code provision, requires a special event permit.

- (2) Special event activities, defined as, but not limited to, any organized public or private activity held or conducted on a temporary basis which is apart from, or in addition to, activities and uses normally associated with and permitted at a specific location. This definition does not include functions put on by the city on its own property, or functions in structures that have been issued a certificate of occupancy and are used as an exhibition building.

B. "City Hosted Special Event" are events which are undertaken by City Council, by and through its respective departments and city committees. A city hosted special event is funded by the City budget annually, and include small events such as Movies in the Park, Groundbreaking Ceremonies and Ribbon Cuttings; as well as large events such as Celebrate Bonita and Veteran's Day ceremonies. City staff assist in the planning and execution of these events.

C. "City Permitted Event" are events that are undertaken by non-city entities either on city property or private property. The event is not usually part of the City Annual Budget. These events must pay the City rental fees, hourly employee fee and the event deposit. These events are responsible for the advertising of their event. The City permits these events, but does not plan or execute them. A Communications staff member will work at the venue during the event for city coordination.

D "City Permitted Co-Sponsorship Eligible Events" are events that are undertaken by non-city entities, that have been evaluated and determined they are appropriate for co-sponsorship as specified in this ordinance. The event is not within the city annual budget. These events may be eligible for tier 1 or tier 1a co-sponsorship. These events are hosted by non-city entities, such as a school, other government or a non-profit entity with the occupancy at the event less than 400 attendees.

1. Tier 1 and Tier 1a Co-Sponsorship. The City waives the venue rental fee and decreases the venue deposit to \$250.00. Sponsorship can be discretionarily granted by City Council or the City Manager at time of the special event application is being approved.
2. Costs incurred by the City include one or more of the following: fee waiver, posting the event on the City website and Bonita TV Bulletin Board, use of City chairs on stage for performers, facilities at the event at a cost incurred by the City.
3. If a non-profit entity is not eligible for Tier 1 or Tier 1a Co-Sponsorship, then they may be eligible to apply for Tier 2 co-sponsorship which includes listing the event on the city website and BTV bulletin board to assist with promotion of the event.
4. All applicants must pay for a city employee if the event is on city property to be at the event for at least one hour prior to start and up to one hour post

event. This fee is not waived. If the applicant requires additional staff time, the applicant may request it.

D. "Private Event" are events undertaken by non-city entities that are processed without any city co-sponsorship, i.e., the applicant is responsible for all fees and costs associated with the special event permit.

(Ord. No. 02-02, § 1, 3-6-2002; Ord. No. 08-16, § 1, 9-3-2008)

Sec. 6-20. - Application procedure.

- (a) No person, corporation, partnership, or other organization shall advertise, conduct, maintain, or sell or furnish tickets for an outdoor concert or event in the city, or hold any event requiring a special event permit as required under this section, unless and until the person or entity has obtained a special event permit from the city to conduct such concert or event. A special event permit must be obtained and returned fully completed, with the applicable fee as set forth in this section, ~~established and changed by resolution~~, and may be granted for a temporary and specific period of time for such special event activities as:
- (1) Air shows.
 - (2) Art shows, excluding arts and crafts, and other sales of less than 30 booths/vendors, provided they obtain a temporary use permit.
 - (3) Running or walking events, including triathlons.
 - (4) Carnivals.
 - (5) Concerts.
 - (6) Festivals.
 - (7) Fireworks.
 - (8) Parades.
 - (9) Commercial photography shoots.
 - (10) Musical presentations.
 - (11) Street dances.
 - (12) Other similar event activities requiring off-site parking, street closures, sound amplification exceeding the noise ordinance or use of city personnel or public property.
- (b) Dates and fees. A special event permit application must be obtained from and submitted as a complete application to the ~~city manager~~ ~~30~~ Communications Department 45 days prior to the requested permit for special events, with the special event request to be scheduled before City Council for their approval at least ~~no later than~~ 48 hours before the event. Under special circumstances, the city reserves the right to

approve the special events in less time than what is required to be submitted, with the understanding this is discretionary and the applicants are at risk of not receiving approval as a result of submitting late.

Base Application Fee

- (1) Private events \$50.00
- (2) Non-Profit hosted events \$25.00
- (3) City Special Events No Fee / No permit necessary

Additional Fees

- (1) Failure to submit the complete application within the 45 days will incur an expedited processing fee of \$100.00.
- (2) In addition to the base application fee, the applicant will be required to pay the deposit for use of the facility, cost of the facility based on the hourly or daily rate in Ordinance No. 17-13, the Parks and Recreation Rental Fees, Communications staff time for necessary for the operation the day of event.

The Communications Department shall determine the type of event and calculate the fee accordingly. Regardless of prior practice, application and rental fees must be paid with exception to the limited waiver of Tier 1 and 1a co-sponsorship identified herein.

(c) Co-Sponsorship Application Criteria

- (1) In order to apply for a co-sponsorship or pay the non-profit rate, a non-profit must meet the following community support criteria:
 - i. Be located in the City of Bonita Springs, or provide a significant benefit to residents located within the Bonita Springs area.
 - ii. Demonstrate that at least 10% of the proceeds from special events within Bonita Springs should remain within the Bonita Springs area or have been given to other Bonita Springs charities whose purpose is shown as the Bonita Springs area. If the event is non-monetary, the non-profit must demonstrate that the non-profit provides an impact to at 5% of the area.
 - iii. Be registered as a charitable organization with the Florida Department of Agriculture and Consumer Services (FDACS), consistent with Florida Statutes §496.405, as amended. The non-profit must be current with this registration at the time of permitting and at the time of the event. City staff will verify the entity with Check-A-Charity website from the Florida Department of Agriculture and Consumer Services, a resource that

provides the financial information reported to the department from charitable organizations.

- iv. In addition to registration, the non-profit will be required to provide a financial report to the City of Bonita Springs, as required in the IRS Form 990, of the specific revenue produced from the specific event that was permitted, including, but not limited to, a financial report in relation to the event that demonstrates the community support criteria in this section. Failure to provide this report within 60 days from the conclusion from the event may result in future co-sponsorship event application denial.
- v. City Council reserves the right to limit co-sponsorship to non-profit groups to a specific number each year, or to have the non-profit entities be required to turn in an annual application for approval as a co-sponsored event.

(2) Co-Sponsorship Tiers:

- i. Co-Sponsorship Tier 1- (Only eligible for local schools) allows for a reduced deposit of \$250.00 and rental fee waiver.
- ii. Co-Sponsorship Tier 1a -Small scale events hosted by non-profit, defined as less than 400 attendees, for a reduced deposit of \$250.00 and rental fee waiver.
- iii. Co-Sponsorship Tier 2- Allows for the event to be listed on the city website and BTV bulletin board. All fees must be paid in accordance with this section.

- (d) Each application will be reviewed by the Communications Director (hereinafter "Director") ~~city manager~~, who shall make the final determination in those applications special event permits indicating an expectancy of 200 to 2,999 persons a day ~~or art shows~~ (excluding arts and crafts, and other sales of less than 30 booths/vendors, provided they obtain a temporary use permit); running or walking events, including triathlons; or other event activities ~~minimal~~ not significantly requiring off-site parking, street closures, or use of city personnel or public property. The Director ~~city manager~~ shall submit applications and set for City Council all those applications for a permit application where the expectancy is for ~~4,~~ 3,000 persons or more a day or for air shows; carnivals; concerts; festivals; fireworks; parades; commercial photography shoots; musical presentations; street dances or other similar event activities requiring extensive off-site parking, street closures, or use of city personnel or public property. The City Council, in its discretion, may hear any application of less than 2,999 ~~200~~ persons per day.

- (e) The ~~Director city manager~~ and/or City Council, where applicable, may grant or deny a special event permit considering whether:
- (1) The applicant has complied with all required criteria outlined on the permit application form.
 - (2) Sufficient city support personnel are available to assist in the conduct of the event.
 - (3) Adequate support facilities are available for the event with the support facilities, including, but not being limited to, parking, refuse collection, sanitation, and lighting.
 - (4) No conflict exists with the requested event and other approved and previously scheduled events.
 - (5) The event will not result in the over-utilization of city facilities or the over-utilization of one area of the city.
 - (6) No outstanding balances are due the city for assistance from previous activities from the applicant.
 - (7) Amplification of sound has been justified and is established at a level acceptable to City Council for the event. If no sound level is established in the permit as a special condition, the applicant must meet the decibel limits as set forth in the Bonita Springs Noise Control Ordinance.
 - (8) Crowd size has been determined to be a manageable size for the proposed event.
 - (9) The event is generally compatible with the character of the city and/or the locale requested.
 - (10) The applicant complied with terms and conditions of any previously granted permits.
- (f) City Council approval is required prior to any event that necessitates street closings, ~~amplified entertainment, city co-sponsorship~~, crowd attendance in excess of 4, 3,000, a request outside the parameters of this ordinance or fireworks display.
- (g) Each special event activity permit shall be valid for a specific period of time and for a specific purpose as indicated on each permit application form.
- (1) City Council may approve the duration of a special event permit for a period not to exceed three years for events on private property for permits within the criteria where City Council approval is necessary pursuant to this Ordinance, provided that the event has been established and has operated without any documented problems for at least two (2) years.
 - (2) Council is limited to one year at the park within the criteria where City Council approval is necessary by this ordinance, unless City Council

approves a license agreement for the use, upon a finding that the use is promoted and marketed to a national (or international) audience, and that the event serves a compelling beneficial interest to the City of Bonita Springs.

(3) The Director may approve permits with a duration for up to three years when the venue is not located on City property and the event would not otherwise necessitate City Council approval pursuant to subsection (d - f) above. The Director is limited in approving special event permits on city property to one year duration.

(4) Applicants must obtain other permits that are required from the City or other jurisdictions necessary for the special event.

(5) Permits must be posted or made available for inspection during the event. If the applicant fails to fulfill the requirements as set forth in the permit, or if at any time the event does not comply with the specific terms and conditions of the permit and specifications approved by the ~~Director~~ City Manager or City Council, including, but not limited to, time and activities, the special event activity permit may be cancelled by the ~~Director~~ City Manager and the activity shall cease immediately.

(g) All special event applications are reviewed by the Lee County Sheriff's Office prior to approval. The Lee County Sheriff's Office will inform the applicant of how many deputies are required to be working at the event as a special detail. It is the responsibility of the applicant to pay the detail fees necessary for the deputies to be working the event. The applicant must provide a safety plan for the event. A sample safety plan is included in the special event application packet.

(h) INSURANCE REQUIRED. Permittee is required to obtain and present evidence of surety indemnity bond or comprehensive liability insurance naming the city as an additional insured. The insurance requirement is a minimum of \$1,000,000.00 general liability (personal injury) and \$100,000 property damage against all claims arising from permits issued pursuant to this ordinance, naming the City of Bonita Springs as additional insured. If the event poses higher risks than covered by such insurance, permittee shall be responsible for assessing the risks of the event and obtaining additional insurance coverage.

(i) SAVE HARMLESS AGREEMENT. Permittee is required to provide a save harmless agreement in which permittee agrees to defend, pay and save harmless the city, its officers and employees, from any and all claims or lawsuits for personal injury or property damage arising from or in any way

connected to the special event; excepting any claims arising solely out of the negligent acts of the city, its officers and employees.

- (j) LIMITATION OF LIABILITY. This ordinance shall not be construed as imposing upon the city or its officials or employees any liability or responsibility for any injury or damage to any person in any way connected to the use for which permits has been issued. The city and its officials and employees shall not be deemed to have assumed any liability or responsibility by reasons of inspections performed, the issuance of any permit, or the approval of any use of the right-of-way.
- (k) RESIDENTIAL COMMUNITY IMPACT REQUIREMENT. Event organizers may be required to notify local residents, businesses and neighborhood associations and provide temporary signs regarding parking, due to impacts by the event to the surrounding community. This helps to develop mitigating measures to accommodate the negative impact the event may have on entities that may be affected by the event.
- (l) SANITATION AND CLEAN-UP. A special event permit may be issued only after adequate waste disposal facilities have been identified and obtained by permittee. Permittee will clean the right-of-way of rubbish and debris, returning it to its pre-event condition, within 24 hours of the conclusion of the event. If the permittee fails to clean up such refuse, such clean up shall be arranged by the city and the costs charged to permittee.
- (m) The City Manager will distribute the finalized permit, with conditions as approved by City Council or the Director City Manager, to the applicant, the Lee County Sheriff's Office, Bonita Springs Fire Control and Rescue District or if applicable, the Estero Fire Rescue District, Community Development, city code enforcement and any other applicable agencies or persons.

(Ord. No. 02-02, § 3, 3-6-2002; Ord. No. 08-16, § 3, 9-3-2008)

Sec. 6-21. - Appeal and revocation hearing process.

- (a) STANDARDS FOR DENIAL OF PERMIT. Reasons for denial of a special event permit include, but are not limited to: the event will disrupt traffic within the city beyond practical solution; will interfere with access to fire stations and fire hydrants; the location of the special event will cause undue hardship to adjacent businesses or residents; the event will require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city; the application contains incomplete or false information; the applicant fails to comply with all terms of this chapter

including failure to remit all fees and deposits or failure to provide proof of insurance, bonds, and a save harmless agreement to the city.

- (b) All permits issued pursuant to this ordinance shall be temporary and do not vest any permanent rights. Reasons for denial or revocation of a special event permit include application contained incomplete or false information; applicant does not comply with all terms and conditions of permit; applicant fails to arrange for or adequately remit all fees, deposits, insurance or bonds to the city; disaster, public calamity, riot or other emergency exists. Denial or Revocation of a special event permit may be appealed by the same process as an appeal which results from denial of a permit. The city manager will approve applications when all conditions in this ordinance have been met. Should the application be denied, it must be in writing and for good cause. Good cause includes, but is not limited to, failure to comply with the necessary arrangements required by the agencies identified in the special event permit application, conviction of a felony that indicates low moral character by the applicant or principal, or an event that would sever or create an actual nuisance to the surrounding community.
- (c) The reasons for the denial or revocation must be stated succinctly in the denial. A denial should be without prejudice if the basis for the denial is a factor that can be corrected or changed. A copy of the denial or revocation will be sent to the applicant within ten days of the decision to deny. Any applicant whose special event permit application has been denied or revoked may request a review of this decision by the City Manager. This request must be in writing and received by the Director within five business days of the notice of permit denial or revocation. Applicant may appeal the decision of the City Manager to the City Council by filing a written notice of such appeal with the city clerk within five business days of the notice of denial of permittee's appeal by the Director. The City Council shall set a hearing date within 15 days of receiving such appeal request. At such hearing, the applicant is entitled to be heard and present evidence on its behalf. The City Council shall determine whether the denial or revocation of the permit is justified. An applicant or the city manager may request that the city council review the application and denial within 30 days from receipt of the decision to deny. The City Council may uphold the city manager's decision or grant the permit, adding conditions deemed reasonable to permit the application.
- (d) The City Council's decision will be deemed final. An appeal of the City Council's final decision may be filed in a court of competent jurisdiction as an appeal of a final order.

(Ord. No. 02-02, § 4, 3-6-2002; Ord. No. 08-16, § 4, 9-3-2008)

Sec. 6-22. - Penalties.

- (a) Violations of this article shall constitute and be deemed a nuisance. Persons violating any provisions of this article shall be punished as provided in section 1-15.
- (b) The City Council may, in addition, or alternatively, to pursuing penalties, institute in any court, or before any administrative board or special master of competent jurisdiction, an action to prevent, restrain, correct, or abate any violation of this article or of any order or regulation made in connection with its administration or enforcement, and the court, administrative board or special master shall adjudge to the city such relief by way of injunction or any other remedy allowed by law or otherwise, to include mandatory injunction, as may be proper under all of the facts and circumstances of the case in order to fully effectuate the regulations adopted in orders and rulings made pursuant thereto. Each separate occurrence of a violation of this article shall constitute a separate offense, and shall be punishable as such hereunder.
- (c) The city code enforcement officers may, in addition, or alternatively, to pursuing penalties or seeking injunctive relief, bring violations before the code enforcement hearing examiner, in accordance with all of the provisions of, and pursuant to the enforcement procedures established under City Code §2-107 et seq. ~~Ordinance No. 03-10~~. Each separate occurrence of a violation of this article shall constitute a separate violation, and shall be punishable as such.

(Ord. No. 08-16, § 5, 9-3-2008)

SECTION TWO: CONFLICTS OF LAWS

Whenever the requirements or provisions of this amending ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statutes, the most restrictive requirements shall apply.

SECTION THREE: SEVERABILITY

If any part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reasons, such part, section, subsection, or other portion of the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision application.

SECTION FOUR: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS

It is the intention of the City Council for the City of Bonita Springs that the provisions of this Ordinance shall become and be made part of the Bonita Springs City Code; and that sections of this ordinance may be renumbered or re-lettered and that the work "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not effect the intent may be authorized by the City Manager, or the City Manager's designee, without need or public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION FIVE: EFFECTIVE DATE

The effective date of this Ordinance shall be thirty (30) days from its adoption date, pursuant to Section 29(c) of the City Charter which requires thirty (30) days after its adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 4th day of January, 2018.

AUTHENTICATION:

Mayor

City Clerk

APPROVED AS TO FORM: _____
City Attorney

Vote:

DeWitt	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Slachta	Aye
O'Flinn	Aye		

Date filed with City Clerk: _____