

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, ESTABLISHING ARTICLE X OF CHAPTER 12 OF THE CLAY COUNTY CODE AND CREATING THEREUNDER SECS. 12-181 THROUGH 12-220 WHICH PERTAIN TO THE CLAY COUNTY EVENT ORDINANCE, IN ORDER TO PROVIDE FOR: DEFINITIONS; PERMIT REQUIRED AND COMPLIANCE WITH ARTICLE PROVISIONS; SUBMISSION OF APPLICATION TO THE COUNTY AND APPLICATION FEES; APPLICATION; SITE PLAN REQUIRED IN APPLICATION; EXEMPTIONS FROM EVENT PERMIT REQUIREMENTS; APPLICATION REVIEW PROCESS; EVENT PLANNING MEETING AND FEE/ISSUANCE; EVENT APPROVAL/DENIAL; APPEAL PROCESS; LIMITATIONS AFTER PERMITTING; POST-EVENT; OPERATIONAL REQUIREMENTS; COMPLEX EVENTS; EVENTS INVOLVING CONSUMPTION OF ALCOHOLIC BEVERAGES ON COUNTY-OWNED PROPERTY; PENALTIES AND ENFORCEMENT; RESERVED; SEVERABILITY; AND AN EFFECTIVE DATE.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Article X of Chapter 12 of the Clay County Code, establishing the Clay County Event Ordinance, is hereby established as follows:

Chapter 12 – LICENSES, PERMITS AND BUSINESS REGULATIONS

ARTICLE X. – EVENT PERMIT

Sec. 12-181. - Definitions.

Alcoholic Beverage. Distilled spirits and all beverages containing one-half of one percent or more alcohol by volume.

Agritourism Activity. An agritourism activity shall be defined as it is in Section 570.86(1), Florida Statutes.

Applicant. The individual(s) or entity that makes application to Clay County to hold an event. The applicant(s) is responsible for compliance with terms and conditions set forth herein, and, if required, in the required Planning meeting. The owner(s) of any property on which an event occurs shall also be deemed the applicant in terms of responsibility or liability for violation of this article or other federal, state, or local regulations occurring on any such property because of such event.

Application. A formal request for a proposed event permit submitted to the Event Coordination Committee.

Artificially Amplified Sound.

- (1) Any sound or noise caused by or for which the intensity is increased through the use or operation of any electronic sound amplifying device; and/or
- (2) Any sound or noise caused by or produced through the use or operation of any media player, radio device, or sound producing instrument.

Beer. All brewed beverages containing malt.

Board. The Clay County Board of County Commissioners.

Complex Event. Any event held within the unincorporated area of Clay County that it can be reasonably expected that the number of persons attending the event will be 1,000 or greater or to involve extraordinary impacts to County services.

Event. Any event held within the unincorporated area of Clay County that:

- (1) it can be reasonably expected that the number of persons attending the event will be 500 or greater;
- (2) involves a road closure; or
- (3) includes consumption of alcoholic beverages on county-owned property pursuant to section 12-195 of this article.

Event Coordination Committee (ECC). A committee comprised of representatives from the Sheriff's Office and the county departments including, but not limited to, Public Safety, Emergency Management, Tourism, Parks & Recreation, Planning and Zoning, Public Works, Public Information, Engineering, Facilities, Environmental Services, and the Building Department.

Event Permit. A permit issued by Clay County for the purposes of controlling and mitigating the impacts of an event.

Fees. Permit application fee, any appeal fee, and all costs to be assessed or required by Clay County to conduct an event as set forth by the Board of County Commissioners under this Article or by Resolution. Fees shall be limited to reasonably reflect expected costs.

Incident Management Team (IMT). A team of representatives from the Sheriff's Office and the county departments responsible for organizing and directing response activities to achieve the incident objectives and to address the three universal incident priorities of life safety, incident stabilization, and preservation of property.

Public Property. Any public street, sidewalk, place, property, easement, structure or facility owned, dedicated, controlled or otherwise under the proprietary jurisdiction and control of Clay County.

Resolution. A resolution by the Board of County Commissioners setting forth the dollar amount of fees and costs associated with an event permit, which resolution may be amended from time-

to-time by the Board of County Commissioners.

Sheriff's Office. The Clay County Sheriff's Office.

Temporary Structures. Includes, but is not limited to, sheds, booths, bleachers, canopies, tents, stages, and fences for temporary purposes during an event. Such structures shall be removed upon the expiration of the time limit stated in the event permit.

User. The party who entered into a written agreement with the Board of County Commissioners for the use of county property.

User Agreement. A written agreement between the user and the Board of County Commissioners for the use of county property.

Vendor/concession/business/merchant. Any person, corporation, entity, or enterprise providing the sale of goods or services for profit at or in conjunction with any event. If the applicant provides for the sale of goods or services for profit, the applicant shall be deemed a vendor/concession/business/merchant.

Wine. All beverages made from fresh fruits, berries, or grapes, either by natural fermentation or by natural fermentation with brandy added, in the manner required by the laws and regulations of the United States, and includes all sparkling wines, champagnes, combination of the aforesaid beverages, vermouths, and like products. Sugar, flavors, and coloring materials may be added to wine to make it conform to the consumer's taste, except that the ultimate flavor or the color of the product may not be altered to imitate a beverage other than wine or to change the character of the wine.

Sec. 12-182. - Permit required; compliance with article provisions.

- (1) No event held within the unincorporated area of Clay County shall be conducted without obtaining an event permit, unless exempted from permit requirements under this article. All events shall comply with the provisions set forth in this article and with all terms, conditions, and requirements identified in an issued permit.
- (2) A permit shall only be issued for an event that complies with all applicable Clay County zoning districts and land use regulations.

Sec. 12-183. - Submission of application to the county; application fees.

- (1) Whenever an event requiring a permit is planned to be held within the unincorporated area of the county, an event application must be submitted by the applicant at least 90 days prior to the event. An application submitted less than 90 days in advance of the event will not be considered for an event permit unless expressly authorized by the County Manager.
- (2) A check, made payable to Clay County for the event application fee, must be

submitted at time of application. The fee will be in the amount set forth by resolution of the Board.

- (3) All event applications will be received and processed by the county's ECC.
- (4) If the application describes an event that does not qualify as an event under this article, the application fee shall be returned by the county.
- (5) If the event is not approved, the county shall not be responsible for any costs incurred in relation to the event, but shall refund one-half of the original application fee.

Sec. 12-184. – Application.

All applications submitted to the ECC shall include the following information concerning the proposed event:

- (1) title;
- (2) description;
- (3) purpose;
- (4) date, time, and duration;
- (5) location;
- (6) name of the host individual or entity;
- (7) name of the contact person and their contact information (telephone number, address, and email address);
- (8) site plan;
- (9) whether alcoholic beverage sales or consumption is intended;
- (10) road closure requests; and
- (11) requests for involvement from Clay County Sheriff's Office and/or Department of Public Safety.

Sec. 12-185. – Site plan required in application.

The site plan included in each event permit application shall include:

- (1) the location of the proposed event;
- (2) a sketch of the event grounds;
- (3) the name of the host organization;
- (4) contact information (telephone number, address, and email address) for the Applicant or its designated point person;
- (5) ingress and egress to the event grounds;
- (6) any requested closure of public roads or parking spaces;
- (7) designated event parking;
- (8) location of first aid station;
- (9) location of garbage and recycling facilities;
- (10) location of restroom facilities and handwashing stations;
- (11) location of vendors;

- (12) location of service of alcoholic beverages;
- (13) location of entertainment;
- (14) location of signage advertising the event and/or directing traffic to/from the event location; and
- (15) location of temporary structures.

Sec. 12-186. - Exemptions from event permit requirements.

- (1) Events sponsored or approved by a public or private educational institution conducted on property owned by the institution; or
- (2) Events sponsored or approved by a nonprofit organization conducted on property owned by the organization unless the event:
 - (a) constitutes a complex event under section 12.194 of this article; or
 - (b) involves more than 500 people on site and incorporates any of the following features:
 - i. outside artificially amplified sound;
 - ii. high intensity lighting;
 - iii. erection of temporary structures; or
 - iv. activities that impinge upon any adjacent public, business, or residential areas.

Examples may include, but not be limited to, carnivals, festivals, concerts, sporting events, automotive/motorcycle events, or other similar activities which meet the definition listed herein for events.
- (3) Events designated as agritourism activities unless the event is reasonably expected to involve substantial offsite impacts including, but not limited to:
 - (a) ingress and/or egress traffic;
 - (b) outside artificially amplified sound;
 - (c) high intensity lighting; or
 - (d) noise.

Sec. 12-187. – Application Review Process.

- (1) After receiving a completed event application, the ECC shall review the application within five business days of receipt to determine if the proposed event will be designated as an event.
- (2) The consideration of all event applications shall be based on a message content neutral basis. An event application may be denied on any of the following grounds:
 - (a) The application was not timely submitted in accordance with this article;

- (b) The application (including any required attachments and submissions) was not fully completed and executed;
- (c) The applicant(s) did not tender the required application fee with the application;
- (d) The application is inaccurate and/or contains a material falsehood or misrepresentation;
- (e) The applicant(s) is legally incompetent to contract or to sue and be sued;
- (f) The proposed event or activity is prohibited by or inconsistent with the Clay County Land Development Code or Comprehensive Plan;
- (g) There is not adequate parking to accommodate the event;
- (h) The activity described in the application would present an unreasonable danger to the health or safety of the applicant(s), participant(s), public employee(s), or the public at-large;
- (i) The proposed event or activity is prohibited by federal, state, or local regulations;
- (j) The proposed site is inherently hazardous to the applicant(s), participant(s), public employee(s), or the public at-large;
- (k) The proposed event would have a substantial adverse impact on the health, safety, and welfare of neighboring residents and businesses located within one-quarter mile of the proposed event;
- (l) The Sheriff's Office or Public Safety Department does not have sufficient resources to adequately service the event; and/or
- (m) The requirements identified by the ECC to ensure public health, safety, and welfare have not been met.

Sec. 12-188. - Event planning meeting; fee/issuance.

- (1) If the event is designated an event under this article, an event planning meeting shall be scheduled within 30 days of the date the application was submitted and at the discretion of the ECC, may include the applicant(s). The event planning meeting shall result in the submission of a recommendation of approval or denial, along with the terms and conditions of the permit.
- (2) The following requirements shall be discussed and approved in the event planning meeting in regard to specific activities and/or operations related to the event:

- (a) Compliance with operational requirements set forth in section 12.193 below;
 - (b) Compliance with complex event requirements set forth in section 12.194 below, if applicable;
 - (c) Inspections to ensure compliance. In addition to scheduled inspections designated in the event planning meeting, the county may initiate safety and/or complaint inspections by the building department or fire inspector. The inspections are to ensure that permit safety requirements are being met by the applicant(s), owners, merchants, and their event employees. The inspectors may meet with the event applicant(s) regarding same.
 - (d) Permits—Other. All federal, state and county-required permits (Department of Environmental Protection, Department of Transportation, Division of Alcoholic Beverages and Tobacco, Federal Aviation Administration, fire permits, etc.) shall be obtained and provided to the county before the start of the event. Written approved documentation shall be provided by the applicant(s).
 - (e) Accessibility for the handicapped. All applicable laws and requirements for accessibility and accommodations for the handicapped shall be met by the applicant(s) regarding structures, site locations and event activities. This will be noted in the site plan. It shall be the applicant's responsibility to comply with state and federal handicap access requirements, including parking and sanitation needs.
- (3) The County may reasonably limit the duration of the event including the hours of the event and the number of days it can be conducted to minimize adverse impact caused by the activity.
- (4) Fees. In addition to the pre-paid event application fee, applicant(s) shall pay all fees required by this article and set forth in the permit.
- (a) Deposit. Applicant(s) shall be required to pay a deposit of 25% of the estimated fees set forth in the permit or \$500, whichever is less, for the following services:
 - i. Public Works [Section 12-193(9)]
 - ii. Building Department [Section 12-193(10)]
 - iii. Public Safety [Section 12-194(2)]
 - iv. Incident Management Team [Section 12-194(3)]
 - (b) Late fees. Any outstanding balances due the county from the event applicant, later than thirty (30) days after the last day of the event, will be subject to late fees as established in the fee resolution. No new permit shall be issued to an applicant with past due amounts.

Sec. 12-189. – Event Approval/Denial.

- (1) Within five days after receipt of the ECC recommendation described in section 12.188, the County Manager or designee will issue the approval or denial of the event permit along with any terms and conditions. Thereafter, the ECC will notify the applicant(s) in writing that the event permit has been approved or denied and advise of any required conditions or modifications required for permitting. If the event permit has been approved, the applicant(s) shall pay the required fees prior to issuance of the event permit.
- (2) Applicant(s) shall provide written proof of payment of all required fees prior to issuance of an event permit.
- (3) If an event is not approved, the county shall not be responsible for any costs incurred in relation to the event.
- (4) If a decision pertaining to the application permit has not been rendered within the required time period, the application shall be deemed denied.

Sec. 12-190. – Appeal Process.

- (1) An applicant may appeal the denial of an application to the Board at the next available Board meeting. Any such appeal must be filed with the ECC within seven business days of the date the permit denial was sent to the applicant. Appeal fees shall be set by resolution of the Board.
- (2) Upon receipt of a notice of appeal and the appeal fee, the ECC will place the appeal on the next available Board meeting.

Sec. 12-191. – Limitations After Permitting.

If at any time prior to or during the event, the County Manager or designee, Public Safety Department, and/or Sheriff's Office determine:

- (1) An event permit was issued based on a material misrepresentation or fraudulent information, the event permit may be revoked or temporarily suspended;
- (2) An addition or modification to the health, safety, and welfare provisions required by the event permit is reasonably necessary, notice of the addition or modification may be given to the applicant at any time and compliance with the addition or modification shall be required to maintain the event permit. Any additional fees associated with the necessary modification(s) shall be paid by the applicant(s);
- (3) The event presents an unreasonable danger to the health or safety of the participants, public employees, or the public at-large, the event must be suspended

until the danger is resolved and authorization to continue is provided by the County Manager or designee, Sheriff's Office, or Public Safety Department; and/or

- (4) The declaration of a state of emergency, the issuance of a tropical storm or hurricane warning, or warning of severe inclement weather by the county; or, an instance of terrorism, insurrection, or mayhem absolutely imminent or underway and emergency services personnel are necessary for essential services elsewhere, the event must be suspended until the circumstance are resolved and authorization to continue is provided by the County Manager or designee, Sheriff's Office, or Public Safety Department.

Sec. 12-192. – Post- event.

Following a permitted event, the ECC shall review the operation of the event including the applicant's adherence to the terms and conditions detailed in the permit and any amendments or modifications required by section 12.191, and/or the applicant's eligibility to apply for an event permit in the future.

Sec. 12-193. – Operational Requirements.

- (1) **Production/display of permit.**

The applicant(s) who is issued a permit shall maintain such permit at the event and upon request, produce such permit.

- (2) **Vendors/concessions/business/merchant.**

- (a) Food vendors must meet all the requirements of the Division of Hotels and Restaurants of the Florida Department of Business and Professional Regulation and be able to show proof of proper licensure by these agencies.
- (b) Other providers of goods or services must operate in compliance with the provisions set forth in the Clay County Code, Florida Statutes pertaining to those goods or services, and any other applicable state regulations. A violation of state law or regulation pertaining to said provision of goods or services shall be deemed a violation of this article.

- (3) **Location of parking; transportation services.**

The applicant(s) shall be responsible for providing adequate parking, and an event permit shall only be issued for those events with adequate parking. The site plan shall include a sketch designating all available parking and proposed locations for temporary signage. The formula for determining adequate available parking shall be the estimated number of attendees divided by two and one-half (2.5) people per car. Attention shall be given to traffic circulation and emergency access for police, fire, and medical personnel. The

applicant(s) may be required to post approved signage at all designated parking and make allowances for the security of all parking areas during the duration of the event. All signs shall be removed within twenty-four (24) hours of the event closing. Written permission from property owners approving offsite parking shall be provided. The applicant(s) shall designate and maintain adequate and easily accessible parking locations for all security, fire protection, and emergency medical services onsite. Failure to provide for adequate parking and/or transportation services shall be grounds for event denial. The parking formula may be adjusted, with county approval, to allow for event specific characteristics, such as shuttle services provided, motorcycles, aircraft, etc.

(4) **Alcoholic beverages.**

Alcoholic beverages sold, possessed, or consumed on the property on which the event is being held shall be in accordance with Florida Statutes and Clay County Code. Furthermore, it is the responsibility of the permit holder to ensure that no open containers of alcohol shall be permitted beyond the designated event site.

(5) **Temporary structures; integrity, height, location.**

It shall be the responsibility of the applicant(s) of the event to ensure that the structural integrity of all temporary structures erected for the event are safe, structurally sound, and adequately based on the number of persons specified to use the structure(s). The location of all temporary structures, erected for the purpose of the event, shall be addressed in the event planning meeting and shall not be located as to damage the environment or to create safety concerns. All temporary structures shall be properly anchored against the possibility of strong weather conditions. All temporary structures must be inspected and approved by the building department and fire inspector and must meet all applicable building and fire safety codes.

(6) **Control of outdoor noise.**

No event shall allow outside artificially amplified sound after 9:00 p.m. on weekdays (Sunday through Thursday) or after 10:00 p.m. on weekends (Friday, Saturday). Events occurring on holidays observed by the County, or on a Sunday if the following Monday is a holiday observed by the County, shall be deemed to be occurring on weekends for purposes of this section. These limitations notwithstanding, a permit may further restrict or extend such time limitation based on factors such as location, schedule, facilities, etc.

(7) **Temporary signs/banners.**

One temporary advertisement banner may be erected on the property of the applicant(s) and on temporary structures erected for the event for the duration of the event and no more than seven (7) days in advance. Event parking signs may be placed at approved parking areas during the duration of the event. Directional signs may be posted up to twenty-four (24) hours before the start of the event. All signs approved during the event planning meeting shall be in place no less than one (1) hour before the start of the event.

Signs authorized under this article are exempt from the provisions of the Clay County sign code.

(8) **Promotional visual effects.**

All special lighting and/or visual effects such as high-powered sky lighting units or fireworks attractions shall be addressed in the event planning meeting.

(9) **Public works services.**

- (a) Should the services of the Clay County Public Works Department be required, the number of personnel, the type of equipment, and the type of public works services required to service the event shall be determined by the county in the event planning meeting.
- (b) The fee for public works department personnel and the cost for equipment to be paid by applicant(s) shall be based on the normal and customary fees and costs for such services which will be set by a schedule provided by the Public Works Department.

(10) **Building department services.**

The building department services required to service the event shall be limited to inspection services required by the Florida Building Code. The number of building department personnel required and inspection/permit fees for these services shall be paid by the applicant(s).

(11) **Portable toilets; number required, locations, servicing.**

- (a) The number and location of portable toilets located onsite, when the event is conducted, shall be determined in the event planning meeting. The ratio of one portable toilet for up to one hundred fifty (150) people, and one portable toilet for every additional one hundred fifty (150) people (or fraction thereof) onsite at any one time, shall be considered the normal requirement, but may be reasonably adjusted by the ECC for specific events. Portable toilet fees shall be the responsibility of the applicant(s).
- (b) All portable toilets shall be serviced a minimum of one time per day for each day of the event. Any units located on public property shall be removed no later than the first day following the last day of the event. If structures on the event site have toilet facilities easily identified and readily available to the public, and there is no charge to the public to have access or to utilize them, they may be used in the formula to determine the number of units needed.

(12) **Garbage pickup; servicing; fees.**

- (a) The number and location of portable garbage cans and dumpsters located on the property on which the event is conducted shall be determined in the event planning meeting.
- (b) The formula for determining the number of portable garbage containers shall be one (1) fifty-five (55) gallon size container for every fifty (50) persons attending the event, per day. There shall be a minimum of one (1) eight (8) cubic yard capacity garbage dumpster available onsite during the duration of the event. An additional four (4) cubic yard capacity dumpster shall be added for every five hundred (500) persons per day over two thousand five hundred (2,500). All portable containers on and off site shall be emptied a minimum of one (1) time per day for each day of the event. Additional empties shall be determined in the event planning meeting. Dumpster(s) may be serviced as needed. All garbage containers temporarily located on public property shall be removed no later than the first day following the last day of the event. Garbage container and dumpster pickup fees shall be the responsibility of the applicant(s). The above formula may be adjusted by the ECC to allow for functionally equivalent garbage service.
- (c) The applicant(s) shall be responsible for maintaining the event site and public property from trash, garbage, litter and any other debris within five hundred (500) feet of the boundaries of the property line on which the event takes place. This responsibility shall extend from the first calendar day of the event consecutively through the first twenty-four (24) hour period after the last day of the event. The property shall be maintained in the same or better condition existing prior to the commencement of the event. The applicant(s) is responsible for removing all remaining trash or debris gathered or relocated on the property as a result of the event.
- (d) The applicant(s) shall obtain a list of county approved franchise haulers to be used for dumpster services from the County's website or the Environmental Services Division.

(13) **Public street barricades/street closures/detours.**

- (a) The county shall have the full authority to close any county street or roadway and/or to detour all traffic flow on any county street or roadway in relation to the management of a permitted event. The applicant(s) is responsible for submitting a plan detailing the proposed street closure. Barricades and temporary signage for approved locations shall be provided by the applicant(s), subject to county approval. Barricades and/or temporary signage may be supplied by the county and the fee for such equipment shall be based on the normal and customary fees and costs for such services which will be set by a schedule provided by the

county. It shall be the responsibility of the applicant(s) to provide setup and breakdown at the approved times as determined in the event planning meeting.

- (b) If a permitted event involves the use of a state road(s), the applicant(s) shall apply for a Temporary Closing of State Road Permit through the Florida Department of Transportation.
- (c) If a permitted event involves the use of a municipal road(s), the applicant(s) shall contact the municipality that owns/controls the road in question, request permission for its use, and comply with all terms and conditions established by the municipality for use of the road(s).

(14) **Emergency vehicle access.**

Access, traffic lanes, and parking for emergency vehicles shall be designated on the site plan.

(15) **Pedestrian traffic access.**

Pedestrian traffic access from parking areas to the event shall be designated on the site plan. Pedestrian traffic access involving the crossing of a major thoroughfare may require additional traffic control measures to be implemented, as determined in the event planning meeting.

(16) **Number and location of special needs.**

The number and location of special needs characteristic of the event shall be discussed and determined during the event planning meeting. Specific proposed locations shall be designated on the site plan sketch. This shall include such items as launching areas for watercraft, pet and animal attractions, active equipment operations, car shows, and any other activities unique to the event.

Sec. 12-194. – Complex events.

In addition to the operational requirements stated in section 12-193, complex events shall also require:

(1) **Public law enforcement and private security services.**

- (a) The number of public law enforcement personnel and the number of applicant-provided private security personnel required to service the event shall be determined in the event planning meeting with final approval by the Sheriff's Office's off-duty coordinator. The Sheriff's Office shall be the sole provider for public law enforcement services unless the Sheriff's Office authorizes the use of other sworn personnel. The applicant will only be required to provide private security when it is deemed by the Sheriff's Office to be necessary under the particular circumstances of each

situation. The Sheriff's Office may use the following table to determine the appropriate amount of personnel to service the event.

Attendees and Participants (combined)	Clay County Sheriff's Office Personnel
500-1,000	2-5
1,001-2,500	2-6
2,501-5,000	4-10
5,001-7,500	6-15
7,501-10,000	8-20
10,001-15,000	10-30
15,001-25,000	12-50
25,001-35,000	14-60
35,001-50,000	19-65
50,001-65,000	26-70
65,001-80,000	34-75
80,001-95,000	41-80
95,001-over	49-95+

- (b) The Sheriff's Office may use the following table to determine the appropriate number of assigned supervisors to service the event.

Clay County Sheriff's Office Personnel Assigned to Event	Number of Assigned Supervisors
1-6	1
7-12	2

13-18	3
19-24	4
25-30	5
31-36	6
37-42	7
43-48	8
49-54	9
55-60	10
61-66	11
67-72	12
72-78	13
79-84	14
85-90	15
91-95	16

- (c) The Sheriff's Office shall establish the appropriate timeframes in which public law enforcement and private security are needed for each aspect of the event. The applicant(s) will provide a tentative schedule of activities for each day of the event for the event planning meeting. Because the final activities schedule may change, the Sheriff's Office supervisor in charge of the detail shall have the authority to adjust the work schedule to cover any activities that may require additional or fewer public law enforcement services. Fees for public law enforcement services shall be based on the Sheriff's Office's fee schedule and may vary due to scheduling adjustments determined and approved onsite by the Sheriff's Office supervisor and reviewed by the applicant(s) during the event. All fees and any additional fees generated by scheduling adjustments shall be the responsibility of the applicant(s).
- (d) If offsite traffic control is necessary due to the high volume of traffic

generated by the event as determined by the Sheriff's Office, the applicant(s) shall pay the Sheriff's Office for all costs related to providing this service.

- (e) In the event the applicant(s) is authorized to utilize sworn law enforcement officers from an agency other than the Sheriff's Office, that agency must meet the requirements for security as set forth in the permit requirements. Law enforcement officers from other agencies shall be responsible for arresting, booking, and transporting arrestees as the law may require in each situation.
- (f) The fee schedule for determining officer personnel and equipment costs shall be determined by the Sheriff's Office. The amount due shall be paid by the applicant(s) of the event in accordance with Sheriff's Office policy.

(2) **Fire / Rescue Services.**

- (a) Unless otherwise authorized by the Clay County Department of Public Safety, the County's Public Safety Department shall be the sole provider for Fire/EMS services. The number of certified fire/rescue personnel and the level of protection services required to service any event shall be determined by the ECC in the event planning meeting with final approval by Public Safety. The applicant(s) will provide a tentative schedule of activities for each day of the event at the event planning meeting. Applicant(s) shall also provide information of any flammable, combustible, explosive, and hazardous material and processes. The Public Safety Director may use the table in sub-paragraph (f) to determine the appropriate amount of personnel to service the event.
- (b) Fire/EMS services shall be for the purpose of fire/rescue protection and shall be required for each structure intended to be used for public assembly as required by county-adopted fire codes. Fire protection shall also be required during the event, or certain aspects of the event, in any structure in which any type of explosive, open flame, spark-producing device or flammable solid, liquid or gaseous material is used. The Department of Public Safety shall reasonably determine all that is necessary to provide adequate fire protection and safety for each event.
- (c) The Public Safety Department will determine whether or not an event will require medical coverage. Unless otherwise authorized by Public Safety, the Clay County Department of Public Safety shall be the sole provider for ALS (Advanced Life Support) non-transport emergency medical services.
- (d) In the event the applicant(s) is authorized by Public Safety to utilize a medical team for standby, whether privately or from an agency other than the Clay County Department of Public Safety, the applicant(s) shall ensure that the requirements for emergency medical services are met as required by the event permit.

- (e) The fee schedule for determining Public Safety personnel costs, equipment costs, and inspection fees to be paid by the applicant(s) shall be determined by the county based on its normal and customary fees for such services; fees shall be set by a fee schedule provided by the Public Safety Department.
- (f) Public Safety may use the following table to determine the appropriate amount of personnel to service the event:

Attendees and Participants (combined)	Fire/EMS Personnel
1,000—2,500	2
2,501—5,000	3-4
5,001—7,500	5-6
7,501—10,000	7-8
10,001—15,000	9-10
15,001—25,000	11-12
25,001—35,000	13-14
35,001—50,000	15-16
50,001—65,000	17- 18

(3) **Incident Management Team.**

If a complex event held within the unincorporated area of Clay County is reasonably expected to have 5,000 or more persons attending the event, is multi-jurisdictional in nature, involves multi-operational periods, includes the potential for heavy traffic delays, could draw increased media attention, or has the potential to require the use of other extraordinary county assets, an incident management team may be required. The applicant(s) will be required to pay fees associated with the creation and operation of the incident management team based on the normal and customary fees for such services.

Sec. 12-195. – Events Involving Consumption of Alcoholic Beverages on County-Owned Property.

Notwithstanding the prohibition of consumption of alcoholic beverages on county-owned property as set forth in the Clay County Code, Chapter 3, Article 1, Section 3-3(a), users of the following County-owned properties may seek approval for the consumption of alcoholic

beverages thereon by applying for an event permit under this article subject to the additional conditions provided below.

- (1) **The Clayton and Mildred Revels Senior Center** under lease to Urban Jacksonville, Inc., d/b/a Aging True Community Senior Services, located at 604 Walnut Street, Green Cove Springs, Florida.
 - (a) A user agreement must be entered into with the county;
 - (b) Any function shall be by invitation only, organized by the user of the county property for the benefit of the user's invited guests and/or participants, and cannot be open to the general public;
 - (c) The hours during which alcoholic beverages are sold, possessed, or consumed shall comply with Clay County Code Chapter 3, Article I, Section 3-2 and shall terminate 60 minutes before the determined end of the event;
 - (d) The consumption of alcoholic beverages will be limited to the inside of the premises only and shall not be allowed outside of the building;
 - (e) Food service must accompany the service of alcoholic beverages;
 - (f) Additional General Liability and Spectator Liability Insurance coverage naming the County as an Additional Insured in amounts to be determined in the event planning meeting shall be in place for the duration of the event; and
 - (g) A user shall be responsible to ensure that the requirements of this article are followed.

- (2) **Clay County Fairgrounds** located at 2497 FL-16, Green Cove Springs, Florida.
 - (a) A user agreement must be entered into with the county;
 - (b) Any private (by invitation only) function involving 500 people or less if the following conditions are met:
 - i. The function is not open to the general public;
 - ii. The consumption of alcoholic beverages is limited to the inside of the exhibit halls, and/or covered pavilion, and/or a tent, and shall not be allowed outside of those areas;
 - iii. The hours during which alcoholic beverages are sold, possessed, or consumed at a designated event shall comply with Clay County Code Chapter 3, Art. I, Section 3-2 and shall terminate 60 minutes before the determined end of the event;

- iv. Food service must accompany the service of alcoholic beverages;
- (c) Any private (by invitation only) function involving more than 500 people or any public function if the following conditions are met:
 - i. Only beer and/or wine are served or sold;
 - ii. The hours during which alcoholic beverages are sold, possessed, or consumed at a designated event shall comply with Clay County Code Chapter 3, Art. I, Section 3-2 and shall terminate 60 minutes before the determined end of the event; and
 - iii. Food service must accompany the service of beer and/or wine.
- (d) Additional General Liability and Spectator Liability Insurance coverage naming the County as an Additional Insured in amounts to be determined in the event planning meeting shall be in place for the duration of the event; and
- (e) A user shall be responsible to ensure that the requirements of this article are followed.

Sec. 12-196. - Penalties and enforcement.

- (1) If at any time prior to or during the event, the County Manager or designee, Public Safety Department, and/or Sheriff's Office determine that the provisions required by this article and/or the event permit are not being complied with, the event may be immediately suspended until the event is brought into compliance and authorization to continue the event is provided by the County Manager or designee, Sheriff's Office, or Public Safety Department.
- (2) Any person violating any of the provisions of this article shall be guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or section 775.083, Florida Statutes and upon conviction, shall be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail not to exceed sixty (60) days or by both fine and imprisonment. Each incident or separate occurrence of any act that violates this article shall be deemed a separate offense. The Sheriff's Office or other competent law enforcement agency having jurisdiction shall have the power of arrest for a violation of this article.
- (3) In addition to any other penalties provided for herein, violations of this article shall be subject to code enforcement under Chapter 162, Florida Statutes. In this regard, all county code enforcement officers shall have the authority to investigate violations and initiate enforcement proceedings therefor. Each incident or separate occurrence of any act that violates this article shall be deemed a separate offense.
- (4) The county shall also have the authority to pursue all legal and equitable remedies

necessary to ensure full compliance with this article, including but not limited to injunctive relief.

- (5) In addition to any other penalties provided for herein, any individual, entity, or property owner holding an unpermitted event within the unincorporated area of Clay County that meets the definition of event in section 12.181 shall be subject to a fine not to exceed five hundred dollars (\$500.00) and shall be required to meet with the ECC before seeking any future event permits under this article.

Secs. 12-197—12-220. - Reserved.

Section 2. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 3. This Ordinance shall become effective upon adoption and shall apply to all Events on or after November 1, 2022.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this 12th day of July, 2022.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

WFBolla
BY: WFBolla (Jul 20, 2022 14:29 EDT)

Wayne Bolla, Its Chairman

ATTEST:



Tara S. Green

Tara S. Green,
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board