



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 30 days to process with all necessary attachments. Your permit will go to the next scheduled Council Meeting after the 30 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 greensheet 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 the 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. We require a Certificate of General Liability Insurance in the amount of \$1,000,000 naming the City of Bonita Springs as "additional insured" and the certificate holder for the date(s) of your event including set up and tear down dates is required if additional insurance is necessary.

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?

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/government/departments/special-events/>

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 email 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 Kendra Gilreath 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 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 tents, you will also need to take a copy of your approved application to Community Development.

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" 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 greensheet on hand. This permit and greensheet 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 (excluding up to \$38/hour for City staff) 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 serve 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 sign-off sheet must be completed before you hand in the application to us. They will require the completed special event application and all attachments (as we do). For questions about the LCSO sign-off sheet:

Details Unit
14750 Six Mile Cypress Parkway
Fort Myers, FL 33912
(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:

8:00am to 9:00pm

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: \$500.00 (Money Order Only)

Community Hall / Riverside Park - \$30.00 per Hour

Park Staff: Up to \$38.00 per Hour (Auto Removed from Damage/Cleanup Deposit) 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 (Auto Removed from Damage/Cleanup Deposit) 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 Hour (Auto Removed from Damage/Cleanup Deposit) 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 ExemptionDR-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 OrganizationsDR-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 sales 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 owner 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

For Deputies/Road Closures/Alcohol and Security

Lee County Sheriff's Office
14750 Six mile Cypress Parkway
Fort Myers, FL 33912
(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

Date Received: _____ Bonita Springs, FL 34135 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 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: _____ Fax: _____
E-Mail Address: _____
Major Sponsor(s): _____
Promoter(s): _____ Phone or Contact #: _____

- | | Yes | No |
|---|--------------------------|--------------------------|
| 1. Crowd: Is anticipated crowd size 1,000 or more? | <input type="checkbox"/> | <input type="checkbox"/> |
| Actual Anticipated number: _____ | | |
| 2. Parking: Will off-site parking be provided? _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Will "shuttle" service to parking be provided? By whom? _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Noise: Will there be amplified music or entertainment? If yes, please attach type(s) of Entertainment and time(s) of performances(s). <u>Indicated stage location(s) on site plan.</u> | <input type="checkbox"/> | <input type="checkbox"/> |

	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"/>

Yes No

15. Sanitary Facilities:

Will temporary sanitary facilities be provided? If yes, indicate location on site plan. ☐ ☐

Will disposable cardboard trash receptacles be provided? If yes, indicate on site plan. ☐ ☐

Will additional refuse containers/dumpsters be provided? ☐ ☐

If yes, by whom: _____

16. Insurance Requirement: (Events on City property or City co-sponsored) Please provide the City of Bonita Springs with a Certificate of Insurance for property and liability coverage of the event, naming the City as additional insured. (Liability - \$1,000,000 each occurrence, \$2,000,000 aggregate; Property Damage - \$500,000). Must be provided to finalize permit before event.

DURING REVIEW BY VARIOUS CITY DEPARTMENTS, ADDITIONAL CONDITIONS MAY BE IMPOSED. THIS PERMIT IS VALID ONLY FOR THE TIME INDICATED ON THIS PERMIT. IN THE EVENT THAT THE APPLICANT FAILS TO FULFILL THE REQUIREMENT(S) AS SET FORTH IN THIS PERMIT OR FAILS TO OBTAIN PROPER AUTHORIZATION TO PROCEED, IF CONDITIONS HAVE CHANGES, OR THE EXPECTED OUTCOMES, IMPACTS, OR SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO TIME AND ACTIVIES, THE PERMIT MAY BE CANCELLED BY THE CITY MANAGER AND THE ACTIVITY SHALL CEASE IMMEDIATELY.

I, the undersigned, will indemnify, defend and hold harmless, the City of Bonita Springs, its agents, employees, officers and any and all other associates, from and against any and all actions, in law or in equity, from liability or claims for damages, demands or judgments to any person or property which may result now or in the future from the conduct of this event.

The undersigned has read and voluntarily signed the release and waiver of liability and Indemnity Agreement, and further agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Signature of Applicant Date

Comments: _____

City Manager Date

Comments: _____

Application Fee is non refundable.

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 - 14750 Six Mile Cypress Parkway | Fort Myers, FL 33912 | (239) 477-1199

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: _____

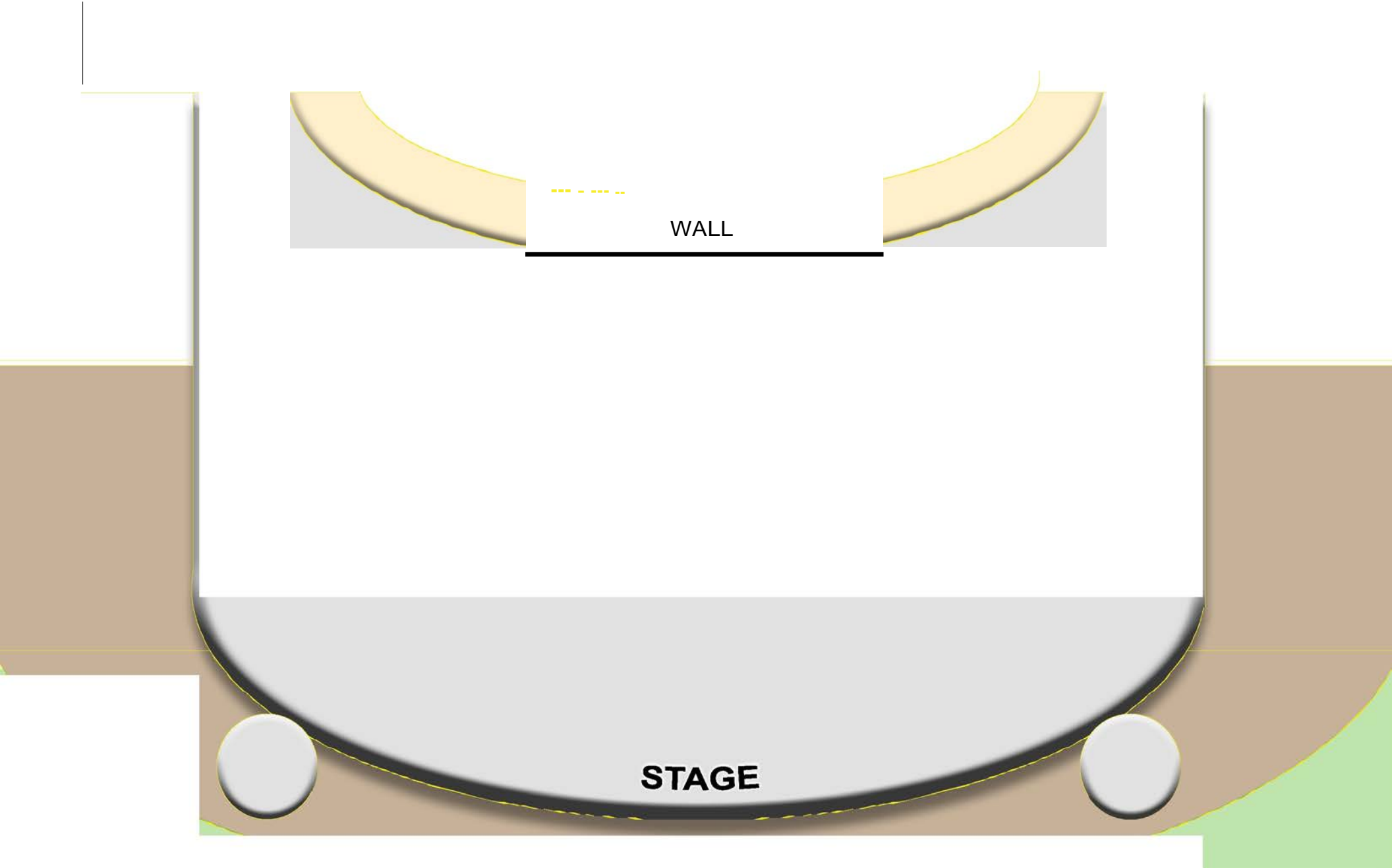
Please Note: "Deputies Booked for Event" is an estimate. Amount of Deputies may change at any time before or during your event.



115 ft

© 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 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 to 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.

**CITY OF BONITA SPRINGS
SHORT TERM VENDOR PERMIT**



Upon submittal of the proper documentation, the following named Permittee is authorized to establish a point of sale on City of Bonita Springs property for the dates specified herein. This permit is subject to all rules, policies and regulations, of the City of Bonita Springs and to the conditions set forth below.

PERMITTEE:

Name of Representative Company Name Phone

Address City State, Zip

Tax # or Social Security # (if no tax #)

This Permit is issued for _____, hereinafter referred to as the Property, for _____, hereinafter referred to as the Event.

This Permit is valid for _____ day(s) on the following dates: _____. Permittee agrees that minimum operating hours shall be _____ until _____ daily.

The products or services to be provided under this Permit are:

Food and Beverage Crafts/Demonstrations Other

The exact location, within the Property, for the Permit operation shall be mutually satisfactory with the City Manager, or designee, and Permittee. If mutually agreeable terms cannot be reached, the City Manager's decision shall be final. The City Manager, at his discretion, may require the Permittee to furnish after hours security at the Permittee's expense. The person serving as a guard shall be subject to approval by the City Manager.

Permittee agrees that for the privilege of operating under this Permit, he/she will pay the Department the fee of **\$50.00** or _____% of gross revenue, plus State and County Taxes as applicable. Permittee shall remit payment of the fee to the City Manager, prior to the Permit date, or if payment based on a percentage, after the event upon proof of gross revenue.

Permittee agrees to comply with all policies, rules, and laws governing the operation of the City, and not alter or damage the City's natural or cultural resources in any way through the support or operation of Permit activities, and to be responsible for and fully repair all damage to City's facilities and resources which may result from any operations under this permit.

The Permittee shall save and hold harmless and indemnify the City of Bonita Springs against any and all liability, claims, judgments or costs of whatsoever kind and nature of injury to, or death of, any person or persons and for loss or damage to any property resulting from the use, operation, or performance of service under the terms of this Permit, resulting in whole or in part from the negligent acts or omissions of the Permittee, or any of the employees, agents, or representatives of the Permittee to the extent allowed by law.

This Permit is not intended nor shall it be construed as granting any rights, privileges, or interest in any third party without mutual written agreement of the parties hereto.

The City may terminate this Permit at any time for failure by the Permittee to perform in accordance with the terms and conditions contained herein.

Permittee agrees and accepts the terms and conditions of this Permit by his/her signature below.

Permittee is required to report any revenue or income to the Department of Revenue for applicable sales tax. City of Bonita Springs is required to submit vendor name and tax number to local tax office. Sales and Use Tax Returns may be obtained at the local tax office or Department of Revenue, Tallahassee, FL 32399-0100.

AGREED TO: _____
Permittee

PERMIT APPROVED BY:

City Manager, or Designee

Date: _____

Filed with City Clerk on: _____

**DBPR ABT-6003 – Division of Alcoholic Beverages and Tobacco
Application for One/Two/Three Day Permit or Special Sales License**

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**DBPR Form
ABT- 6003
Revised 08/2013**

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application to your local district office at least (7) days prior to the first date of the event to insure the permit is issued by the event date. This application may be submitted by mail, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's page of the DBPR web site at the link provided below.

<http://www.state.fl.us/dbpr/abt/contact/index.shtml>

SECTION 1 -- CHECK TRANSACTION REQUESTED

Transaction Type:

☐ One/Two/Three Day Permit

☐ Special Sales License

SECTION 2 – PERMIT or LICENSE INFORMATION

If the applicant is a corporation or other legal entity, enter the name and the document number as registered with the Florida Department of State Division of Corporations on the line below.

FEIN Number	Business Telephone Number	E-Mail Address (Optional)	
Full Name of Applicant(s): (This is the name the permit or license will be issued in)		Department of State Document #	
Business Name (D/B/A) or Name of Event			
Location of Event (Street and Number)			
City	County	State FL	Zip Code
Mailing Address (Street or P.O. Box)			
City		State	Zip Code
Contact Person - This section is optional, see application instructions for details			
Contact Person		Telephone Number ext.	
Email Address (Optional)			
Mailing Address (Street or P.O. Box)			
City		State	Zip Code
Date(s) Permit Desired			

ABT District Office Received Date Stamp

**SECTION 3 – SALES TAX
TO BE COMPLETED BY THE DEPARTMENT OF REVENUE**

Full Name of Applicant Organization

The named applicant for a license/permit has complied with the Florida Statutes concerning registration for Sales and Use Tax and has agreed to pay any applicable taxes due.

Signed _____ Date _____

Title _____

Department of Revenue Stamp:

**SECTION 4 - ZONING
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING THE EVENT LOCATION**

Location of Event (Street and Number)

City

County

The location complies with zoning requirements for the temporary sale of alcoholic beverages pursuant to this application for a One/Two/Three Day Permit.

Signed _____ Date _____

Title _____

Note: College fraternities and sororities must meet certain additional conditions which can be found in the application instructions and requirements.

SECTION 5 – DESCRIPTION OF PREMISES TO BE LICENSED
AB&T AUTHORIZED SIGNATURE REQUIRED

Business Name (D/B/A) or Name of 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, sales areas, 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 NON-PROFIT CIVIC ORGANIZATION ALCOHOLIC BEVERAGE PERMIT**

NOTARIZATION REQUIRED

Full Name of Applicant Organization

"This is to certify that the applicant requesting the permit in the above and foregoing application is a non-profit civic organization and that the permit, if used, will be used only by the organization making application, on the date(s) requested and at the location stated. By acceptance of this permit, we agree that the applicant organization, as the permit holder, is the ONLY entity that will receive any of the profits from the sale of alcoholic beverages on this permit. This is to further certify that the applicant organization has not received more than three (3) permits within the calendar year, unless otherwise authorized by law, and acknowledge 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, his Deputies, and Police Officers for purposes of determining compliance with the alcoholic beverage laws.

I, the undersigned individual, hereby swear or affirm that I am an officer or authorized representative and am duly authorized to make the above and foregoing statements on behalf of the applicant organization. Furthermore, 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 to the best of my knowledge."

STATE OF _____

COUNTY OF _____

APPLICANT/ AUTHORIZED REPRESENTATIVE NAME

APPLICANT/ AUTHORIZED REPRESENTATIVE SIGNATURE

The foregoing was () Sworn to and Subscribed before me this _____ Day

of _____, 20_____, By _____ who is () personally known to me
(print name(s) of person making statement)

OR () who produced _____ as identification.

Notary Public Commission Expires: _____

**SECTION 7 - AFFIDAVIT OF APPLICANT
FOR SPECIAL SALES LICENSE**

NOTARIZATION REQUIRED

Full Name of Applicant Organization

"I, the undersigned individual, or if a corporation, its authorized representative, hereby swear or affirm that I am duly authorized to make the above and foregoing application for a special sales license which authorizes the sale of alcoholic beverages for period of up to three (3) days. I understand this license does not permit the sale of alcoholic beverages for consumption on the premises and only allows package sales in sealed containers and acknowledge 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, his Deputies, and Police Officers for purposes of determining compliance with the beverages laws.

I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45, and 837.06, that the foregoing information is true to the best of my knowledge and that no other person or entity except as indicated herein has an interest in the special sales license and that all of the above listed persons or entities meet the qualifications necessary to hold this special sales license."

STATE OF _____

COUNTY OF _____

APPLICANT/ AUTHORIZED REPRESENTATIVE NAME

APPLICANT/ AUTHORIZED REPRESENTATIVE SIGNATURE

The foregoing was () Sworn to and Subscribed before me this _____ Day

of _____, 20_____, By _____ who is () personally known to me
(print name(s) of person making statement)

OR () who produced _____ as identification.

Notary Public Commission Expires: _____

ATTESTATION

This form is to be completed by the alcoholic beverage license holder **ONLY** when the event of the non profit organization is being held at a location that is licensed by the Division of Alcoholic Beverages & Tobacco for the sale of alcoholic beverages.

Note: This 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 non-profit group along with the application for the One/Two/Three Day Permit.

Licensee:		
Business Name (DBA):		
License #:	Series of Permanent License: Type:	
Contact Person	Telephone Number ext.	
E-Mail Address (Optional)		
Name of Non-Profit Group:		
Date(s) of Event		

IMPORTANT

A One/Two/Three Day permit is being requested for an event to be held on your licensed premises. During the event, no sales or service of alcoholic beverages may be made under your alcoholic beverage license in the area identified for use by the non-profit organization. Failure to comply will result in administrative charges being filed against your license.

Signature of Licensee: _____

Date: _____

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

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

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 word "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: _____