

Article 13

Events

Section 13.1. Reserved Purpose

[section 13.1 was repealed by Ordinance 1966-2021]

Section 13.2. Reserved Business Events and Business Promotions

[section 13.2 was repealed by Ordinance 1966-2021]

Section 13.3 Reserved Grand Opening Event

[section 13.3 was repealed by Ordinance 1966-2021]

Section 13.4 Special Event

A special event is defined as a public event which includes the use of any public facility or private property (e.g., park, meeting hall, gazebo, shelter, street right-of-way, parking lot, etc.) by a group which could limit the normal access and use of such facility by the general public. A special event may include but is not limited to:

- (a) Any activity involving the use of a public or private facility where the activity is advertised to attract participants and/or spectators;
- (b) Where the activity involves a planned contest involving prizes or awards;
- (c) Where the activity includes the advertising, display or sale of goods or services of any type;
- (d) Where the activity would include the placement and use of tents, portable toilets, sales booths, temporary parking areas, blocking of public rights-of-way, etc;
- (e) Where the activity will have an impact of City rights-of-way or could affect public safety;
- (f) Activities involving private gatherings where a group of individuals desire exclusive use of any public facility shall also qualify as a special event and shall require notification of the City's Urban Design Division in advance in order to receive permission for such exclusive use.

The City of Punta Gorda's ~~Urban Design Division~~ Development Review Committee (DRC) oversees the processing of applications to hold special events in City parks ~~(e.g. Laisley;~~

Gilchrist and Ponce de Leon Parks), on City rights-of-way (e.g. walk-a-thon, parades, etc.), and on all other City-owned property, or private property. Special events requiring a City event permit include, but are not limited to:

- (a) Weddings in the park
- (b) Festivals
- (c) Large family picnics
- (d) Walk-a-thons
- (e) Car shows
- (f) Road races
- (g) Fish fries
- (h) Bicycle races
- (i) Fishing tournaments
- (j) Parades
- (k) Athletic tournaments or events
- (l) Community gatherings
- (m) Chess tournaments
- (n) Concerts
- (o) Boat shows
- (p) Arts and/or crafts shows

Whenever a group or individual is seeking exclusive use of all or part of a public park or roadway for any length of time, or planning a special event on private property, a Special Event permit is required. Event organizers should include both set-up and clean-up time in their total time request for Special Event approval.

Special event organizers shall contact the Urban Design Division at least 90 days prior to their target date for the Special Event in order to determine the feasibility and approval process required. Requests for approval shall be submitted to the City at least 60 days prior to the Special Event. Special Events must receive approval at least 10 calendar days in advance of the first day of the event.

The City of Punta Gorda has established two distinct levels of approvals required for the various types of Special Events. The following text describes the criteria used by the Urban Design Division to determine whether or not a given event requires administrative approval or Development Review Committee (DRC) approval.

- (a) Administrative Approval.

This approval may be granted by the City Urban Design Manager or designee without a DRC meeting if all the following criteria are met.

- (1) The event will draw 200 or less guests during the entire event.
- (2) The event will last four hours or less.
- (3) The event will not involve the sale or distribution of alcoholic beverages to the general public. This restriction does not apply to “by invitation only” private parties.
- (4) The event will only occupy a small portion of a City park or have minimal impact on a City right-of-way/property.
- (5) The event does not require Police security or Fire Department services.
- (6) The event does not include the set up and use of any “attractive nuisances”

such as a bounce house, trampoline, live animals, rock climbing wall, etc.

If tents or canopies are to be used, a tent permit is required. Tent permits are issued by the Fire Prevention Division.

(b) Development Review Committee Approval.

This approval will be required when ONE OR MORE of the following is true about a particular Special Event.

- (1) The event will draw more than 200 guests during the entire event.
- (2) The event is scheduled for more than four hours and/or will span multiple days.
- (3) The event will involve the sale or distribution of alcoholic beverages to the general public.
- (4) The event will require police security and/or fire department service. Public safety personnel to be used shall be hired from the Punta Gorda Police Department or Fire Department staff. This shall not preclude an event organizer from having additional on-site security at their discretion. Any required police or fire service may be exempted by the Chief of Police or the Fire Chief at their discretion.
- (5) The event will require organized and monitored parking.
- (6) The event involves the barricading or closure of any public roadways.
- (7) The event will occupy the majority of the open space in the subject park.
- (8) The event is being held by a for-profit group or individual or a for-profit group is a major part of the event.
- (9) The event includes a carnival, circus or exhibition. Proof of compliance with Chapter 616, Florida Statutes, must be submitted with application.
- (10) The event might place an extreme burden on City work crews because of its nature, size or timing.

For special events requiring DRC approval, a series of standards have been developed to assist organizers in planning the operations of their event. These standards may be varied and/or waived upon appeal to the DRC by the applicant. However, these review standards are to serve as the minimum requirements to be met to insure a safe and successful event. The standards are outlined specifically in the City of Punta Gorda Event Manual, which can be obtained at the City's Urban Design Division.

Section 13.5. Temporary Promotional Event. (Permitted only in residentially zoned districts)

- (a) A Temporary Promotional Event means an inside or outside exhibition, community breakfast, craft fair, vacation bible school, sale or similar activity. A Temporary Promotional Event requires a no-charge zoning permit that must be obtained from the Code Compliance Division prior to conducting the event. A Temporary Promotional Event permit may be issued for non-residential uses located in residential zoning districts, such as but not limited to churches, private clubs and golf courses.
- (1) All non-residential facilities are allowed to have up to eight Temporary Promotional events per calendar year per site.
 - a. Each event shall not exceed seven days in duration. However, a facility can combine two events for a time period not to exceed fourteen days.
 - b. There shall be a minimum of thirty days between each event unless two events are combined to be a single event.
 - (2) Reserved. [section 13.5 (a) (2) was repealed by Ordinance 1966-2021]
 - (3) Temporary tents may be permitted in conjunction with a Temporary Promotional Event.
 - a. If a tent is used with the Temporary Promotional Event, the tent may be in place no more than one day before and one day after the event. The tent must be removed by the end of the day following the event.
 - b. A separate tent permit must be obtained from the Fire Department prior to using a temporary tent. A tent permit shall not be issued until the Temporary Promotional Event permit has been issued.

Section 13.6 Conditions of Approval, Termination of Event, Revocation of Event Permit and Appeal Process

- (a) The Zoning Official may impose such conditions on an event permit as is necessary to meet the purposes of the Code and protect the public health, safety and welfare and adjacent uses. Conditions which may be imposed may include, but are not limited to:
- (1) Yard setback and open space requirements and visibility triangle.
 - (2) Parking.
 - (3) Fences, walls or other screening.
 - (4) Signs.
 - (5) Vehicular and pedestrian ingress and egress.
 - (6) Property maintenance during the course of the activity.
 - (7) Control of illumination, noise, odor, vibration or other nuisances.
 - (8) Hours of operation.

- (9) Exterior lighting.
- (b) Termination. At the end of the time period for which the event permit was issued, the event shall be discontinued and all temporary structures and signs shall be removed at the end of the business day unless otherwise herein authorized to remain in place for an extended period of time. Failure to comply with this requirement shall be a violation of this Code.
- (c) Revocation of Permit. The Zoning Official may revoke an Event Permit at any time upon the failure of the owner or operator of the use covered by the permit to observe all requirements of the permit, this Section and other relevant provisions of law, including failure to obtain appropriate business licenses. Notice of such revocation shall be given in writing by the Zoning Official to the owner or operator of the use, by hand delivery or certified mail, setting forth the reasons for the revocation, the date and time upon which the revocation is effective and the appeals procedure. This provision shall not preclude the use of any other remedy prescribed by law with respect to violations of the provisions of this Code.
- (d) Appeal. Any person aggrieved by the action of the Zoning Official in granting, denying or revoking an Event permit may appeal the decision pursuant to Chapter 26, Section 16.2 of the City Code. In the case of an appeal from the revocation of an Event permit, the aggrieved party may request a meeting with the Zoning Official. Within two business days of the meeting, the Zoning Official shall inform the aggrieved person, in writing, of the decision to affirm, modify or rescind revocation of the permit.

~~{Ord. No. 1640-10, <sec> 8, 6/2/10}~~