

## **ORDINANCE NO. 29-2019**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 106, ARTICLE VII, SECTION 106-283, OF THE TOWN CODE OF ORDINANCES TITLED STANDARDS FOR ISSUANCE; PROVIDING FOR TOWN COUNCIL APPROVAL OF SPECIAL EVENT PERMIT APPLICATIONS FOR THE USE OF PHIPPS PLAZA PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY FLORIDA AS FOLLOWS:

Section 1. Chapter 106, Article VII, Section 106-257 of the Town Code of Ordinances is hereby amended to read as follows: Sec. 106-283. - Standards for issuance. The town manager shall issue a special event permit, when from consideration of the application and from such other information as may otherwise be obtained, he/she finds that:

- (1) No other applicant has obtained a permit for the date requested.
- (2) The special event applicant has agreed in writing to abide by all provisions set forth in this article.
- (3) All required information is set forth in the application and is in accordance with all provisions set forth in this article.
- (4) The concentration of persons and vehicles at assembly points of the special event will not interfere with the proper fire and police protection of or ambulance services to areas contiguous to such assembly areas.
- (5) The conduct of such special event will not interfere with the movement of police and fire rescue vehicles and equipment in route to a fire or the movement of emergency medical services equipment in route to an emergency.
- (6) The special event is not being held for the purpose of advertising any product, goods or event, and shall not be held for private profit or fund raising, unless the applicant is a 501 (c) 3 non-profit, in which a charitable solicitation permit would also be required.

- (7) The conduct of the special event will not substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic contiguous to the place of the special event.
- (8) The conduct of the special event will not result in damage to town-owned property or constitute a hazard to the safety of other persons within the immediate vicinity of the event.
- (9) No event is scheduled elsewhere in the town where the town's resources required for that event are so great that the deployment of resources for the proposed assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.
- (10) An original certificate of insurance was supplied to the town naming the town as additional insured on a policy of liability insurance in an amount not less than \$1,000,000.00 or an amount higher based upon the particular special event proposed.

Applications for the use of Phipps Plaza Park shall receive Town Council approval prior to the issuance of a special events permit. Said requirement shall automatically expire after three years from the adoption of Ordinance 29-2019.

## Section 2. Severability.

Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

## Section 3. Repeal of Ordinances In Conflict.

All other ordinances of the Town, or parts thereof, in conflict with this Ordinance are hereby repealed.

## Section 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5.     Effective Date.

This ordinance shall become effectively immediately upon adoption after second reading as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this        day of \_\_\_\_\_, 2019, and for second and final reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Gail L. Coniglio, Mayor

\_\_\_\_\_  
Danielle H. Moore, Town Council President

\_\_\_\_\_  
Margaret A. Zeidman, Council President Pro Tem

\_\_\_\_\_  
Julie Araskog, Town Council Member

\_\_\_\_\_  
Lewis S.W. Crampton, Town Council Member

\_\_\_\_\_  
Bobbie Lindsay, Town Council Member

ATTEST:

\_\_\_\_\_  
Kathleen Dominguez, Town Clerk