

TOWN OF ASTATULA

Special Council Meeting Agenda

Thursday, March 20, 2025 – 6:00 PM

Astatula Town Hall

25009 County Road 561 | Astatula, FL 34705

Join Zoom Meeting: <https://zoom.us/j/92909274722?pwd=2KULjmIddKFX4qaXwicvSpDIKwG7PL.1>

Meeting ID: 929 0927 4722 | Passcode: 123456

Town Council Members

Zane Teeters, Jr. – Mayor
Marjorie Boyd – Vice-Mayor
Jeanne Quiros
Ryan Wilbur
Kay MacQueen

Town Staff

Jennifer Tucker, Town Clerk
Wally Hoagland, Police Chief
Tom Harowski, Interim Town Planner
David Langley, Town Attorney

Call to Order

Invocation & Pledge of Allegiance

Roll Call, Acknowledgement of Quorum Present and Proper Notice Given

Welcome and Introduction of Guests

A. CITIZEN'S QUESTIONS AND COMMENT

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting the Town Council will hear questions, comments, and concerns from the citizens. If the issue raised is not on today's agenda, action will not be taken by the Council at this meeting. Questions may be answered by staff or referred for appropriate staff action. If further action is necessary, the item may be placed on a future Board agenda. Zoning and code enforcement matters cannot be discussed during the public comment period. Procurement matters not scheduled to be heard by the Council today also cannot be discussed during the public comment period. Public comment may be limited 3 minutes.

B. AGENDA REVIEW

C. APPROVAL OF MINUTES

D. CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.

E. STAFF REPORTS

Police Department – Chief Hoagland
Interim Public Works Director – Chief Hoagland
Town Clerk – Jennifer Tucker
Town Attorney – David Langley

F. OLD BUSINESS

1. Consideration and approval of appointing John Bradley Minger to the Planning & Zoning Board - ZT
2. Discussion and action to purchase Power DMS software program - WH
3. Discussion and action of town-sponsored programs and events
4. Consideration and approval of Resolution 2025-02 Amending Rules of Order - ZT

5. Discussion of Mayor and Town Clerk job duties - KM

G. COUNCIL DEPARTMENT LIAISON & COMMITTEE REPORTS

Legal/Ordinances/Economic Development – Mayor Zane Teeters, Jr.

Finance/Grants – Vice Mayor Marjorie Boyd

Public Safety/Code Enforcement – Councilor Jeanne Quiros

Public Works/Streets – Councilor Ryan Wilbur

Land Development Regulation – Councilor Kay MacQueen

H. REVIEW

Items for Workshops and *possible dates*

Items for Next Regular Council meeting

Items for Special Meetings and possible dates

I. COUNCIL MEMBER MISCELLANEOUS COMMENTS:

J. ADJOURNMENT:

Please Note: In accordance with F.S. 286.0105; Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and that for such purpose may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Astatula does not prepare or provide this verbatim record.
Note: In accordance with the F.S. 286.26; Any Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 25009 CR 561, Astatula FL 34705, (352) 742-1100 at least two business days in advance of the meeting.

IMPORTANT DATES:

Planning & Zoning Meeting – March 27th @ 6:00pm

Regular Council Meeting – April 8th @ 6:30pm

Town of Astatula is inviting you to a scheduled Zoom meeting.

Topic: **Special Council Meeting 3/20/25**

Time: **Mar 20, 2025 06:00 PM** Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/92909274722?pwd=2KULjmJddKFX4qaXwjcvSpDJKwG7PL.1>

Meeting ID: 929 0927 4722

Passcode: 123456

Dial by your location

• +1 929 205 6099 US (New York)

• +1 346 248 7799 US (Houston)

Find your local number: <https://zoom.us/u/ablHT6iibF>

3/20/2025 Special Council Meeting Agenda Details

Tabled Items from 3/11/25 Council Meeting

Appointing John Bradley Minger to Planning & Zoning Board - ZT

Mayor Teeters is seeking to appoint Mr. Minger to the Planning & Zoning board. Mr. Minger was temporarily appointed to the Planning and Zoning Board at the March 11th meeting. However, since it was not an agenda item, Attorney Langley advised adding it to the agenda of the next meeting to avoid any potential issues.

Power DMS program – WH

Chief Hoagland invited representatives of Power DMS to share a presentation on the program and how it can benefit our police department at the 3/11/25 meeting. Chief has since received 3 additional purchasing options attached.

<https://drive.google.com/file/d/1LYfn5yymiOnsPEIcQ2vmHWJ7bYFu5VQG/view>

<https://drive.google.com/file/d/1mLhqOkMesVL4PI3ypIOUV6AHA5EIWrGG/view>

<https://drive.google.com/file/d/1W2aw54TcYRnAiwfEXug-gWt2C-6XX7Le/view>

<https://powerdms.wistia.com/medias/7drbhwt9b8>

PowerPolicy+ Annual Subscription: \$8,560

PowerPolicy+ One-time Setup Fee: \$3,300

Town-sponsored programs and events

The Town Clerk sought clarification on which events and/or programs have been approved as town-sponsored events and are allowed use of the community center without rental fees. Mayor Teeters requested to have further discussion on this matter. A copy of Article V and Chapter 27 that were referred to are included.

Resolution 2025-02 Amending Rules of Order – ZT

Mayor Teeters has requested the town's Rules of Order be amended to change the deadline in which council members can request to have items added to the agenda, when the clerk is to provide the agenda back to the mayor and council members to review, the deadline for the clerk to make final adjustments and post the agenda to the public. A draft was reviewed at the 3/11/25 meeting and further revisions were requested. The most recent revised draft is attached.

Mayor and Town Clerk job duties – KM

Council Member MacQueen requests for the council to conduct a deep dive into the duties of the mayor and town clerk.

Recall | Use Cases



In today's fast-paced environment, ensuring your employees effectively comprehend and recall crucial information is vital for operational success. PowerRecall uses AI and the science of spaced repetition to enhance your training programs.

Recall Score Heatmap

Dashboard

Username	CJIS	DUI Enforcement	Vehicle Pursuits
agarcia	85%	100%	62%
Dvarney	90%	10%	100%
jsmith	100%	75%	0%
	83%	60%	15%
	10%	60%	85%

Compliance

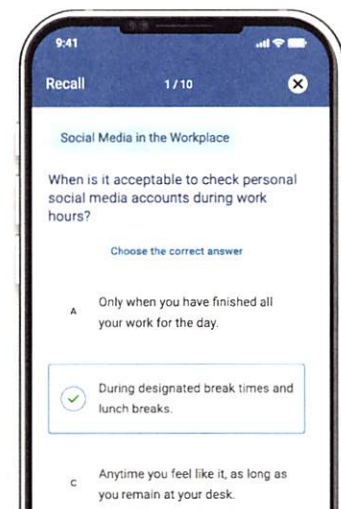
Prove employee comprehension with data.

- Reinforce job critical information (e.g. use of force, patient confidentiality, workplace safety)
- Identify gaps in employee's policy knowledge
- Supplement performance improvement plans and measure progress

Ongoing Learning & Development

Training doesn't have to be boring.

- Special events preparation (e.g. athletic events, public demonstrations, concerts, drill/exercise, large festivals)
- Promotional exam preparation
- Trial preparation
- Specialized team training (e.g. SWAT, K9, USAR, HAZMAT response, advanced life support, cybersecurity)



“Employees think PowerRecall is fun - it's like a game!”

Nancy Lundy/Accreditation Manager
South Carolina Law Enforcement Division

THIS IS NOT AN INVOICE

Contract Records		Order Details	
Account Number:	A-513463	Order #:	Q-369005
Customer:	Town of Astatula (FL)	Valid Until:	7/31/2025
Effective Employee Count:	20		
Sales Rep:	Macey Pagan		

Customer Contact		Shipping Contact	
Billing Contact:	Town of Astatula (FL) Walter Hoagland	Shipping Contact :	Town of Astatula (FL) Walter Hoagland
Billing Address:	25019 County Rd 561 Astatula, FL 34705	Shipping Address:	25019 County Rd 561 Astatula, FL 34705
Billing Contact Email:	chiefhoagland@astatula.org	Shipping Contact Email:	chiefhoagland@astatula.org
Billing Phone:	352-742-2422	Shipping Phone:	352-742-2422

Payment Terms		Notes:
Payment Term:	Net 30	
PO Number:		

Subscription Service

Item	Type	Start Date	End Date	License Type	Total (USD)
Policy+ Subscription	Recurring	4/1/2025	3/31/2026	Employee Based	\$8,560.00
Includes PowerPolicy, Recall, and PowerTraining					
Policy+ Setup	Services			Employee Based	\$3,300.00
TOTAL:					\$11,860.00

This price does NOT include any sales tax. Total in USD

Additional Terms and Conditions

License Terms: Enterprise license denotes that Customer has purchased an enterprise wide license up to the employee count specified above. User based license denotes that Customer has purchased the number of licenses set forth in the quantity column. Item count denotes the number of items that Customer has licensed as set forth in the quantity column.

Payment Terms: All invoices issued hereunder are due upon the invoice due date. If the Order is for a period longer than one year, the fees for the first period shown shall be invoiced immediately and the fees for future years/periods shall be invoiced annually in advance of each 12 month period shown on the Order, but regardless of the billing cycle, Customer is responsible for the fees for the entire Order. The fees set forth in this Service Order are exclusive of all applicable taxes, levies, or duties imposed by taxing authorities and Customer shall be responsible for payment of any such applicable taxes, levies, or duties. All payment obligations are non-cancellable, and all fees paid are non-refundable. Payment for services ordered hereunder shall be made to PowerDMS, Inc. a wholly owned subsidiary of Governmentjobs.com, Inc. (D/B/A NEOGOV).

Terms & Conditions: This Order Form creates a legally binding contract on the parties. Unless otherwise agreed in a written agreement between GovernmentJobs.com, Inc. (D/B/A/ NEOGOV), parent company of PowerDMS, Inc., Cuehit, Inc., Ragnasoft LLC (D/B/A/ PlanIT Schedule), and Design PD, LLC (D/B/A Agency360) (collectively, "NEOGOV") and Customer, this Order Form and the services to be furnished pursuant to this Order Form are subject to the terms and conditions set forth here: <https://www.neogov.com/service-specifications>.

Special Condition:

If this Order Form is executed and/or returned to NEOGOV by the Customer after the Subscription Start Date stated in this Order Form, NEOGOV may adjust the Subscription Start Date and the corresponding Subscription End Date, without increasing the total fees, based on the date NEOGOV activates the subscription, provided the total length of the subscription term does not change. Following activation, any adjustments to such Subscription Start Date and Subscription End Date may be confirmed by reference to the invoice sent by NEOGOV.

Your signature below constitutes acceptance of terms herein and contractual commitment to purchase the items listed above.

Accepted and Agreed By Authorized Representative of:
Town of Astatula (FL)

Signature: _____

Printed Name: _____

Title: _____

Date _____

THE INFORMATION AND PRICING CONTAINED IN THIS ORDER FORM IS STRICTLY CONFIDENTIAL.

THIS IS NOT AN INVOICE

Contract Records		Order Details	
Account Number:	A-513463	Order #:	Q-369006
Customer:	Town of Astatula (FL)	Valid Until:	7/31/2025
Effective Employee Count:	20		
Sales Rep:	Macey Pagan		

Customer Contact			
Billing Contact:	Town of Astatula (FL) Walter Hoagland	Shipping Contact :	Town of Astatula (FL) Walter Hoagland
Billing Address:	25019 County Rd 561 Astatula, FL 34705	Shipping Address:	25019 County Rd 561 Astatula, FL 34705
Billing Contact Email:	chiefhoagland@astatula.org	Shipping Contact Email:	chiefhoagland@astatula.org
Billing Phone:	352-742-2422	Shipping Phone:	352-742-2422

Payment Terms		Notes:
Payment Term:	Net 30	
PO Number:		

Subscription Service

Year 1

Item	Type	Start Date	End Date	License Type	Total (USD)
Policy+ Subscription	Recurring	4/1/2025	3/31/2026	Employee Based	\$6,982.90
Includes PowerPolicy, Recall, and PowerTraining					
Policy+ Setup	Services			Employee Based	\$3,300.00
Year 1 TOTAL:					\$10,282.90

Year 2

Item	Type	Start Date	End Date	License Type	Total (USD)
Policy+ Subscription	Recurring	4/1/2026	3/31/2027	Employee Based	\$8,988.00
Includes PowerPolicy, Recall, and PowerTraining					
Year 2 TOTAL:					\$8,988.00

This price does NOT include any sales tax. Total in USD

Additional Terms and Conditions

License Terms: Enterprise license denotes that Customer has purchased an enterprise wide license up to the employee count specified above. User based license denotes that Customer has purchased the number of licenses set forth in the quantity column. Item count denotes the number of items that Customer has licensed as set forth in the quantity column.

Payment Terms: All invoices issued hereunder are due upon the invoice due date. If the Order is for a period longer than one year, the fees for the first period shown shall be invoiced immediately and the fees for future years/periods shall be invoiced annually in advance of each 12 month period shown on the Order, but regardless of the billing cycle, Customer is responsible for the fees for the entire Order. The fees set forth in this Service Order are exclusive of all applicable taxes, levies, or duties imposed by taxing authorities and Customer shall be responsible for payment of



t 800.749.5104
2120 Park Pl. Suite 100
El Segundo, CA 90245



any such applicable taxes, levies, or duties. All payment obligations are non-cancellable, and all fees paid are non-refundable. Payment for services ordered hereunder shall be made to PowerDMS, Inc. a wholly owned subsidiary of Governmentjobs.com, Inc. (D/B/A NEOGOV).

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Accepted and Agreed By Authorized Representative of:
Town of Astatula (FL)

Signature:

Printed Name:

Title:

Date

THE INFORMATION AND PRICING CONTAINED IN THIS ORDER FORM IS STRICTLY CONFIDENTIAL.

THIS IS NOT AN INVOICE

Contract Records **Order Details**

Account Number: A-513463	Order #: Q-369204
Customer: Town of Astatula (FL)	Valid Until: 7/31/2025
Effective Employee Count: 20	
Sales Rep: Macey Pagan	

Customer Contact

Billing Contact: Town of Astatula (FL) Walter Hoagland	Shipping Contact : Town of Astatula (FL) Walter Hoagland
Billing Address: 25019 County Rd 561 Astatula, FL 34705	Shipping Address: 25019 County Rd 561 Astatula, FL 34705
Billing Contact Email: chiefhoagland@astatula.org	Shipping Contact Email: chiefhoagland@astatula.org
Billing Phone: 352-742-2422	Shipping Phone: 352-742-2422

Payment Terms

Payment Term: Net 30	Notes:
PO Number:	

Subscription Service

Year 1

Item	Type	Start Date	End Date	License Type	Total (USD)
Policy+ Subscription	Recurring	4/1/2025	3/31/2026	Employee Based	\$6,420.00
Includes PowerPolicy, Recall, and PowerTraining					
Policy+ Setup	Services			Employee Based	\$3,300.00
Year 1 TOTAL:					\$9,720.00

Year 2

Item	Type	Start Date	End Date	License Type	Total (USD)
Policy+ Subscription	Recurring	4/1/2026	3/31/2027	Employee Based	\$7,276.00
Includes PowerPolicy, Recall, and PowerTraining					
Year 2 TOTAL:					\$7,276.00

Year 3

Item	Type	Start Date	End Date	License Type	Total (USD)
Policy+ Subscription	Recurring	4/1/2027	3/31/2028	Employee Based	\$8,988.00

Item	Type	Start Date	End Date	License Type	Total (USD)
Includes PowerPolicy, Recall, and PowerTraining					
Year 3 TOTAL:					\$8,988.00

This price does NOT include any sales tax. Total in USD

Additional Terms and Conditions

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Your signature below constitutes acceptance of terms herein and contractual commitment to purchase the items listed above.

Accepted and Agreed By Authorized Representative of:
Town of Astatula (FL)

Signature: _____

Printed Name: _____

Title: _____

Date: _____

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ARTICLE V. TOWN FACILITIES

DIVISION 1. GENERALLY

Sec. 2-191. Open to the public.

- (a) The facilities owned by the town shall be open and available for the use of the general public.
- (b) Use of town facilities shall be subject to rules and regulations pertaining to those facilities which shall be adopted by resolution of the town council.

(Ord. No. 2011-B, § 1(2-191), 10-10-2011; Ord. No. 2013-E, § 1(2-191), 6-10-2013)

Secs. 2-192—2-199. Reserved.

DIVISION 2. USE OF TOWN FACILITIES AND TOWN PROPERTY

Sec. 2-200. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Athletic field means is a field used for practicing or playing sports or games, including, but not limited to, soccer fields, football fields, softball fields, baseball fields and other fields designated for athletic activities.

Commercial use means a use designated to generate monetary or financial benefit. This shall not include fundraising events sponsored by not-for-profit organizations.

Council means Astatula town council.

Department means the town public works department.

Department staff means any uniformed and identified employee of the public works department.

Designated areas means areas designated for specific activities.

Director means the council member overseeing the town public works department.

Field use means one-time/short-term usage in cases where registration takes place and fees are assessed.

Key deposit means a charge assessed during issuance of a key for access to a town facility. The key deposit will be refunded upon the return of the key provided no damage or duplication results from the facility usage.

Local organization means a formal organization of ten or more persons, with headquarters within the town limits, and 51 percent of whose membership is comprised of individuals residing within the town limits.

Nonlocal organization means a formal organization of ten or more persons, with headquarters outside the town limits or with a membership that does not qualify as a local organization as provided above.

Park roads means all surfaced or stabilized areas designated for vehicular traffic adjacent to or passing through park property.

Parking areas means areas designated by the town for the parking of vehicles on town property.

Permit means written document issued by the town granting permission for activities. The town council reserves the right to refuse a request if it is determined that the requested use is contrary to the health, safety and welfare of the public and poses a threat to the safety of the participants or the public at-large.

Person means any individual regardless of age or any corporation, company, association, firm, co-partnership, club, society, or any association of persons, or any agent or employee thereof.

Rental fee means a fee charged by the town for use of a town facility or town property.

Security deposit means a deposit paid to the town at the time of application to cover any damage incurred by the town as a result of the applicant's or any participant's misuse of a town facility, including, but not limited to, the cost of clean-up, repair interior and/or exterior of facility, repair of grounds, necessity for supervision by police department, or use of the facility beyond the reservation time.

Special activity means a permit shall be required before any area may be designated as reserved for any special activity.

Town facilities means facilities owned by the town, including, but not limited to, the Olive Ingram Community Building, all parks, playgrounds, recreation fields, tennis courts, basketball courts, racquetball courts, museums, concession stands, or other buildings and structures in Astatula, which are under the control of or assigned for upkeep, maintenance or operation by the town public works department.

Town property means all real property upon which town facilities are located and all personal property associated with or attached to said real property.

Town-sponsored use, town-sponsored activity, town-sponsored event means activities or events sponsored by the town council that specifically benefit the residents or youth of Astatula. Conditions governing the use of town facilities for town sponsored uses will be established by the council at the time of approval. Groups engaging in town sponsored uses will be given priority to use town facilities, but may not be granted the exclusive use of a particular facility.

Vehicle means any wheeled conveyance (excluding baby carriages, mobility scooters, wheel chairs, bicycles, tricycles, non-motorized scooters, roller-skates, rollerblades or children's wagons) used for the transportation of persons or materials, including vehicles powered or drawn by a motor, such as an automobile, truck, motorcycle, low speed vehicle (LSV), golf cart, scooter or moped; animal-drawn, such as a carriage, wagon or cart; or in tow, such as a trailer or similar conveyance. This does not include emergency vehicles or vehicles operated by the town.

(Ord. No. 2011-B, § 1(2-200), 10-10-2011; Ord. No. 2013-E, § 1(2-200), 6-10-2013)

Sec. 2-201. Application procedure.

- (a) Applications for use of town facilities or town property are available at the town clerk's office located at 25019 C.R. 561, Astatula, Florida.
- (b) Applicants must be at least 18 years of age and be in attendance at the scheduled use or event.
- (c) The applicant shall be responsible for any costs incurred by the town as a result of misuse of town facilities or town property by individuals in attendance, including, but not limited to, clean-up, repair, damage to interior, exterior or grounds, and necessity for police supervision. The town shall not be liable for damages to personal property (including theft or loss) or personal injuries resulting from use of the town facility or town property. The applicant may be required to obtain insurance naming the town as an additional insured by the public works director with approval from the town council.

-
- (d) The security deposit, rental fee, and key deposit (if applicable) must be paid at the time the application is filed.
 - (e) Once the town has approved the application the reserved date will be placed on the monthly calendar.
 - (f) The application must specify the amount of time the town facility or town property is to be used (including preparation and clean-up), the nature of use, and the number of participants anticipated.
 - (g) Application or continued use will be denied if applicant has left the facility in unacceptable condition in the past.
 - (h) The town reserves the right to grant priority to town-sponsored events or activities when scheduling conflicting uses.

(Ord. No. 2011-B, § 1(2-201), 10-10-2011; Ord. No. 2013-E, § 1(2-201), 6-10-2013)

Sec. 2-202. Issuance of keys for facilities.

For those town facilities requiring keys, the following regulations shall apply:

- (a) Keys shall be issued upon approval of the permit/rental application and payment of all deposits and fees, and may not be signed out sooner than 24 hours prior to use except as provided in subsection (d) of this section.
- (b) Keys to town facilities may be obtained from 8:00 a.m. to 5:00 p.m., Monday through Thursday at the clerk's office.
- (c) If a town facility is rented during a holiday or weekend, the key shall be obtained the last workday prior to the event and returned to the clerk's office by 9:00 a.m. the first work day following the event.
- (d) The full key deposit will be refunded if the key is returned on time. No portion of the key deposit will be refunded for keys returned more than eight working hours after the stated return time.
- (e) Keys shall not be duplicated.

(Ord. No. 2011-B, § 1(2-202), 10-10-2011; Ord. No. 2013-E, § 1(2-202), 6-10-2013)

Sec. 2-203. Deposit of revenues in general fund.

All revenues or funds collected under this division shall be deposited in the town's general fund.

(Ord. No. 2011-B, § 1(2-203), 10-10-2011; Ord. No. 2013-E, § 1(2-203), 6-10-2013)

Sec. 2-204. Rental fees.

Rental fees shall be measured by the hour with any fraction thereof considered an entire hour. The rental fee shall be based upon the amount of time the town facility is reserved; provided, however, if the town facility is used for a greater amount of time than reserved, the applicant shall be responsible for the additional time the town facility is used. Preparation and clean-up time shall be included when calculating the rental fee. Rental fees shall be established and may be amended from time to time, by the passage of a fee schedule resolution by the town council.

(Ord. No. 2011-B, § 1(2-204), 10-10-2011; Ord. No. 2013-E, § 1(2-204), 6-10-2013)

Sec. 2-205. Security deposit and liability of applicant for damage to town facility or town property.

A security deposit may be required for use of any town facility or town property. In the event that a security deposit is required it will be returned to the applicant minus a \$5.00 administration fee following an inspection of the town facility or town property by the public works department and a determination that there has been no misuse of the facility or property. The applicants check will be issued when the town processes payables.

(Ord. No. 2011-B, § 1(2-205), 10-10-2011; Ord. No. 2013-E, § 1(2-205), 6-10-2013)

Sec. 2-206. Limitations on rental period and available space.

- (a) The proposed use of town facilities or town property shall not exceed the actual space available at that particular facility or property. An application may be denied upon a determination by the public works director that the facility or property is not adequate for the size and nature of the use intended.
- (b) Repeated, continued use of town facilities or town property by any group or individual does not establish a right to future use of the facilities or property.
- (c) Town facilities or town property may not be booked more than 12 months in advance.
- (d) Town facilities or town property may not be used for more than a six-hour period unless use is classified as a town sponsored activity or the town council has approved such use in writing.
- (e) The unauthorized presence of any person at town facilities or town property at times other than established as open times shall be unlawful and punishable as provided in section 2-210.

(Ord. No. 2011-B, § 1(2-206), 10-10-2011; Ord. No. 2013-E, § 1(2-206), 6-10-2013)

Sec. 2-207. Regulations governing use of all town facilities and town property.

- (a) Any accidents occurring during the use of any town facilities or town property regardless of the severity shall be reported immediately to the police department and to the public works director.
- (b) Users of any town facility or town property shall be liable for any and all damage caused to the facility or property. For the purpose of this section, damage shall include loss or theft during an event.
- (c) Applicants granted permission to use a town facility or town property shall be responsible for the conduct of all participants. If conduct of the participants warrants police involvement, the town reserves the right to bill the applicant for actual costs incurred by the police department in providing supervision during the event.
- (d) The town shall have the right to terminate use of a town facility or use of town property when the use endangers the health, safety, or welfare of the public or participants, or when the participants are causing damage to the facility or property.
- (e) No one shall affix, or permanently attach in any way any item to any town facilities, inside or outside, or any town property, including insignia, banners, and other means of identification use for events unless approved by the town and removed immediately after the event.
- (f) The sale, purchase, consumption or possession of alcoholic beverages is hereby prohibited in or around town facilities. No person who is intoxicated will be permitted in or around town facilities.
- (g) The use, sale, possession or purchase of illegal drugs is prohibited in or around town facilities. No person who is under the influence of drugs will be permitted in or around town facilities.

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- (h) Any person refusing to consent to the inspection of a container in their possession, custody or control by law enforcement or park personnel shall be denied admittance to town facilities and/or ordered to leave the premises.
 - (i) Smoking is prohibited on the grounds, in the buildings, and the parking lots at town facilities and town property. Smoking means possession of a lighted cigarette, lighted cigar, lighted pipe, and any lighted tobacco or tobacco type product.
 - (j) All or part of any town facility may be closed to the public by the town council, chief of police, public works director or designee at any time, either temporarily or on regular intervals (daily or otherwise) pursuant to reasonable parameters established by the town for the purpose of promoting and protecting the health, safety and welfare of the public.
 - (k) The unauthorized presence of any person at town facilities at times other than established as open times shall be unlawful and punishable.
 - (l) Athletic fields shall be used for athletic and recreational purposes only, unless written permission is obtained by the town council.
 - (m) Overnight sleeping at town facilities or town property is prohibited.
 - (n) Applicable state and local laws governing the operation of vehicles shall be in full force and effect on town facilities, park roads and parking areas. In addition thereto the following rules shall apply:
 - (1) Vehicles shall yield at all times to children, pedestrians or bicyclists. The maximum speed shall be ten miles per hour unless designated otherwise.
 - (2) No driver or operator of any vehicle shall obstruct traffic, park or stop on any park road except in the case of an emergency. In the event that it is necessary to park or stop a vehicle on a town facilities road for more than 15 minutes, the operator shall notify department staff or a law enforcement officer.
 - (3) No person shall operate, drive or park any motor vehicle or other vehicle upon any road, driveway, path, parking area or other area unless such road, driveway, path, parking area or other areas has been designated by the town for such purpose.
 - (4) All law enforcement officers and department staff are authorized to direct traffic on park roads and roads immediately adjacent thereto in a manner consistent with the provisions set forth herein in order to protect the health, safety, and welfare of the public. All persons shall comply with any order, signal, or direction of such law enforcement officer or member of department staff.
 - (5) If portions of town facilities are not suitable for parking they will be designated with a "No Parking" sign. An individual parking on portions of town facilities marked with a "No Parking" sign shall have his vehicle towed at his own sole expense.
 - (6) Vehicles may not be double-parked on town property.
 - (7) Handicapped parking spaces shall be used by persons displaying a lawful handicapped sticker or display card. It shall be unlawful to park, unload passengers or materials, or otherwise block a designated handicapped space.
 - (8) Vehicles shall only enter park property through a designated entrance gate or entrance area.
 - (9) No person shall change any parts, repair, wash, grease or perform other maintenance on a vehicle on park roads, parking areas, town property, or town facilities, except in emergencies.
 - (o) No person on town facilities shall have brought in or shall dump, deposit or leave any garbage, refuse or other trash unless such garbage, refuse or trash is deposited in receptacles so provided. Where receptacles are not provided, all such garbage, refuse or trash shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

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- (p) No person shall mark, deface, disfigure, write upon, spray paint, tamper with, displace or otherwise damage any town facility or town property or equipment.
 - (q) No person shall remove whether temporary or permanent, structures or equipment, or remove any town facility property without prior written consent from the public works director or town council.
 - (r) It shall be unlawful to modify town facilities or town property in any manner unless directed by the public works director or town council.
 - (s) Flag poles on town facilities or town property are the property of the town and under the control of the town.
 - (t) Trees, shrubbery and lawns on town facilities or town property shall not be modified in any way. It shall be unlawful to cut, carve, or injure bark; break off tree limbs or branches; pick the flowers, fruits, seeds, or nuts of any tree or plant; or attach any rope, wire or other contrivance to any tree or plant, whether temporary or permanent, unless authorized by public works director. Persons shall not dig in or otherwise disturb grass areas, or in any way injure or impair the natural beauty of any area.
 - (u) No fires or grills are permitted in town facilities except for concession areas where grills are used for items for sale, or as part of a town sponsored event.
 - (v) It shall be unlawful to place any substance or matter in fountains, storm sewers, or other bodies of water within or near town facility property that will result in pollution of said waters.
 - (w) Loitering or prowling as defined by Florida Statute is prohibited on town property, or engaging in any other activity prohibited by state law.
 - (x) No person shall utilize town facilities to engage in any private commercial activity unless written permission is obtained from the town council.
 - (y) The use of fireworks, of any type, is prohibited on town facilities, except for firework displays commissioned by the town.

(Ord. No. 2011-B, § 1(2-207), 10-10-2011; Ord. No. 2013-E, § 1(2-207), 6-10-2013)

Sec. 2-208. Pets, animals, and wildlife.

- (a) On town facilities or town property, no person shall molest, harm, frighten, kill, net, trap, snare, hunt, chase, shoot or throw, or propel, by any means, missiles at any wildlife creature be it mammal, bird, or reptile roaming free about the park or in captivity in a cage; nor shall a person remove or possess the young of any wild animal or the nest or eggs of any reptile or bird or to collect, remove, possess, give away, sell or offer to sell, buy or offer to buy, or accept as a gift any specimen dead or alive. This provision shall not apply to activities engaged in by animal control officers or similar governmental agencies for the protection of the health, safety and welfare of the public.
- (b) In the event a minor child has violated subsection (a) of this section, town staff shall issue a verbal warning to the party responsible for the minor child. If the responsible party allows the minor child to continue with the violation, the responsible party and minor child shall be asked to leave the town facilities. If they do not comply they may be removed by the town police department
- (c) No person shall feed mammals, birds, reptiles, etc. either wild or domestic on park property.
- (d) No person shall place, dump, abandon, or leave any fish, mammal, reptile, or bird, either wild or domestic, on town park property.

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- (e) Dogs, horses, reptiles, and other pets shall not be brought onto town facilities, except in areas specifically designated for such use. This section shall not apply to police K-9 dogs and guide dogs used by a visually impaired person, providing the dog is at all times kept under control.

(Ord. No. 2011-B, § 1(2-208), 10-10-2011; Ord. No. 2013-E, § 1(2-208), 6-10-2013)

Sec. 2-209. Rides and air-inflated structures prohibited.

Air-inflated structures, including, but not limited to, bounce houses or moonwalks, and any rides, structures, or games, are prohibited on town property unless approved in advance in writing by the town council.

(Ord. No. 2011-B, § 1(2-209), 10-10-2011; Ord. No. 2013-E, § 1(2-209), 6-10-2013)

Sec. 2-210. Enforcement and penalties.

The provisions of this division may be enforced by the town police department, public works department, the code enforcement department, the town clerk, and/or town staff when applicable. Any person found guilty of a violation of this division may be punished in accordance with applicable state and local laws.

(Ord. No. 2011-B, § 1(2-210), 10-10-2011; Ord. No. 2013-E, § 1(2-210), 6-10-2013)

Secs. 2-211—2-230. Reserved.

ORDINANCE: 2019-04

AN ORDINANCE OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 27 OF THE CODE OF ORDINANCES OF THE TOWN OF ASTATULA, FLORIDA; PERTAINING TO SPECIAL EVENTS AND RECURRING EVENTS; PROVIDING LEGISLATIVE FINDINGS; PROVIDING DEFINITIONS; PROVIDING FOR THE QUALIFICATION OF NON-PROFIT CHARITABLE ORGANIZATIONS; PROVIDING FOR AN APPLICATION AND APPROVAL PROCESS; PROVIDING FOR PERMIT ISSUANCE; PROVIDING FOR SPECIAL EVENT AND RECURRING EVENT TERMS AND CONDITIONS; REQUIRING INDEMNIFICATION AND INSURANCE; PROVIDING FOR ALCOHOLIC BEVERAGE REGULATIONS; PROVIDING FOR NOISE CONTROL; PROVIDING FOR PUBLIC LAW ENFORCEMENT AND PRIVATE SECURITY SERVICES, FIRE DEPARTMENT SERVICES, EMERGENCY MEDICAL SERVICES, PUBLIC WORKS SERVICES BUILDING DEPARTMENT SERVICES; REQUIRING PORTABLE TOILET FACILITIES AND GARBAGE PICKUP; PROVIDING A FEE SCHEDULE; PROVIDING FOR CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2012, the Town of Astatula adopted Ordinance 2012E, creating Chapter 27 of the Code of Ordinances for the regulation of special and recurring events within the Town of Astatula Land Development Regulations in accordance with the Town of Astatula Comprehensive Plan and the requirements of Florida Statutes; and

WHEREAS, in 2013, the Town of Astatula adopted Ordinance 2013C, which amended Chapter 27 of the Code of Ordinances for the regulation of special and recurring events within the Town of Astatula Land Development Regulations in accordance with the Town of Astatula Comprehensive Plan and the requirements of Florida Statutes; and

WHEREAS, it is recognized that these special events and recurring events enhance the lifestyle within the Town of Astatula, Florida, and provide benefits to the citizens through the creation of unique venues for expression and entertainment that are not normally provided as part of governmental services; and

WHEREAS, it is recognized that tax exempt non-profit organizations that benefit the community are essential to the quality of life in the Town of Astatula, Florida, and that they often develop through their special event, the resources to provide essential services to the citizens of the Town of Astatula, Florida; and

WHEREAS, by recognizing special event and recurring event venues, it is further intended by the Town Council of the Town of Astatula, Florida, to supplement land use regulations, to provide a coordinated process for the regulation of certain activities to be conducted in conjunction with special events and recurring events, to ensure the health and safety of patrons of special events and

recurring events, to prohibit illegal activity from occurring within special event and recurring event venues, and to protect the rights and interests granted to special event and recurring event permit holders; and

WHEREAS, it is further intended by the Town Council of the Town of Astatula, Florida to create a mechanism for cost recovery for special and recurring events without having an adverse effect on those events that contribute to the citizens of the Town of Astatula, Florida; and

WHEREAS, it is also the intent of the Town Council to protect the rights of its citizens to engage in protective free speech and expressive activities and yet allow for the least restrictive and responsible, time, place, and manner regulations of those activities within the overall context of rationally regulating special events and recurring events that have an impact upon public facilities and services.

WHEREAS, the Town of Astatula has elected to amend Chapter 27 of the Code of Ordinances in its entirety, finding it is in the best interests of the Town of Astatula and promotes the general welfare of its citizens.

NOW, THEREFORE, be it enacted by the people of the Town of Astatula, Florida;

SECTION 1. Chapter 27 of the Code of Ordinances of the Town of Astatula, Florida, is hereby deleted and replaced in its entirety as set forth in Exhibit "A", attached hereto and incorporated herein.

SECTION 2. All ordinances or part of ordinances which are in conflict with this ordinance are hereby repealed, to the extent necessary to alleviate the conflict, which shall continue in effect in so far as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinances, in which case those ordinances so effected shall hereby be repealed in their entirety.

SECTION 3. If any portion of this ordinance is declared invalid or unenforceable, to the extent that it is possible to do so without destroying the overall intent and effect of this ordinance, that portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

SECTION 4. This ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the Town Council of the Town of Astatula, Florida, held on the 8 day of JULY, 2019.

BY:

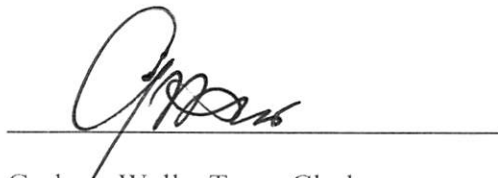


Robert C. Natale, Mayor

FIRST READING: ~~April 25~~, 2019

SECOND READING: ~~May 13~~, 2019

ATTEST TO:



Graham Wells, Town Clerk

Approved as to form and legality:



Zachary Broome, Town Attorney

Council Member MACK moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member CROSS and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Natale	✓	
Vice-Mayor Mack	✓	
Councilman Cross	✓	
Councilman Kobera	ABSENT	
Councilman Sikkema	✓	



EXHIBIT A

Sec. 27-1. Intent.

It is the intent of this article to provide minimum standards for the regulation of special and recurring events held in the Town for the protection of the health, safety and welfare of the participants as well as the residents and taxpayers of the Town.

Sec. 27-2. Permit Required.

Any special or recurring event held within the corporate limits of the Town shall be required to obtain a special event permit. All special or recurring events shall conform to the provisions set forth in this Chapter and with all terms, conditions, and requirements identified in an issued permit.

Sec. 27-3. Definitions.

Applicant is the individual(s) or entity who makes application to the Town to hold a special or recurring event. The applicant is responsible for compliance with terms and conditions set forth in the permit and requirements set forth herein.

Attendance shall be computed and calculated based on historical data. If no attendance data exists, then the minimum "attendance fee" shall be assessed.

Attendance formula means the total attendance divided by the number of days of operation. For purposes of this calculation, any part of a day shall be considered an entire day.

Booth means a stand for the sale of goods or containment of games and other individual entertainment activities associated with the special event.

Charitable organization means any person or group which has qualified for exemption from federal income tax as an exempt organization under the provisions of Section 501(c) of the Internal Revenue Code of 1954 or Section 528 of the Internal Revenue Code of 1986, as amended, and who is or holds himself/herself out to be established for any benevolent, educational, philanthropic, humane, scientific, artistic, patriotic, social welfare or advocacy, public health, environmental conservation, civic or other charitable purpose. It may include a chapter, branch, area, office or similar officiate performing functions of the organization within the state for a charitable organization, which has its principal place of business outside the state.

Town sponsored event means an event sponsored by the Town of Astatula, Florida. Town sponsored events are exempt from the fee requirements contained herein.

Classification means categories events are placed in based on the impact the event may have on Astatula residents and Town services. Classifications shall be assigned by the Town Clerk, using the classifications and criteria listed below

Class A means those events, which by design are intended to attract a minimum of 1000 patrons

on any peak attendance day from both inside and outside Lake County. These events may include:

1. festivals and fishing tournaments with 100 or more boats
2. commercial advertisement
3. beer/alcohol concessions
4. amplified sound
5. street/sidewalk entertainment
6. multiple stages
7. vendors
8. Public safety and/or public works services beyond those regularly provided by the Town.
9. Motorcross racing
10. Mud pit events
11. Motor vehicle tug of war Events
12. Bicycle Racing
13. ATV/UTV Racing or leisure riding

Hours of operation shall be no earlier than 7:00 a.m. and no later than 12:00 midnight unless approved by the Town Council. No amplified sound shall *be* permitted before 1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Any "Class A" permit for an event held on public property must be approved by the Astatula Town Council. The permit application with recommendations made by the Town Clerk will be presented for action by the Astatula Town Council after the Planning Meeting has taken place.

Class B means those events which are intended to attract less than 1000 patrons or spectators on any peak attendance day; and are generally limited to a local target market. These events may include, but are not limited to:

1. Cultural events, arts and craft shows, athletic events, community celebrations, dances, car shows, competitions, revivals, concerts, regattas, fishing tournaments with at least 40 boats but no more 100 boats, and parades

2. Advertisement, mainly limited to a local target market;
3. Amplified sound;
4. Vendors;
5. Public Safety and/or public works services beyond those regularly provided by the town.
6. Motorcross racing
7. Mud pit events
8. Motor vehicle tug of war Events
9. Bicycle Racing
10. ATV/UTV Racing or leisure riding

Hours of operation shall be no earlier than 8:00 a.m. and no later than 12:00 midnight unless approved by the Town Council. No amplified sound shall be permitted before 1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Class C means those events that have limited impact on traffic, parking and noise in surrounding neighborhoods, that have 50 or more but do not exceed 500 patrons. These events may involve, but are not limited to, the private use of Town-owned or controlled property and are not open to the general public. These events may include, but are not limited to:

1. Fishing tournaments with less than 40 boats;
2. Weddings, picnics, family reunions, and birthday parties, block parties, contests, certain types of low-impact concerts, and fund-raising food concessions for the benefit of nationally- recognized charities, local service clubs or other local organizations;
3. Food and/or beverages service;
4. One source of amplified sound;
5. Up to eight hours of activities
6. Motorcross racing
7. Mud pit events
8. Motor vehicle tug of war Events
9. Bicycle Racing

10. ATV/UTV Racing or leisure riding

Hours of operation shall be no earlier than 8:00 a.m. and no later than 10:00 p.m. unless approved by the Town Council. No amplified sound shall be permitted before-1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Day means a 24-hour period beginning at 12:01 a.m.

Exemption means not having to meet all the requirements of this Chapter, Special Events. All Town of Astatula special events are exempt from Town fee.

Fees means all charges associated with an event.

Historically recurring event means an event that has been held in one or more consecutive preceding years on approximately the same date.

Public property means any public street, sidewalk, place, property, easement, structure or facility owned, dedicated, controlled or otherwise under the jurisdiction and control of the Town.

Recurring event is a special event that occurs at regular intervals throughout the permitted year.

Special event means any single or recurring public or private event held within the Town, in which it can be anticipated that the number of persons attending the event will exceed the on-site parking available at the premises upon which the event will take place; or any public or private event in which it can be reasonably expected that services will *be* required beyond those that are regularly provided by the Town such as additional police services, traffic control, crowd control, fire and/or emergency medical services, street closures, garbage cleanup, or other municipal services which may be necessary to service the event. Additionally, those public or private events that involve musical groups or amplified sound, high intensity lighting, fireworks, erection of temporary structures on Town-owned or controlled property, displays or other activities of such a nature that impinge upon any adjacent public, business or residential area shall be considered as a special event. This may include, but not be limited to athletic events, contests, fishing tournaments, sailing regattas, carnivals, concerts, religious events, walk-a-thons, competitions, festivals, block parties, street dances, parades, car shows, art/craft shows, bazaars, fireworks displays, motion and still photography productions or other similar activities which meet the definition listed herein for special events.

Vendor/concession/business means any person, corporation, entity or enterprise providing the sale of goods or services for profit and/or the promotion, production, operation or management of any activities related to a special event as defined above.

Waiver means to refrain from a requirement or release from responsibility.

Sec. 27-4. Qualification of non-profit charitable organization.

Any non-profit charitable organization wishing to obtain a permit to hold a special event on public property shall submit with his application the following items:

- (1) A valid certificate of exemption issued pursuant to Section 501(c)(3) Internal Revenue Code of 1954 or a similar exemption certificate issued pursuant to Section 528 of the Internal Revenue Code of 1986; and
- (2) Its nonprofit articles of incorporation and Charter, or similar documents to demonstrate its nonprofit status; and
- (3) Evidence in the form of a Corporate Charter, partnership agreement or similar documentation that it has been in existence and active.
- (4) A mission statement stating the intent of the nonprofit organization's fundraising efforts.

Sec. 27-5. Application for special events; time for submission; contents.

- (a) Any person or entity desiring to hold a "special event" within the Town, shall submit an application to the Town Clerk. Deadlines for submitting applications shall be as follows:
 1. "Class A" special events must be submitted at least 90 days but no more than 120 days prior to the event;
 2. "Class B" special events must be submitted at least 30 days but no more than 60 days prior to the event;
 3. "Class C" special events must be submitted at least 15 days but no more than 30 days prior to the event.
- (b) Permits for recurring event may be applied for and approved annually. Any changes or alterations to previously approved events must be in writing. If such changes are determined to be substantive the Town Council may request a new application or impose additional conditions.

The Town Council may authorize any Class B or Class C permit, if submitted after the above deadlines. The application shall be upon a form approved by the Town Council, and available at Town hall. Written instructions shall be provided along with the application to any applicant upon request.

- (c) In order to be considered for approval, an application submitted to the Town Clerk must contain the following information:
 1. Name, address and telephone number of applicant. Attach copies of the following documents as needed: driver's license, food handler's license,

- alcohol license and non-profit status.
2. Type of proposed event and description of planned activities.
3. Date and times of major event activities, including daily beginning and ending times.
4. Estimated number of people expected to attend the event each day, and the basis of the estimate.
5. Location of event, including detailed site plan specifying location of major event attractions and activities.
6. Whether "stages" are to be utilized, and if so, how many.
7. Whether amplified sound is to be utilized and, if so, from how many sources.
8. Whether tents and canopies are to be utilized and, if so, the number and size
9. Whether food and beverages will be sold by event vendors.
10. Whether merchandise other than food or beverages will be sold by event vendors.
11. Whether the applicant intends to furnish, at the applicant's expense, first aid or medical facilities or personnel. If so, provide a description.
12. Whether the applicant intends to furnish, at the applicant's expense, security personnel or equipment. If so, provide a description.
13. The names of those persons to be designated by the applicant as on-site representatives of the applicant, and the names and telephone numbers of any other persons to be contacted on behalf of the applicant in the event of an emergency.

(d) Upon receipt of a completed application, the Town Clerk shall review same and determine if the proposed event should be classified as a Class A event, a Class B event, or a Class C event, as these categories are defined in Section 27-5.

1. If the proposed event is determined to be a Class C event, then the Town Clerk shall decide whether to issue a permit authorizing the event. In deciding whether to issue a permit authorizing the event, the Town Clerk shall be guided by the criteria set forth in subsection (e) hereof and may request the applicant to provide additional information necessary to the decision-making process.

2. If the proposed event is determined to be a Class B event, the Town Clerk shall decide whether to issue a permit authorizing the event. In deciding whether to issue a permit authorizing the event, the Town Clerk shall be guided by the criteria set forth in subsection (c) hereof and may request additional information necessary to the decision-making process. The Town Clerk may schedule a planning meeting with the applicant and Town Council if deemed appropriate. The Town Clerk may bring Class B applications to the Town Council for approval.

3. If the proposed event is determined to be a Class A event, then the Town Clerk shall schedule a "planning meeting", to be attended by the Town Council, the applicant's authorized representatives (including the applicant's designated event planner and designated safety officer [if any]) and the Town Clerk. At the planning meeting, all aspects of the proposed event and its impact upon the Town shall be discussed. As a result of the planning meeting, the Town Clerk shall, within thirty days of the meeting's conclusion, prepare a written report which:
 - i. Specifies any concerns held by the committee regarding the potential impact of the event upon any Town department or Town service.
 - ii. Specifies any concerns held by the committee regarding the ability of any Town department to furnish the level of services required to satisfy any need, which the event will likely create.
 - iii. Makes specific recommendations or findings regarding the number of Town employees and "employee hours" in excess of "normal" staffing requirements, which each Town department will likely be required to devote to servicing the event, and the expected cost to each department of the additional staffing requirements.
 - iv. Details any offers made by the applicant at the planning meeting to modify the application to address concerns raised during the planning meeting.
 - v. Makes specific recommendations regarding any terms or limitations, which should be required as a condition of event, permit approval and which are necessary for the protection of the public and its health and safety.

The report shall be forwarded to the Town Council.

- (e) All applications for Class A event permits shall be considered by the Town Council at the first Town Council meeting held after the final planning meeting, provided the written report of the Town Clerk has been prepared and furnished to the Town

Council, and the agenda and public notice requirements of the Council have been satisfied. Otherwise, the event application shall be considered at the first regularly scheduled Town Council meeting held after the Town Clerk's receipt of the written report and for which the Council's agenda and public notice requirements can be satisfied.

(f) Before granting an application for a Class "A" special event permit, the Town Council must find that:

1. The proposed event will not unduly adversely impact neighboring businesses or residents.
2. The proposed event will not present an unacceptable risk to the safety of the public.
3. The proposed event will not generate unacceptable levels of noise, taking into account the location at which the noise is to be generated, the time when the noise is to be generated, and the impact upon those who may be affected.
4. The proposed event will not exceed the Town's ability to provide necessary services, including but not limited to police, fire, medical, and sanitation services.
5. The proposed event will not unduly or adversely impact Town-owned or publicly owned property.
6. The proposed event will not disrupt vehicular traffic flow and/or pedestrian traffic flow to the extent that the safety or convenience of the public is unreasonably impacted.
7. Conditions, terms, or limitations can be fashioned which, if implemented, will satisfy the Town's obligation to safeguard the public's health, safety, and welfare; and, the applicant is willing to accept and comply with said conditions, terms, or limitations.

(g) Upon a finding by the Town Council that the criteria set forth in this section have been satisfied, the Town Council shall approve issuance of a special event permit, subject to those conditions, terms or limitations which the Council finds necessary to the protection of the public's health, safety, and welfare, which may include but not be limited to the applicant's payment of fees and/or costs provided for herein. In the event the Council determines that one or more of the criteria set forth in this section has not been satisfied, the Council shall deny the permit but shall specify the issuance criteria which the Council has determined the applicant failed to satisfy.

(h) All special event permit applications shall be considered for approval in the order in

which the completed applications are submitted. However, if applications for Class "A", Class "B", and Class "C" special events are simultaneously pending, and the approval of one of the applications will adversely impact one or more of the others, preference shall be given first to the application for a historically recurring event; next to the application for the Class "A" event, next to the application for the Class "B" event, and finally to the application for the Class "C" event.

- (i) The Town Clerk shall schedule a post-event review meeting within 30 days after the close of a Class "A" event, and may schedule a post-event review meeting within 45 days after the close of a Class "B" event, which shall include the special events committee and the applicant and/or representatives.

Sec. 27-6. Permit issuance; fees.

- (a) If an application for a Class "A" or Class "B" permit is approved, the Town Clerk shall notify the applicant of same in writing and shall provide the applicant with a written summary of the permit's terms, conditions, and limitations, which shall include but not be limited to, a listing of all fees and costs to be assessed in conjunction with the issuance of the permit. If the application for a Class "A" or Class "B" permit is denied, the Town Clerk shall notify the applicant in writing of same and of the reason specified as the basis for the denial.
- (b) If a special event permit is approved, the applicant will be assessed fees, which shall include, but not be limited to, the following:
 - 1. Daily fee for each day of the event. For purposes of this section, "day of the event" shall include any portion of a day. The daily fee shall be determined in accord with the Fee Schedule.
 - 2. Law enforcement/security fees pursuant to Sec. 27-36.
 - 3. Building department inspection fees pursuant to division Sec. 27.36.
 - 4. Any other fee which the Town Council finds reasonable and necessary to provide for the public health, safety, and welfare.
- (c) Permits for recurring events may be applied for and approved annually. Any changes or alternative to previously approved events must be in writing. If such changes are determined by the Town Council to be substantive, the Town Council may require a new application or impose additional conditions. Permits for recurring events are subject to the fees imposed by this Chapter.
- (d) All "categories" of fees assessed as described in subsection (b) and (c) of this section shall be itemized at the time of permit approval. The amount of the fees shall be calculated if possible, or estimated if of a type which cannot be precisely calculated in advance, at the time the applicant is notified of permit approval by

the Town Clerk or Town Council, as the case may be.

- (e) The Town Council has the right to waive or reduce fees for applicants who meet the definition of charitable organizations. Any applicant may request any or all fees for Town services be reduced or waived by the Town Council for Class B or C special events of less than eight hours in duration, which involve no commercial benefit to any enterprise. All such requests must be in writing and provided to the Town Clerk for placement on the Council agenda at a meeting to be held prior to the event.
- (f) Payment of all fees and "estimated" fees shall be due at least fourteen (14) days prior to the first day of the event. Any fee that is "estimated" shall be precisely calculated as soon as information necessary to said calculation is available, but not later than 30 days after the event has concluded. The Town Clerk shall then notify the applicant of the variance between the estimated fee and the actual fee, and shall within 30 days thereafter, refund to the applicant the amount of any "surplus" fee collected or, collect from the applicant the amount of any fee "deficit". If remaining fees are not paid, this may result in future denial of any Special Events or Permits.
- (g) In the case of a recurring event, payment of all fees and estimated fees shall be made as agreed to in writing by the Town Council.
- (h) If an entire special event is canceled due to a weather emergency as declared by Lake County Emergency Management and/or the police chief or his designee, the applicant may choose one of the following options:
 - 1. Choose another date to hold the event; or
 - 2. Choose to be refunded all fees associated with the event already paid to the Town, other than the fees assessed for services already rendered by the Town.
 - 3. Recurring event fees are not refundable.
- (i) The applicant is solely responsible for acquiring any/all permits and authorization required by town, state, county, or federal authorities for the conduct of activities associated with the special event which may be in addition to the special event permit described herein. Proof of issuance of any such "additional" permits or authorizations shall be provided to the Town Clerk at least five business days prior to the first day of the special event.
- (j) Failure to comply with the terms and conditions of a special event permit shall be grounds for immediate suspension of the event, which suspension shall continue until at least such time as the noncompliance is remedied. Notice of said "noncompliance" shall be communicated immediately to the applicant or designee by the Town Clerk or designee, or the chief of police or designee. The Town Clerk

or designee, or the chief of police or designee may then suspend the event, if the noncompliance is not remedied or until the noncompliance is remedied.

Sec. 27-7. Indemnification/insurance; liquor liability insurance.

- (a) Prior to the issuance of a special and recurring event permit the applicant(s) shall execute an indemnification form which provides that the applicant(s) agrees to hold harmless and indemnify the Town, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney's fees) suffered by the Town for:
 - 1. Any breach of the terms of the permit or any inaccuracy in or breach of any representation, warranty or covenant made by the applicant(s) to the Town as an inducement to the granting of the permit.
 - 2. Any claims, suits, actions, damages or cause of actions for any personal injury, loss of life or damages to personal or real property sustained by reason of, result of, or by presence of the applicant on public property by applicant's agents, employees, invitee and/or any other persons.
- (b) At least seven days prior to the first day of any special event or recurring event, the applicant shall furnish to the Town Clerk proof of liability insurance protection, in an amount of not less than \$1,000,000.00 per person for bodily injury or death, \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the town as "additional insured".
- (c) If alcoholic beverages are to be dispensed, served, sold or distributed at an outdoor event, the applicant(s) shall in addition provide liquor liability insurance in the amount of \$500,000.00 which shall name the Town as additional insured.
- (d) Nothing in this section shall be construed to effect in any way the Town's rights, privileges and immunities as set forth in Florida Statutes, Section 768.28.

Sec. 27-8. Alcoholic beverage regulations.

The Town Council may grant special permission for the sale, consumption, or possession of beer and/or wine in open containers during special events within defined areas of any public park, recreation area, street, sidewalk, or public parking facility and for specific times. This special permission is not intended to authorize the violation of state statutes and shall not be so interpreted. In addition to any statutorily imposed obligations of the seller of alcoholic beverages, it shall be the obligation of the applicant to insure that the terms of any "special permission" granted by the Town Council, as well as state, county, and municipal laws regarding the sale consumption or possession of alcoholic beverages are strictly complied with in connection with the conduct of event activities.

During the course of the event, if the terms of the "special permission" are violated and/or

violations of municipal, state, county or federal law are noted which are related to alcoholic beverages sales or consumption at the event, and warnings of noncompliance are not corrected by the event organizer and/or staff, the chief of police or his designee may issue a cease sale order, and no further alcoholic beverages may be sold or consumed in connection with the event.

Sec. 27-9. Noise control.

The Town Council may issue a special permit to exceed noise levels established by its Astatula Code of Ordinances, in conjunction with any Class A or Class B event. The special permit may be limited to specific times and specified areas, subject to the limitations for waivers of, noise control.

Sec. 27-10. Public law enforcement and private security services.

- a. Unless otherwise authorized by the chief of police, the Astatula Police Department shall be the sole provider for public law enforcement services. The number of public law enforcement personnel and the number of applicant provided private security personnel required to service the special event shall be determined in the planning meeting with final approval by the Town. The chief of police or his designee shall have authority over and command of all security, both public and private.
- b. The chief of police or his designee shall determine the number of officers required for security at the planning meeting based on Town requirements, applicant(s) needs, traffic control, parking and required protection of adjacent sites within 1,500 feet of the property of which the special event is held. Additional officers may be authorized or required, depending upon the character and risk factor of the proposed special event.
- c. The Town, in consultation with the applicant(s), shall establish the appropriate time frames in which public law enforcement and private security is needed for each aspect of the special event. The applicant(s) will provide a tentative schedule of activities for each day of the event at the planning meeting. The Town shall assign a "special event field operations detail" to handle law enforcement services. Because the final activities schedule may change, the Town police department 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 police services may vary due to scheduling adjustments determined and approved on-site by the police supervisor and the applicant(s) during the event. Any additional fees generated by scheduling adjustments shall be the responsibility of the applicant(s).
- d. If the scope of the event exceeds the Astatula Police Department's manpower capacity, the chief of police may contract with other law enforcement agencies to provide additional resources. All contractual law enforcement personnel will work under the supervision of the chief of police or his designee, and will be assigned

accordingly.

- e. Fee schedule for determining police personnel costs, to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

Sec 27-11. Fire department services.

- a. Public or private fire departments services shall be provided for every special event. The number of certified fire department personnel and the level of fire protection services required to service any special event shall be determined by the Town in the planning meeting with final approval by the Town. Fire department services shall be for the purpose of fire protection. 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 fire department shall determine what is necessary to provide adequate fire protection and safety for each event.
- b. The Town shall also establish the appropriate time frames fire personnel are needed for fire protection services for each aspect of the special event. The applicant(s) will provide a tentative schedule of activities for each day of the event at the planning meeting.
- c. In the event the applicant(s) are authorized to utilize certified firefighter fireguards from an agency other than the Lake County Fire Department, an agency representative must be present in the planning meeting and the agency must meet the requirements for fire protection as agreed in the meeting.
- d. Fees for fire department personnel and equipment costs to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

Sec. 27-12. Emergency medical services (EMS); advanced life support/water rescue.

- a. The minimum level of emergency medical services that are necessary for any special event shall be governed by regulations promulgated by the Federal Emergency Management Act and as required by the Town Council.
- b. A member of a public or private emergency medical service provider shall be invited to attend the special event planning meeting, and shall be requested to provide input regarding the minimum level of EMS required for the event. In addition, said representative shall be requested to define the level of services that it will provide.
- c. If the minimum level of EMS services determined to be necessary for the event by the Town Council, with input from the Lake County EMS representative is greater than the level of service which the Lake County EMS will provide, then the special event applicant shall be required to provide, at the applicant's expense, those

additional medical services necessary to meet the minimum level established.

- d. All special events involving open-water system activities that include boats, personal watercraft, canoes, kayaks, paddle boards, surf and boogie boards, and/or swimming may require a two-person water rescue team with an approved rescue craft.
- e. Any fees for EMS personnel and equipment costs shall be the sole responsibility of the applicant.

Sec. 27-13. Public works services for Town Property.

- a. Should the services of the Town parks, streets, water and sanitation department be required, the number of personnel, type of equipment and the type of public works services required to service the event shall be determined by the applicant(s) and the Town in the planning meeting. Public works department services shall generally be limited to the tasks directly related to Town participation in the event.
- b. The formula for determining the number of parks, streets, water and sanitation department personnel and equipment required shall be based on the type of tasks required. Unless otherwise approved by the Town Council, there shall be a minimum of one sanitation worker and one parks worker scheduled for each Class "A" and Class "B" event.
- c. Fee for public works personnel and equipment costs to be paid by applicant(s) of event, shall be determined by the Town Council.

Sec. 27-14. Building department services.

- a. The number of building department personnel and services required to service the special event shall be limited to inspection services required in the initial setup of the event and both a pre and post inspection of public property at the conclusion of the event for performance bond purposes.
- b. The formula for determining the number of building department personnel required shall be one inspector to perform a pre-inspection of the site and structures prior to the commencement of the event and one inspector to perform the site inspection at the conclusion of the event.
- c. Fees for building department inspections to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

Sec. 27-15. Electrical contractor of record.

Prior to the start of the special event, unless otherwise authorized by the chief building official, the applicant(s) shall provide the Town building department with a letter from a state certified

electrical contractor accepting responsibility for the quality and code compliance of all electrical work performed on behalf of the applicant(s) with regard to the special event.

Sec. 27-16. Portable toilets; number required; locations; servicing.

- a. Any event requiring temporary restroom facilities will be required to obtain any required permit(s) for these facilities from the Lake County Health Department before the start of activities.
- b. The number and location of portable toilets located on-site and on public property within 600 feet of the property, on which the special event is conducted, shall be determined in the planning meeting and shall be approved by the Town.
- c. Any units located on public property shall be removed no later than 48 hours following the last day of the event.
- d. 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. If additional portable toilets are needed then it shall be determined during the needs assessment meeting.

Sec. 27-17. Garbage pickup; servicing; fees.

- a. The number and location of portable roll-out garbage containers, stationery garbage containers and dumpsters located on public property within 600 feet of the property on which the special event is conducted, shall be determined in the planning meeting and shall be approved by the Town.
- b. Transportation of all portable containers to the dumpsters shall be the responsibility of the applicant. Emptying of all portable containers into the sanitary waste collection truck shall be the responsibility of the Town sanitation department. Additional containers shall be determined in the planning meeting. Dumpster(s) may be serviced as needed by the sanitation department. It shall be the responsibility of the Town Public Works department to empty all permanent decorative garbage containers and any other stationary waste receptacles owned by and provided by the Town. All garbage containers not owned by the Town that are temporarily located on public property shall be removed no later than the first day following the last day of the event. Fees for the drop-off/pickup/steam cleaning of all Town-owned rollout containers shall be the responsibility of the applicant(s), and will be determined based on the actual cost of that service.
- c. Applicant(s) shall be jointly responsible for maintaining the event site and public property from trash, garbage, litter and any other debris within 600 feet of the boundaries of the property line on which the special event takes place. This responsibility shall extend from the first calendar day of the special event

consecutively through the first 24-hour period after the last day of the special event. The property shall be maintained in the same or better conditional state existing prior to the commencement of the special 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. If it is necessary for the Town to affect a cleanup of the area, the cost for the Town to perform the work shall be deducted from the deposit.

Sec. 27-18. Location of public parking; transportation services.

If required, the applicant(s) shall be responsible for submitting a plan that allows for adequate public parking and transportation services to the event site. 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. All signs will be removed within 24 hours of the event closing. Written permission from property owners approving off-site parking shall be provided. The applicant(s) shall designate handicapped-accessible parking pursuant to Florida Statutes. The applicant(s) shall designate and maintain adequate and easily accessible parking location for all security, fire protection and emergency medical service vehicles on site. Failure to provide for adequate parking and/or transportation services shall be grounds for event disapproval.

Sec.27-19. Public street barricades/street closures/detours.

The Town shall have the full authority to dictate the closure of any Town street or roadway and/or the detour of all traffic flow on any Town street or roadway in relation to the management of a permitted special event. The applicant(s) is responsible for submitting a plan at the planning meeting detailing the proposed street closure. Barricades and cones for approved locations provided by the Town should be returned within 24 hours after the close of the special event. Applicant(s) shall be responsible for replacement of all missing or broken barricades and cones; the cost shall be deducted from the deposit. It shall be the responsibility of the applicant(s) to provide setup and breakdown at the approved times as determined in the planning meeting.

Sec. 27-20. Proposed traffic flow.

Traffic flow and direction for all aspects of the event, including public property and onsite event location, shall be determined by the Town. The Town shall determine those areas that may require temporary "no parking" and the applicant(s) will so designate with approved signage as necessary.

Sec. 27-21. Emergency vehicle access.

Access, traffic lanes and parking for emergency vehicles shall be determined and approved by the Town. No Street shall be blocked in such a matter as to hinder the immediate passage of emergency vehicles.

Sec. 27-22. Pedestrian traffic access.

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

Sec. 27-23. Temporary structures; integrity, location.

It shall be the responsibility of the applicant(s) of the special event to ensure that all temporary structures erected for the special event are safe, structurally sound and adequate, based on the number of persons specified to use the structure. All temporary structures shall have a Class III type ladder or steps for each elevation level. The location of all temporary structures, erected for the purpose of the special event, shall be approved by the Town and shall not be located so as to damage the environment. All temporary structures shall be properly anchored to guard against failure in event of adverse weather conditions. Applicant(s) shall submit a written certification from a state-licensed structural engineer that all temporary structures in which scaffolding and/or staging equipment is utilized in construction, is deemed safe and has the structural integrity necessary and appropriate for the use for which it is intended. No spectators, competitors and/or participants of the special event shall be permitted on the temporary structures at any time unless approved by the applicant(s) staff.

Sec. 27-24. Number and location of vendors/concession/applicant(s) stands/booths.

- a. All proposed vendor, concession and/or applicant(s) stands/booths or designated sites for same shall be noted on the site plan sketch and approved by the Town. It is recognized that additional vendors and concessionaires may decide to participate after the planning meeting. It shall be the responsibility of the applicant(s) to notify the Town of all additional vendors and their proposed locations, prior to commencement of the special event.
- b. The Town shall require no fee of vendors, concession facilities or booths, but shall require a list with a mapped location of vendors, concession facilities or booths.
- c. No vendor who is authorized to sell merchandise at the special event by the applicant will be required to obtain a business tax receipt from the Town as a condition of selling merchandise, goods, or services during the special event. No holder of business tax receipt issued by the Town shall be exempt for this reason alone, from any fee requirement imposed by the applicant as a condition of selling goods or merchandise at the special event.

Sec. 27-25. Vendors.

All vendors of goods and services to the applicant such as, but not limited to, beverages for sale, t-shirts, entertainment and equipment leasing shall be noted on the application.

Sec. 27-26. Number and location of static and mobile displays.

The number and location of all static and mobile displays shall be approved by the Town. Displays shall meet all health and safety regulations.

Sec. 27-27. Location of staff management headquarters/telephone numbers/sound system location/uniform identification.

Applicant(s) shall provide the Town with the location of the special event management team headquarters and telephone number(s) at which the management team can be reached during the event. Name(s) of on-site contact person(s) and telephone number(s) of same shall be listed on the site plan sketch. Applicant(s) staff personnel shall wear identification to indicate event affiliation during the hours of the event. Location of public address sound system shall be designated, if applicable.

Sec. 27-28. Number and location of special needs.

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

Sec. 27-29. Temporary signs/banners.

Temporary advertisement banners and signs may only be erected in accordance and in compliance with the Town's Land Development Regulations.

Sec. 27-30. Promotional visual effects.

All special lighting and/or visual effects such as high powered lighting units or fireworks attractions must be approved by the Town. The location of visual effects shall be approved by the Town.

Sec. 27-31. Fireworks displays.

Any applicant desiring a fireworks display will be required to obtain a fireworks permit from the Town's Fire Inspector prior to the beginning of the event.

Sec. 27-32. Tents.

It shall be unlawful for any person to erect a temporary structure for use by the general public as a tent without having made application for and receiving a permit to do so in accordance with the conditions and limitations as established by Town building, zoning and land use laws, ordinances and regulations.

Sec. 27-33. Carnivals/amusements/rides.

- a. It shall be unlawful for any person to erect, cause to be erected, operate or maintain a carnival in conjunction with any special event within the Town without having made application for and receiving a carnival permit and occupational license to do so in accordance with the conditions and limitations set forth in this article.
- b. Carnivals held in conjunction with festivals or other special events shall constitute activity in the course and scope of the event, and the operating days will be treated the same as any day of operation. If the carnival is held within the boundaries of the special event, and not at a separate location, a carnival occupational license shall not be required.
- c. Other than as stipulated herein, all provisions of the ordinances of the Town, plus all applicable fees and occupational licensure, shall apply to carnival operations.

Sec. 27-34. Miscellaneous requirements.

The following requirements shall be discussed and approved in the planning meeting in regard to specific activities and/or operations related to the special event:

1. Protection of property. Prior to any special event in which state protected property may be impacted, applicant(s) shall obtain written permit approval from the Florida Department of Environmental Protection and/or any other regulatory agency that may have jurisdiction over such matters. The permit shall be submitted in accordance with requirements set forth herein.
2. Notification of neighboring properties. Class A event organizers are required to provide written notification to all Town residents located within 1,500 feet of the property on which the special event will occur. This notification shall include the date(s), type of the event, area to be impacted, estimated attendance security measures and any activities of the event that may impact the property owners of neighboring properties. Applicants must provide the Town Clerk a copy of the letter; a list of names and addresses of those notified; and if the notice is hand delivered, a notarized affidavit certifying that the letter was delivered a minimum of 15 days prior to the event. The Town may require applicant(s) to conduct a meeting with interested Town residents to discuss management of the event. If a meeting is scheduled, it shall be conducted by the applicant(s) and held in a location designated by the Town.
3. Watercraft. If the special event requires the use of watercraft for competition, servicing, maintenance, safety or any other reason, they shall be allowed in approved areas established in the planning meeting. A copy of the approval letter must be submitted to the Town prior to the event.
4. If the special event involves watercraft competition, waterborne rescue and lifesaving personnel and equipment shall be on-duty and prepared to act to protect competitors and spectators during all competition and practice. Appropriate locations for work areas

for watercraft shall be designated and approved by the Town prior to approval of the special event permit.

5. Loading and unloading of watercraft from trailers, shall be permitted only in designated locations, determined in the planning meeting. No fueling, refueling or storage of fuels shall be permitted on the Town property, unless approved by the Town's Fire Inspector and any other government entity or state agency that has jurisdiction over such matters.
6. All aircraft and aerial operations, to include fixed and rotary wing, lighter-than-air, ultra-light, seaplane, and parachute demonstrations, that will be utilized in any aspect of a special event, shall be approved by the Town. The area(s) of operation shall be appropriately marked and designated by the operator as an "Aircraft Landing/Operations zone," in addition to the locations of any landing activities and/or display site(s). In addition, the time of landings(s), takeoff(s) and other aircraft/aerial operations related to the special event shall be approved by the Town. All aircraft flight operations shall conform to FAA regulations and meet minimum pilot qualifications for the given type of operation intended. All refueling operations shall be performed according to FAA requirements.
7. All operators of any type of aircraft being used for amusement purposes shall provide the Town with a certificate of liability insurance coverage in an amount not less than \$1,000,000.00 per person for bodily injury or death \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the Town as "additional insured".
8. Accessibility for the handicapped. All applicable laws and requirements for accessibility and accommodations for the handicapped shall be met by the applicant regarding structures, site locations and event activities. All existing curb cuts shall remain unblocked, unimpeded and open for use by the public. Vendors must maintain a 48" clear path along the sidewalk at all times.

Sec. 27-35. Permit nontransferable.

A permit issued under this Chapter shall be nontransferable from one organization, associational group or individual to another. This prohibition shall not be construed to prevent a permittee from changing the name set forth in the original application; however, an amendment to the original application for the permit shall be filed with the Town.

Sec. 27-36. Fee schedule.

The Town shall establish a Fee Schedule by appropriate resolution. All special and recurring events shall be required to pay in accordance with said schedule. Attendance is based upon historical data. In a case where no historical data is available, the minimum fee shall be based on the lowest per-day fee. Attendance formula means the total attendance divided by the number of days of operation.

Chapter 27 PERMITTING SPECIAL EVENTS¹

Sec. 27-1. Intent.

It is the intent of this article to provide minimum standards for the regulation of special and recurring events held in the town for the protection of the health, safety and welfare of the participants as well as the residents and taxpayers of the town.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-2. Permit required.

Any special or recurring event held within the corporate limits of the town shall be required to obtain a special event permit. All special or recurring events shall conform to the provisions set forth in this chapter and with all terms, conditions, and requirements identified in an issued permit.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-3. Definitions.

Applicant is the individual(s) or entity who makes application to the town to hold a special or recurring event. The applicant is responsible for compliance with terms and conditions set forth in the permit and requirements set forth herein.

Attendance shall be computed and calculated based on historical data. If no attendance data exists, then the minimum "attendance fee" shall be assessed.

Attendance formula means the total attendance divided by the number of days of operation. For purposes of this calculation, any part of a day shall be considered an entire day.

Booth means a stand for the sale of goods or containment of games and other individual entertainment activities associated with the special event.

Charitable organization means any person or group which has qualified for exemption from federal income tax as an exempt organization under the provisions of Section 501(c) of the Internal Revenue Code of 1954 or Section 528 of the Internal Revenue Code of 1986, as amended, and who is or holds himself/herself out to be established for any benevolent, educational, philanthropic, humane, scientific, artistic, patriotic, social welfare or advocacy, public health, environmental conservation, civic or other charitable purpose. It may include a chapter, branch, area, office or similar officiate performing functions of the organization within the state for a charitable organization, which has its principal place of business outside the state.

¹Editor's note(s)—Ord. No. 2019-04, § 1, adopted July 8, 2019, repealed the former ch. 27, §§ 27-1—27-36, and enacted a new ch. 27, §§ 27-1—27-36. The former ch. 27 pertained to similar subject matter and derived from Ord. No. 2013-C, adopted June 10, 2013.

Classification means categories events are placed in based on the impact the event may have on town residents and town services. Classifications shall be assigned by the town clerk, using the classifications and criteria listed below.

Class A means those events, which by design are intended to attract a minimum of 1,000 patrons on any peak attendance day from both inside and outside the county. These events may include:

- (1) Festivals and fishing tournaments with 100 or more boats;
- (2) Commercial advertisement;
- (3) Beer/alcohol concessions;
- (4) Amplified sound;
- (5) Street/sidewalk entertainment;
- (6) Multiple stages;
- (7) Vendors;
- (8) Public safety and/or public works services beyond those regularly provided by the town;
- (9) Motorcross racing;
- (10) Mud pit events;
- (11) Motor vehicle tug of war events;
- (12) Bicycle racing; and
- (13) ATV/UTV racing or leisure riding.

Hours of operation shall be no earlier than 7:00 a.m. and no later than 12:00 midnight unless approved by the town council. No amplified sound shall be permitted before 1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Any "class A" permit for an event held on public property must be approved by the town council. The permit application with recommendations made by the town clerk will be presented for action by the town council after the planning meeting has taken place.

Class B means those events which are intended to attract less than 1,000 patrons or spectators on any peak attendance day; and are generally limited to a local target market. These events may include, but are not limited to:

- (1) Cultural events, arts and craft shows, athletic events, community celebrations, dances, car shows, competitions, revivals, concerts, regattas, fishing tournaments with at least 40 boats but no more 100 boats, and parades;
- (2) Advertisement, mainly limited to a local target market;
- (3) Amplified sound;
- (4) Vendors;
- (5) Public safety and/or public works services beyond those regularly provided by the town.
- (6) Motorcross racing;
- (7) Mud pit events;
- (8) Motor vehicle tug of war events;
- (9) Bicycle racing; and

-
- (10) ATV/UTV racing or leisure riding.

Hours of operation shall be no earlier than 8:00 a.m. and no later than 12:00 midnight unless approved by the town council. No amplified sound shall be permitted before 1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Class C means those events that have limited impact on traffic, parking and noise in surrounding neighborhoods, that have 50 or more but do not exceed 500 patrons. These events may involve, but are not limited to, the private use of town-owned or controlled property and are not open to the general public. These events may include, but are not limited to:

- (1) Fishing tournaments with less than 40 boats;
- (2) Weddings, picnics, family reunions, and birthday parties, block parties, contests, certain types of low-impact concerts, and fund-raising food concessions for the benefit of nationally- recognized charities, local service clubs or other local organizations;
- (3) Food and/or beverages service;
- (4) One source of amplified sound;
- (5) Up to eight hours of activities;
- (6) Motorcross racing;
- (7) Mud pit events;
- (8) Motor vehicle tug of war events;
- (9) Bicycle racing; and
- (10) ATV/UTV racing or leisure riding.

Hours of operation shall be no earlier than 8:00 a.m. and no later than 10:00 p.m. unless approved by the town council. No amplified sound shall be permitted before 1:00 p.m. on Sundays or before 10:00 a.m. on any other day.

Day means a 24-hour period beginning at 12:01 a.m.

Exemption means not having to meet all the requirements of this chapter. All town special events are exempt from town fees.

Fees means all charges associated with an event.

Historically recurring event means an event that has been held in one or more consecutive preceding years on approximately the same date.

Public property means any public street, sidewalk, place, property, easement, structure or facility owned, dedicated, controlled or otherwise under the jurisdiction and control of the town.

Recurring event is a special event that occurs at regular intervals throughout the permitted year.

Special event means any single or recurring public or private event held within the town, in which it can be anticipated that the number of persons attending the event will exceed the on-site parking available at the premises upon which the event will take place; or any public or private event in which it can be reasonably expected that services will be required beyond those that are regularly provided by the town such as additional police services, traffic control, crowd control, fire and/or emergency medical services, street closures, garbage cleanup, or other municipal services which may be necessary to service the event. Additionally, those public or private events that involve musical groups or amplified sound, high intensity lighting, fireworks, erection of temporary structures on town-owned or controlled property, displays or other activities of such a nature that impinge upon any adjacent public, business or residential area shall be considered as a special event. This may include, but not be limited to athletic events, contests, fishing tournaments, sailing regattas, carnivals, concerts,

religious events, walk-a-thons, competitions, festivals, block parties, street dances, parades, car shows, art/craft shows, bazaars, fireworks displays, motion and still photography productions or other similar activities which meet the definition listed herein for special events.

Town sponsored event means an event sponsored by the Town of Astatula, Florida. Town sponsored events are exempt from the fee requirements contained herein.

Vendor/concession/business means any person, corporation, entity or enterprise providing the sale of goods or services for profit and/or the promotion, production, operation or management of any activities related to a special event as defined above.

Waiver means to refrain from a requirement or release from responsibility.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-4. Qualification of non-profit charitable organization.

Any non-profit charitable organization wishing to obtain a permit to hold a special event on public property shall submit with his application the following items:

- (1) A valid certificate of exemption issued pursuant to Section 501(c)(3) Internal Revenue Code of 1954 or a similar exemption certificate issued pursuant to Section 528 of the Internal Revenue Code of 1986;
- (2) Its nonprofit articles of incorporation and charter, or similar documents to demonstrate its nonprofit status;
- (3) Evidence in the form of a corporate charter, partnership agreement or similar documentation that it has been in existence and active; and
- (4) A mission statement stating the intent of the nonprofit organization's fundraising efforts.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-5. Application for special events; time for submission; contents.

- (a) Any person or entity desiring to hold a "special event" within the town, shall submit an application to the town clerk. Deadlines for submitting applications shall be as follows:
 - (1) "Class A" special events must be submitted at least 90 days but no more than 120 days prior to the event;
 - (2) "Class B" special events must be submitted at least 30 days but no more than 60 days prior to the event;
 - (3) "Class C" special events must be submitted at least 15 days but no more than 30 days prior to the event.
- (b) Permits for recurring event may be applied for and approved annually. Any changes or alterations to previously approved events must be in writing. If such changes are determined to be substantive the town council may request a new application or impose additional conditions.

The town council may authorize any class B or class C permit, if submitted after the above deadlines. The application shall be upon a form approved by the town council, and available at the town hall. Written instructions shall be provided along with the application to any applicant upon request.

- (c) In order to be considered for approval, an application submitted to the town clerk must contain the following information:

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- (1) Name, address and telephone number of applicant. Attach copies of the following documents as needed: driver's license, food handler's license, alcohol license and non-profit status.
 - (2) Type of proposed event and description of planned activities.
 - (3) Date and times of major event activities, including daily beginning and ending times.
 - (4) Estimated number of people expected to attend the event each day, and the basis of the estimate.
 - (5) Location of event, including detailed site plan specifying location of major event attractions and activities.
 - (6) Whether "stages" are to be utilized, and if so, how many.
 - (7) Whether amplified sound is to be utilized and, if so, from how many sources.
 - (8) Whether tents and canopies are to be utilized and, if so, the number and size.
 - (9) Whether food and beverages will be sold by event vendors.
 - (10) Whether merchandise other than food or beverages will be sold by event vendors.
 - (11) Whether the applicant intends to furnish, at the applicant's expense, first aid or medical facilities or personnel. If so, provide a description.
 - (12) Whether the applicant intends to furnish, at the applicant's expense, security personnel or equipment. If so, provide a description.
 - (13) The names of those persons to be designated by the applicant as on-site representatives of the applicant, and the names and telephone numbers of any other persons to be contacted on behalf of the applicant in the event of an emergency.
- (d) Upon receipt of a completed application, the town clerk shall review same and determine if the proposed event should be classified as a class A event, a class B event, or a class C event, as these categories are defined in section 27-5.
- (1) If the proposed event is determined to be a class C event, then the town clerk shall decide whether to issue a permit authorizing the event. In deciding whether to issue a permit authorizing the event, the town clerk shall be guided by the criteria set forth in subsection (e) hereof and may request the applicant to provide additional information necessary to the decision-making process.
 - (2) If the proposed event is determined to be a class B event, the town clerk shall decide whether to issue a permit authorizing the event. In deciding whether to issue a permit authorizing the event, the town clerk shall be guided by the criteria set forth in subsection (c) hereof and may request additional information necessary to the decision-making process. The town clerk may schedule a planning meeting with the applicant and town council if deemed appropriate. The town clerk may bring class B applications to the town council for approval.
 - (3) If the proposed event is determined to be a class A event, then the town clerk shall schedule a "planning meeting" to be attended by the town council, the applicant's authorized representatives (including the applicant's designated event planner and designated safety officer [if any]) and the town clerk. At the planning meeting, all aspects of the proposed event and its impact upon the town shall be discussed. As a result of the planning meeting, the town clerk shall, within 30 days of the meeting's conclusion, prepare a written report which:
 - a. Specifies any concerns held by the committee regarding the potential impact of the event upon any town department or town service.
 - b. Specifies any concerns held by the committee regarding the ability of any town department to furnish the level of services required to satisfy any need, which the event will likely create.

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- c. Makes specific recommendations or findings regarding the number of town employees and "employee hours" in excess of "normal" staffing requirements, which each town department will likely be required to devote to servicing the event, and the expected cost to each department of the additional staffing requirements.
 - d. Details any offers made by the applicant at the planning meeting to modify the application to address concerns raised during the planning meeting.
 - e. Makes specific recommendations regarding any terms or limitations, which should be required as a condition of event, permit approval and which are necessary for the protection of the public and its health and safety.

The report shall be forwarded to the town council.

- (e) All applications for class A event permits shall be considered by the town council at the first town council meeting held after the final planning meeting, provided the written report of the town clerk has been prepared and furnished to the town council, and the agenda and public notice requirements of the council have been satisfied. Otherwise, the event application shall be considered at the first regularly scheduled town council meeting held after the town clerk's receipt of the written report and for which the council's agenda and public notice requirements can be satisfied.
- (f) Before granting an application for a class "A" special event permit, the town council must find that:
 - (1) The proposed event will not unduly adversely impact neighboring businesses or residents.
 - (2) The proposed event will not present an unacceptable risk to the safety of the public.
 - (3) The proposed event will not generate unacceptable levels of noise, taking into account the location at which the noise is to be generated, the time when the noise is to be generated, and the impact upon those who may be affected.
 - (4) The proposed event will not exceed the town's ability to provide necessary services, including but not limited to police, fire, medical, and sanitation services.
 - (5) The proposed event will not unduly or adversely impact town-owned or publicly owned property.
 - (6) The proposed event will not disrupt vehicular traffic flow and/or pedestrian traffic flow to the extent that the safety or convenience of the public is unreasonably impacted.
 - (7) Conditions, terms, or limitations can be fashioned which, if implemented, will satisfy the town's obligation to safeguard the public's health, safety, and welfare; and, the applicant is willing to accept and comply with said conditions, terms, or limitations.
- (g) Upon a finding by the town council that the criteria set forth in this section have been satisfied, the town council shall approve issuance of a special event permit, subject to those conditions, terms or limitations which the council finds necessary to the protection of the public's health, safety, and welfare, which may include, but not be limited to, the applicant's payment of fees and/or costs provided for herein. In the event the council determines that one or more of the criteria set forth in this section has not been satisfied, the council shall deny the permit but shall specify the issuance criteria which the council has determined the applicant failed to satisfy.
- (h) All special event permit applications shall be considered for approval in the order in which the completed applications are submitted. However, if applications for class "A," class "B," and class "C" special events are simultaneously pending, and the approval of one of the applications will adversely impact one or more of the others, preference shall be given first to the application for a historically recurring event; next to the application for the class "A" event, next to the application for the class "B" event, and finally to the application for the class "C" event.

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- (i) The town clerk shall schedule a post-event review meeting within 30 days after the close of a class "A" event, and may schedule a post-event review meeting within 45 days after the close of a class "B" event, which shall include the special events committee and the applicant and/or representatives.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-6. Permit issuance; fees.

- (a) If an application for a class "A" or class "B" permit is approved, the town clerk shall notify the applicant of same in writing and shall provide the applicant with a written summary of the permit's terms, conditions, and limitations, which shall include, but not be limited to, a listing of all fees and costs to be assessed in conjunction with the issuance of the permit. If the application for a class "A" or class "B" permit is denied, the town clerk shall notify the applicant in writing of same and of the reason specified as the basis for the denial.
- (b) If a special event permit is approved, the applicant will be assessed fees, which shall include, but not be limited to, the following:
 - (1) Daily fee for each day of the event. For purposes of this section, "day of the event" shall include any portion of a day. The daily fee shall be determined in accord with the fee schedule.
 - (2) Law enforcement/security fees pursuant to section 27-36.
 - (3) Building department inspection fees pursuant to section 27-36.
 - (4) Any other fee which the town council finds reasonable and necessary to provide for the public health, safety, and welfare.
- (c) Permits for recurring events may be applied for and approved annually. Any changes or alternative to previously approved events must be in writing. If such changes are determined by the town council to be substantive, the town council may require a new application or impose additional conditions. Permits for recurring events are subject to the fees imposed by this chapter.
- (d) All "categories" of fees assessed as described in subsection (b) and (c) of this section shall be itemized at the time of permit approval. The amount of the fees shall be calculated if possible, or estimated if of a type which cannot be precisely calculated in advance, at the time the applicant is notified of permit approval by the town clerk or town council, as the case may be.
- (e) The town council has the right to waive or reduce fees for applicants who meet the definition of charitable organizations. Any applicant may request any or all fees for town services be reduced or waived by the town council for class B or C special events of less than eight hours in duration, which involve no commercial benefit to any enterprise. All such requests must be in writing and provided to the town clerk for placement on the council agenda at a meeting to be held prior to the event.
- (f) Payment of all fees and "estimated" fees shall be due at least 14 days prior to the first day of the event. Any fee that is "estimated" shall be precisely calculated as soon as information necessary to said calculation is available, but not later than 30 days after the event has concluded. The town clerk shall then notify the applicant of the variance between the estimated fee and the actual fee, and shall within 30 days thereafter, refund to the applicant the amount of any "surplus" fee collected or, collect from the applicant the amount of any fee "deficit." If remaining fees are not paid, this may result in future denial of any special events or permits.
- (g) In the case of a recurring event, payment of all fees and estimated fees shall be made as agreed to in writing by the town council.
- (h) If an entire special event is canceled due to a weather emergency as declared by Lake County Emergency Management and/or the police chief or his designee, the applicant may choose one of the following options:

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- (1) Choose another date to hold the event; or
 - (2) Choose to be refunded all fees associated with the event already paid to the town, other than the fees assessed for services already rendered by the town.
 - (3) Recurring event fees are not refundable.
- (i) The applicant is solely responsible for acquiring any/all permits and authorization required by town, state, county, or federal authorities for the conduct of activities associated with the special event which may be in addition to the special event permit described herein. Proof of issuance of any such "additional" permits or authorizations shall be provided to the town clerk at least five business days prior to the first day of the special event.
 - (j) Failure to comply with the terms and conditions of a special event permit shall be grounds for immediate suspension of the event, which suspension shall continue until at least such time as the noncompliance is remedied. Notice of said "noncompliance" shall be communicated immediately to the applicant or designee by the town clerk or designee, or the chief of police or designee. The town clerk or designee, or the chief of police or designee may then suspend the event, if the noncompliance is not remedied or until the noncompliance is remedied.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-7. Indemnification/insurance; liquor liability insurance.

- (a) Prior to the issuance of a special and recurring event permit the applicant(s) shall execute an indemnification form which provides that the applicant(s) agrees to hold harmless and indemnify the town, its officers, agents and employees against any loss, damage or expense (including all costs and reasonable attorney's fees) suffered by the town for:
 - (1) Any breach of the terms of the permit or any inaccuracy in or breach of any representation, warranty or covenant made by the applicant(s) to the town as an inducement to the granting of the permit.
 - (2) Any claims, suits, actions, damages or cause of actions for any personal injury, loss of life or damages to personal or real property sustained by reason of, result of, or by presence of the applicant on public property by applicant's agents, employees, invitee and/or any other persons.
- (b) At least seven days prior to the first day of any special event or recurring event, the applicant shall furnish to the town clerk proof of liability insurance protection, in an amount of not less than \$1,000,000.00 per person for bodily injury or death, \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the town as "additional insured."
- (c) If alcoholic beverages are to be dispensed, served, sold or distributed at an outdoor event, the applicant(s) shall in addition provide liquor liability insurance in the amount of \$500,000.00 which shall name the town as additional insured.
- (d) Nothing in this section shall be construed to effect in any way the town's rights, privileges and immunities as set forth in F.S. § 768.28.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-8. Alcoholic beverage regulations.

The town council may grant special permission for the sale, consumption, or possession of beer and/or wine in open containers during special events within defined areas of any public park, recreation area, street, sidewalk, or public parking facility and for specific times. This special permission is not intended to authorize the violation of

state statutes and shall not be so interpreted. In addition to any statutorily imposed obligations of the seller of alcoholic beverages, it shall be the obligation of the applicant to insure that the terms of any "special permission" granted by the town council, as well as state, county, and municipal laws regarding the sale consumption or possession of alcoholic beverages are strictly complied with in connection with the conduct of event activities.

During the course of the event, if the terms of the "special permission" are violated and/or violations of municipal, state, county or federal law are noted which are related to alcoholic beverages sales or consumption at the event, and warnings of noncompliance are not corrected by the event organizer and/or staff, the chief of police or his designee may issue a cease sale order, and no further alcoholic beverages may be sold or consumed in connection with the event.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-9. Noise control.

The town council may issue a special permit to exceed noise levels established by this Code, in conjunction with any class A or class B event. The special permit may be limited to specific times and specified areas, subject to the limitations for waivers of, noise control.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-10. Public law enforcement and private security services.

- (a) Unless otherwise authorized by the chief of police, the town police department shall be the sole provider for public law enforcement services. The number of public law enforcement personnel and the number of applicant provided private security personnel required to service the special event shall be determined in the planning meeting with final approval by the town. The chief of police or his designee shall have authority over and command of all security, both public and private.
- (b) The chief of police or his designee shall determine the number of officers required for security at the planning meeting based on town requirements, applicant(s) needs, traffic control, parking and required protection of adjacent sites within 1,500 feet of the property of which the special event is held. Additional officers may be authorized or required, depending upon the character and risk factor of the proposed special event.
- (c) The town, in consultation with the applicant(s), shall establish the appropriate time frames in which public law enforcement and private security is needed for each aspect of the special event. The applicant(s) will provide a tentative schedule of activities for each day of the event at the planning meeting. The town shall assign a "special event field operations detail" to handle law enforcement services. Because the final activities schedule may change, the town police department 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 police services may vary due to scheduling adjustments determined and approved on-site by the police supervisor and the applicant(s) during the event. Any additional fees generated by scheduling adjustments shall be the responsibility of the applicant(s).
- (d) If the scope of the event exceeds the town police department's manpower capacity, the chief of police may contract with other law enforcement agencies to provide additional resources. All contractual law enforcement personnel will work under the supervision of the chief of police or his designee, and will be assigned accordingly.
- (e) Fee schedule for determining police personnel costs, to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-11. Fire department services.

- (a) Public or private fire departments services shall be provided for every special event. The number of certified fire department personnel and the level of fire protection services required to service any special event shall be determined by the town in the planning meeting with final approval by the town. Fire department services shall be for the purpose of fire protection. 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 fire department shall determine what is necessary to provide adequate fire protection and safety for each event.
- (b) The town shall also establish the appropriate time frames fire personnel are needed for fire protection services for each aspect of the special event. The applicant(s) will provide a tentative schedule of activities for each day of the event at the planning meeting.
- (c) In the event the applicant(s) are authorized to utilize certified firefighter fireguards from an agency other than the county fire department, an agency representative must be present in the planning meeting and the agency must meet the requirements for fire protection as agreed in the meeting.
- (d) Fees for fire department personnel and equipment costs to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-12. Emergency medical services (EMS); advanced life support/water rescue.

- (a) The minimum level of emergency medical services that are necessary for any special event shall be governed by regulations promulgated by the Federal Emergency Management Act and as required by the town council.
- (b) A member of a public or private emergency medical service provider shall be invited to attend the special event planning meeting, and shall be requested to provide input regarding the minimum level of EMS required for the event. In addition, said representative shall be requested to define the level of services that it will provide.
- (c) If the minimum level of EMS services determined to be necessary for the event by the town council, with input from the county EMS representative, is greater than the level of service which the county EMS will provide, then the special event applicant shall be required to provide, at the applicant's expense, those additional medical services necessary to meet the minimum level established.
- (d) All special events involving open-water system activities that include boats, personal watercraft, canoes, kayaks, paddle boards, surf and boogie boards, and/or swimming may require a two-person water rescue team with an approved rescue craft.
- (e) Any fees for EMS personnel and equipment costs shall be the sole responsibility of the applicant.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-13. Public works services for town property.

- (a) Should the services of the town parks, streets, water and sanitation department be required, the number of personnel, type of equipment and the type of public works services required to service the event shall be

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determined by the applicant(s) and the town in the planning meeting. Public works department services shall generally be limited to the tasks directly related to town participation in the event.

- (b) The formula for determining the number of parks, streets, water and sanitation department personnel and equipment required shall be based on the type of tasks required. Unless otherwise approved by the town council, there shall be a minimum of one sanitation worker and one parks worker scheduled for each class "A" and class "B" event.
- (c) Fee for public works personnel and equipment costs to be paid by applicant(s) of event, shall be determined by the town council.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-14. Building department services.

- (a) The number of building department personnel and services required to service the special event shall be limited to inspection services required in the initial setup of the event and both a pre and post inspection of public property at the conclusion of the event for performance bond purposes.
- (b) The formula for determining the number of building department personnel required shall be one inspector to perform a pre-inspection of the site and structures prior to the commencement of the event and one inspector to perform the site inspection at the conclusion of the event.
- (c) Fees for building department inspections to be paid by applicant(s) of event, shall be as set forth in the special events fee schedule.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-15. Electrical contractor of record.

Prior to the start of the special event, unless otherwise authorized by the chief building official, the applicant(s) shall provide the town building department with a letter from a state certified electrical contractor accepting responsibility for the quality and code compliance of all electrical work performed on behalf of the applicant(s) with regard to the special event.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-16. Portable toilets; number required; locations; servicing.

- (a) Any event requiring temporary restroom facilities will be required to obtain any required permit(s) for these facilities from the county health department before the start of activities.
- (b) The number and location of portable toilets located on-site and on public property within 600 feet of the property on which the special event is conducted, shall be determined in the planning meeting and shall be approved by the town.
- (c) Any units located on public property shall be removed no later than 48 hours following the last day of the event.
- (d) 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. If additional portable toilets are needed then it shall be determined during the needs assessment meeting.

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(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-17. Garbage pickup; servicing; fees.

- (a) The number and location of portable roll-out garbage containers, stationery garbage containers and dumpsters located on public property within 600 feet of the property on which the special event is conducted, shall be determined in the planning meeting and shall be approved by the town.
- (b) Transportation of all portable containers to the dumpsters shall be the responsibility of the applicant. Emptying of all portable containers into the sanitary waste collection truck shall be the responsibility of the town sanitation department. Additional containers shall be determined in the planning meeting. Dumpster(s) may be serviced as needed by the sanitation department. It shall be the responsibility of the town public works department to empty all permanent decorative garbage containers and any other stationary waste receptacles owned by and provided by the town. All garbage containers not owned by the town that are temporarily located on public property shall be removed no later than the first day following the last day of the event. Fees for the drop-off/pickup/steam cleaning of all town-owned rollout containers shall be the responsibility of the applicant(s), and will be determined based on the actual cost of that service.
- (c) Applicant(s) shall be jointly responsible for maintaining the event site and public property from trash, garbage, litter and any other debris within 600 feet of the boundaries of the property line on which the special event takes place. This responsibility shall extend from the first calendar day of the special event consecutively through the first 24-hour period after the last day of the special event. The property shall be maintained in the same or better conditional state existing prior to the commencement of the special 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. If it is necessary for the town to affect a cleanup of the area, the cost for the town to perform the work shall be deducted from the deposit.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-18. Location of public parking; transportation services.

If required, the applicant(s) shall be responsible for submitting a plan that allows for adequate public parking and transportation services to the event site. 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. All signs will be removed within 24 hours of the event closing. Written permission from property owners approving off-site parking shall be provided. The applicant(s) shall designate handicapped-accessible parking pursuant to state statutes. The applicant(s) shall designate and maintain adequate and easily accessible parking location for all security, fire protection and emergency medical service vehicles on site. Failure to provide for adequate parking and/or transportation services shall be grounds for event disapproval.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-19. Public street barricades/street closures/detours.

The town shall have the full authority to dictate the closure of any town street or roadway and/or the detour of all traffic flow on any town street or roadway in relation to the management of a permitted special event. The applicant(s) is responsible for submitting a plan at the planning meeting detailing the proposed street closure. Barricades and cones for approved locations provided by the town should be returned within 24 hours after the close of the special event. Applicant(s) shall be responsible for replacement of all missing or broken barricades and cones; the cost shall be deducted from the deposit. It shall be the responsibility of the applicant(s) to provide setup and breakdown at the approved times as determined in the planning meeting.

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(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-20. Proposed traffic flow.

Traffic flow and direction for all aspects of the event, including public property and onsite event location, shall be determined by the town. The town shall determine those areas that may require temporary "no parking" and the applicant(s) will so designate with approved signage as necessary.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-21. Emergency vehicle access.

Access, traffic lanes and parking for emergency vehicles shall be determined and approved by the town. No street shall be blocked in such a matter as to hinder the immediate passage of emergency vehicles.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-22. Pedestrian traffic access.

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

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-23. Temporary structures; integrity, location.

It shall be the responsibility of the applicant(s) of the special event to ensure that all temporary structures erected for the special event are safe, structurally sound and adequate, based on the number of persons specified to use the structure. All temporary structures shall have a class III type ladder or steps for each elevation level. The location of all temporary structures erected for the purpose of the special event shall be approved by the town and shall not be located so as to damage the environment. All temporary structures shall be properly anchored to guard against failure in event of adverse weather conditions. Applicant(s) shall submit a written certification from a state-licensed structural engineer that all temporary structures in which scaffolding and/or staging equipment is utilized in construction, is deemed safe and has the structural integrity necessary and appropriate for the use for which it is intended. No spectators, competitors and/or participants of the special event shall be permitted on the temporary structures at any time unless approved by the applicant(s) staff.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-24. Number and location of vendors/concession/applicant(s) stands/booths.

- (a) All proposed vendor, concession and/or applicant(s) stands/booths or designated sites for the same shall be noted on the site plan sketch and approved by the town. It is recognized that additional vendors and concessionaires may decide to participate after the planning meeting. It shall be the responsibility of the applicant(s) to notify the town of all additional vendors and their proposed locations, prior to commencement of the special event.
- (b) The town shall require no fee of vendors, concession facilities or booths, but shall require a list with a mapped location of vendors, concession facilities or booths.

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- (c) No vendor who is authorized to sell merchandise at the special event by the applicant will be required to obtain a business tax receipt from the town as a condition of selling merchandise, goods, or services during the special event. No holder of business tax receipt issued by the town shall be exempt for this reason alone from any fee requirement imposed by the applicant as a condition of selling goods or merchandise at the special event.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-25. Vendors.

All vendors of goods and services to the applicant such as, but not limited to, beverages for sale, t-shirts, entertainment and equipment leasing shall be noted on the application.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-26. Number and location of static and mobile displays.

The number and location of all static and mobile displays shall be approved by the town. Displays shall meet all health and safety regulations.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-27. Location of staff management headquarters/telephone numbers/sound system location/uniform identification.

Applicant(s) shall provide the town with the location of the special event management team headquarters and telephone number(s) at which the management team can be reached during the event. Name(s) of on-site contact person(s) and telephone number(s) of the same shall be listed on the site plan sketch. Applicant(s) staff personnel shall wear identification to indicate event affiliation during the hours of the event. Location of public address sound system shall be designated, if applicable.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-28. Number and location of special needs.

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

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-29. Temporary signs/banners.

Temporary advertisement banners and signs may only be erected in accordance and in compliance with the town's land development regulations.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-30. Promotional visual effects.

All special lighting and/or visual effects such as high powered lighting units or fireworks attractions must be approved by the town. The location of visual effects shall be approved by the town.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-31. Fireworks displays.

Any applicant desiring a fireworks display will be required to obtain a fireworks permit from the town's fire inspector prior to the beginning of the event.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-32. Tents.

It shall be unlawful for any person to erect a temporary structure for use by the general public as a tent without having made application for and receiving a permit to do so in accordance with the conditions and limitations as established by town building, zoning and land use laws, ordinances and regulations.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-33. Carnivals/amusements/rides.

- (a) It shall be unlawful for any person to erect, cause to be erected, operate or maintain a carnival in conjunction with any special event within the town without having made application for and receiving a carnival permit and occupational license to do so in accordance with the conditions and limitations set forth in this article.
- (b) Carnivals held in conjunction with festivals or other special events shall constitute activity in the course and scope of the event, and the operating days will be treated the same as any day of operation. If the carnival is held within the boundaries of the special event, and not at a separate location, a carnival occupational license shall not be required.
- (c) Other than as stipulated herein, all provisions of the ordinances of the town, plus all applicable fees and occupational licensure, shall apply to carnival operations.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-34. Miscellaneous requirements.

The following requirements shall be discussed and approved in the planning meeting in regard to specific activities and/or operations related to the special event:

- (1) Protection of property. Prior to any special event in which state protected property may be impacted, applicant(s) shall obtain written permit approval from the Florida Department of Environmental Protection and/or any other regulatory agency that may have jurisdiction over such matters. The permit shall be submitted in accordance with requirements set forth herein.
- (2) Notification of neighboring properties. Class A event organizers are required to provide written notification to all town residents located within 1,500 feet of the property on which the special event will occur. This notification shall include the date(s), type of the event, area to be impacted, estimated

attendance security measures and any activities of the event that may impact the property owners of neighboring properties. Applicants must provide the town clerk a copy of the letter; a list of names and addresses of those notified; and if the notice is hand delivered, a notarized affidavit certifying that the letter was delivered a minimum of 15 days prior to the event. The town may require applicant(s) to conduct a meeting with interested Town residents to discuss management of the event. If a meeting is scheduled, it shall be conducted by the applicant(s) and held in a location designated by the town.

- (3) Watercraft. If the special event requires the use of watercraft for competition, servicing, maintenance, safety or any other reason, they shall be allowed in approved areas established in the planning meeting. A copy of the approval letter must be submitted to the town prior to the event.
- (4) If the special event involves watercraft competition, waterborne rescue and lifesaving personnel and equipment shall be on-duty and prepared to act to protect competitors and spectators during all competition and practice. Appropriate locations for work areas for watercraft shall be designated and approved by the town prior to approval of the special event permit.
- (5) Loading and unloading of watercraft from trailers, shall be permitted only in designated locations, determined in the planning meeting. No fueling, refueling or storage of fuels shall be permitted on the town property, unless approved by the town's fire inspector and any other government entity or state agency that has jurisdiction over such matters.
- (6) All aircraft and aerial operations, to include fixed and rotary wing, lighter-than-air, ultra-light, seaplane, and parachute demonstrations, that will be utilized in any aspect of a special event, shall be approved by the town. The area(s) of operation shall be appropriately marked and designated by the operator as an "aircraft landing/operations zone," in addition to the locations of any landing activities and/or display site(s). In addition, the time of landings(s), takeoff(s) and other aircraft/aerial operations related to the special event shall be approved by the town. All aircraft flight operations shall conform to FAA regulations and meet minimum pilot qualifications for the given type of operation intended. All refueling operations shall be performed according to FAA requirements.
- (7) All operators of any type of aircraft being used for amusement purposes shall provide the town with a certificate of liability insurance coverage in an amount not less than \$1,000,000.00 per person for bodily injury or death \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the town as "additional insured."
- (8) Accessibility for the handicapped. All applicable laws and requirements for accessibility and accommodations for the handicapped shall be met by the applicant regarding structures, site locations and event activities. All existing curb cuts shall remain unblocked, unimpeded and open for use by the public. Vendors must maintain a 48-inch clear path along the sidewalk at all times.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-35. Permit nontransferable.

A permit issued under this chapter shall be nontransferable from one organization, associational group or individual to another. This prohibition shall not be construed to prevent a permittee from changing the name set forth in the original application; however, an amendment to the original application for the permit shall be filed with the town.

(Ord. No. 2019-04, § 1, 7-8-2019)

Sec. 27-36. Fee schedule.

The town shall establish a fee schedule by appropriate resolution. All special and recurring events shall be required to pay in accordance with said schedule. Attendance is based upon historical data. In a case where no historical data is available, the minimum fee shall be based on the lowest per-day fee. Attendance formula means the total attendance divided by the number of days of operation.

(Ord. No. 2019-04, § 1, 7-8-2019)

RESOLUTION 2025-02

A RESOLUTION OF THE TOWN COUNCIL OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING THE RULES OF ORDER FOR TOWN COUNCIL MEETINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article II, Section 2 of the Town Charter of Astatula states that the Town Council shall establish its own rules and order of business; and

WHEREAS, the Town Council has previously adopted "Astatula Town Council Rules of Order," with the latest amendment approved and effective on December 13, 2022, through Resolution 2022-33; and

WHEREAS, the Town Council has determined that an amendment to the adopted Rules of Order clarifying working day from calendar day and providing additional time for adding to and reviewing the agenda for regular and special meetings of the Town Council will be beneficial to Town business.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Astatula, Florida that:

Section 1. Amendment. Changes are shown as strikethrough for deletions and underline for additions to existing Rule of Order sections. The notation "* * *" shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed). Thereby the Town Council of Astatula hereby amends Section 11 of the Rules of Order titled "Order of Business" to read as follows:

11. Agendas

- a) In order to facilitate the orderly conduct of business, the Town Clerk, with consultation from the Mayor, will prepare an agenda for each Council meeting. An "agenda" will consist of an agenda summary sheet listing items to be considered at a meeting.
- b) Subject to these rules, items of business may be placed on a regular meeting agenda by the Mayor, any Council Member, the Town Clerk or the Town Attorney. Except as provided in Section 3, Emergency Meetings, the Town Clerk will not change or supplement the agenda after 5:00 p.m. three (3) business days, (typically a Thursday) before the scheduled Council meeting. Except as provided in Section 3, Emergency Meetings, ~~the~~ Town Clerk must make any and all changes or additions to the agenda before 5:00 p.m. three (3) business days before the Council meeting and then publicly post the agenda by 5:00 P.M.
- c) When a Council Member wishes to place an item on the regular meeting agenda, the item ~~will~~ must be presented to the Town Clerk's office with all supporting documentation no later than five eight (8) business days preceding the Council meeting (typically the Friday before the final agenda is due and publicly posted) so that the information may be included as part of the regular draft agenda. ~~Which~~ The draft agenda will then be distributed to the Council members preceding the meeting the next business day after review and

consultation with the Mayor. Consultation with the Mayor will be accomplished by providing the agenda with supporting documents to the Mayor via email or hard copy as soon as possible the next business day after agenda items are due (usually a Monday), but no later than noon (12 PM). The Mayor will then have the opportunity to provide feedback and adjust the Order of Business before the Town Clerk or designee provides the draft agenda, with supporting documentation, to the rest of the Council members before noon (12 PM) the next business day (usually a Tuesday). This will provide all Council members with a reasonable amount of time to review, prepare, make adjustments or withdrawals of their items, or ask questions of Town staff prior to the agenda being finalized and posted publicly three (3) business days prior to the regular meeting (typically the Thursday before a Tuesday meeting). If any agenda items are removed by a Council member during the draft agenda review period, the Mayor will be notified by the Town Clerk and be given the opportunity to keep the agenda item on the agenda as his own item prior to public posting.

- d) Any agenda item which has been noticed to the public can only be removed from the agenda with the approval of the Town Council.
- e) No item will be placed on an agenda which is substantially similar to an item voted upon by the Council within the last nine months unless three or more Council Members agree. During other business at a regular Council meeting, the Council will discuss and vote on whether such an agenda item should be formally reconsidered by the Council on a future agenda.
- f) The draft agenda for each regular meeting will be delivered by the Town Clerk, or their designee, to each Council member via email with attachments or hard copy so as to provide proper time at least six (6) business days prior to the meeting in order for the member to study the agenda and make any changes. If a file is too large or impractical to deliver to Council members via email, the Clerk will make the item available at Town Hall for review and inspection. ~~Generally, the agenda should be delivered no later than four (4) days prior to the meeting or delivered so as to provide for the study of the agenda by the members.~~ The agenda with supporting documents for a special meeting will be delivered at least forty-eight (48) hours two (2) business days before the meeting, consistent with provisions calling for special meetings.
- g) The Council will transact business according to the final agenda prepared by the Town Clerk and submitted to all Council members noticed to the public three (3) business days prior to in advance of the meeting. The order of business may be altered at any meeting by a majority vote of the members present.
- h) If any Council member, the Town Clerk, or Town Attorney wishes to add an agenda item after the eight (8) business day deadline, the item and supporting documents will be sent to the Town Clerk with an explanation for the lateness and the reason why the item must be presented at the next Regular Meeting. The Town Clerk will then provide those materials with the request for the item to be placed on the agenda late to the Mayor as soon as possible. The Mayor will then decide whether or not to add the item to the agenda, request a Special Meeting for the item, or place the item on the next available Regular Meeting agenda. In order to fully comply with Chapter 286, Florida Statutes, (commonly referred to as the "Florida Sunshine Law," no communication between the Mayor and a

requesting Council member will occur.) Under no circumstance will an item be added or deleted from an agenda after it has been publicly noticed.

- i) For purposes of these rules, a “business day” shall be defined as Monday through Friday, excluding weekends, federal, state, and local public holidays. The day of the Regular or Special Meeting shall be included in calculating the number of days required for notice under these rules.

* * *

Section 2. The amended Rules of Order shall be effective until amended by the Town Council. All other portions of the Rules of Order not amended by the Resolution are hereby ratified and confirmed.

Section 3. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of the Resolution.

Section 4. All previous resolutions, which conflict with the provisions of this Resolution, are hereby repealed to the extent of such conflict.

Section 5. This Resolution shall become effective upon adoption.

DONE AND RESOLVED this 11th day of March, 2025 by the Town of Astatula, Florida.

Zane Teeters, Mayor

ATTEST TO:

Jennifer Tucker, Town Clerk

Approved as to form and legality:

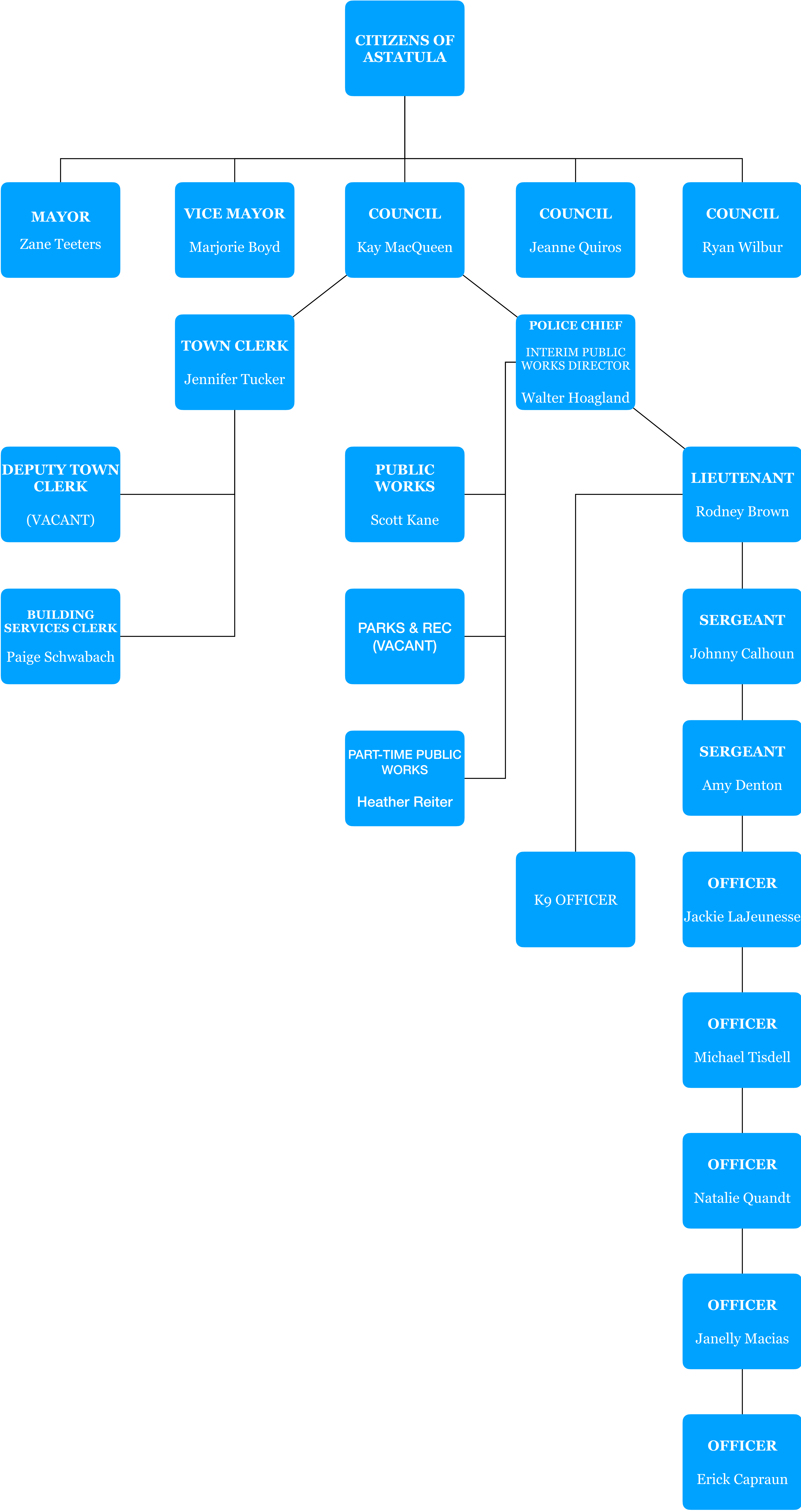
David Langley, Town Attorney

Council Member _____ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Teeters		
Vice-Mayor Boyd		
Council Member Wilbur		
Council Member MacQueen		
Council Member Quiros		

TOWN OF ASTATULA

REPORTING STRUCTURE



Responsibilities and Duties of Mayor
Town of Astatula, Florida

<p>Policy and Procedure Manual, 1.2</p> <p>Scope</p>	<p>These regulations shall apply to all employees of the Town of Astatula. Volunteer firefighters, the elected Mayor and Council Members are not covered unless specifically indicated otherwise.</p>
<p>Policy and Procedure Manual, 1.7.3</p> <p>Office Procedure</p>	<p>Only the Clerk, Town Code Enforcer, the Mayor, and/or Council Members are permitted in the Clerk’s office unless Town business is being conducted.</p>
<p>Policy and Procedure Manual, 7.22</p> <p>Bereavement leave</p>	<p>Such employees may also apply for additional accrued annual leave if they desire additional time for bereavement purposes. The additional leave will be chargeable to sick leave and/or vacation leave, and may only be granted at the discretion of the Mayor with input from Department Head, or supervisor.</p>
<p>Policy and Procedure Manual, 14.3.2</p> <p>Disciplinary Actions: Suspensions</p>	<p>Notice of the charge or charges against the employee shall be specific and include the date, time, place and nature of the violation or misconduct charged in sufficient detail to provide the employee an opportunity to prepare a defense. Such notice shall be signed by the department head and the mayor.</p>
<p>Policy and Procedure Manual, 14.5</p> <p>Code of Conduct: Group III Offenses (Grounds for Immediate Dismissal/ Termination)</p>	<p>a) Incompetence in the performances of assigned duties in an employee’s position. b) Insubordination in the refusal to perform work assigned or to comply with written or verbal instructions of the supervisor/ Mayor and/or Council Members.</p>

<p>Article III, Sec. 1</p> <p>The Town Council and Mayor</p>	<p>The registered voters of the Town shall elect the Mayor for a period of two years. The Mayor shall preside at meetings of the Council, and shall have the power to enforce such rules as may be adopted by the Council for its government, and shall be recognized as the head of the Town government for service of process, execution of contracts, deeds and other documents, and as the Town official designated to represent the Town in all agreements with other governmental entities or certifications to other governmental entities.</p>
<p>Article III, Sec. 2.66</p> <p>Finance: Signing of Checks</p>	<p>All checks drawn on an account held by the town over the amount of \$2,500.00 shall be co-signed by the mayor. Should the mayor not be available for a 24-hour period, the vice-mayor is authorized to co-sign. Two or more checks may not be written to the same payee within a 30-day period to avoid the co-signing requirement. If the town clerk is unavailable for a 24-hour period, the mayor and vice-mayor may execute checks.</p>
<p>Ch. 5, Sec. 5-4</p> <p>Cemeteries: Role of Cemetery Committee</p>	<p>The committee shall report directly to the town council; however, its chairperson may confer with the mayor and town clerk when necessary. Final decisions regarding the fees set forth by the town council for the cemetery rests solely with the town council.</p>
<p>Ch. 5, Sec. 5-5</p> <p>Cemeteries: Daily Operation of Town Cemetery</p>	<p>The mayor and town clerk shall be responsible for the daily operation and maintenance of the town cemetery under the supervision of the town council, including, but not limited to, enforcement of all rules, maintaining order, utilizing employees of the town to care for the cemetery, to expel from the cemetery all improper persons or those who violate any rules, and to refuse admission to any person or use of materials when deemed such action is necessary.</p>
<p>Ch. 5, Sec. 5-6</p> <p>Cemeteries: Deposit of Funds</p>	<p>The mayor or town clerk shall deposit all funds in the general fund of the town.</p>
<p>Ch. 5, Sec. 5-6</p> <p>Cemeteries: Deposit of Funds</p>	<p>All withdrawals from any account shall be countersigned by the council member overseeing the finance department of the town or the town clerk and the mayor.</p>

<p>Ch. 5, Sec. 5-7</p> <p>Cemeteries: Eligibility for Burial at Town Cemetery</p>	<p>Certificates will be issued by the mayor or town clerk.</p>
<p>Ch. 5, Sec. 5-9 (a)</p> <p>Cemeteries: Burial</p>	<p>If a cemetery plot has not been previously reserved or assigned, and one is available, the mayor or town clerk shall assign an unreserved plot in accordance with the provisions of this chapter. The town clerk or mayor shall issue a certificate of interment to the personal representative or surviving relative when presented proof of a certificate of reservation and proper payment thereof, to the town.</p>
<p>Ch. 23, Sec. 23-7 (A)</p> <p>Unightly and Nuisance Yards: Notice to Abate Violations</p>	<p>Should any property located within the town be maintained in violation of section 23-3, the mayor or designee shall direct a notice to the owner of such property requesting that the violation be abated and advising the owner that the town will abate the violation within 14 days after the notice is received if the owner fails to abate the violation within the 14-day period.</p>
<p>Ch. 23, Sec. 23-7 (B)</p> <p>Unightly and Nuisance Yards: Notice to Abate Violations</p>	<p>In lieu of proceeding under the provisions of this section and section 23-8, the mayor, in the mayor's or designee's sound discretion, may refer a violation of section 23-3 to the code enforcement officer for the institution of appropriate proceedings.</p>
<p>Ch. 32, Sec. 32-1 (c)(1)</p> <p>Use of and/or Construction in Town Rights-of-Way: Permits Required</p>	<p>Any person or entity desiring to install, place, construct or replace any improvement in a town right-of-way shall obtain prior to commencement of any work a permit for such activity issued by the mayor or his or her designee on terms and conditions as defined below or specified as a condition of the permit.</p>
<p>Ch. 32, Sec. 32-1 (c)(2)</p> <p>Use of and/or Construction in Town Rights-of-Way: Permits Required</p>	<p>Any such person or entity shall first obtain the written approval of, and all other necessary permits from, all appropriate town agencies, including, but not limited to, the mayor or his designee. Applications for such approval shall be made in the form prescribed by the town.</p>

<p>Ch. 32, Sec. 32-1 (c)(7)</p> <p>Use of and/or Construction in Town Rights-of-Way: Permits Required</p>	<p>Permits shall include acknowledgement terms established by the town attorney and shall be approved by the mayor or his or her designee.</p>
<p>Ch. 32, Sec. 32-1 (c)(8)(b)</p> <p>Use of and/or Construction in Town Rights-of-Way: Time Limitations</p>	<p>After issuance of the permit, the permittee shall notify the mayor or his designee a minimum of two business days prior to commencing construction. This notification will allow for scheduling of inspections. If a road closure is required, the permittee shall submit with the permit application a maintenance of traffic (MOT) plan to include all proposed road closures and an expected time duration for each closing. Unless approved otherwise by the mayor or his designee, road closures shall require separate approval by the mayor or his designee and a minimum of three business days' prior notification before the commencement of construction.</p>
<p>Ch. 32, Sec. 32-1 (c)(9)(a)</p> <p>Use of and/or Construction in Town Rights-of-Way: Permits Required</p>	<p>It shall be the duty and responsibility of each applicant for a permit under this section to: Make a written application for permit with the mayor or his designee on such forms as the town shall prescribe. The mayor or his designee shall review the application and plan and issue a decision or comments for revision. Upon recommendation of approval from the mayor or his designee, the town will issue a permit providing all conditions of the permit application have been met and all required fees, deposits and certificates from the applicant have been received. No work shall commence until the mayor, or his designee has approved the application and the applicant has paid and provided all fees, deposits and certificates required by this section.</p>

<p>Ch. 32, Sec. 32-1 (c)(9)(h)</p> <p>Use of and/or Construction in Town Rights-of-Way: Permits Required</p>	<p>It shall be the duty and responsibility of each applicant for a permit under this section to: Keep the original copy of the permit and an approved copy of the plan in the possession of the party actually doing the work, and when required, show such copy to the mayor or his designee, duly authorized inspectors or, in the instances of county and state roads, to the respective inspectors representing these authorities.</p>
<p>Ch. 32, Sec. 32-1 (c)(9)(i)</p> <p>Use of and/or Construction in Town Rights-of-Way: Permits Required</p>	<p>It shall be the duty and responsibility of each applicant for a permit under this section to: Agree to perform the work, in accord with the permit conditions, the regulations established under this section and such further conditions as may be imposed by the mayor or his designee.</p>
<p>Ch. 32, Sec. 32-1 (d)(1)</p> <p>Use of and/or Construction in Town Rights-of-Way: Bonds</p>	<p>A performance bond, or other financial security, in form, content and execution approved by the town attorney, may be required to protect the town so that the specified work is completed, or when damages to the right-of-way or any public property have occurred and not repaired in accord with good engineering practices or when the work is nonconforming as determined by the mayor or his designee.</p>
<p>Ch. 32, Sec. 32-1 (d)(2)</p> <p>Use of and/or Construction in Town Rights-of-Way: Bonds</p>	<p>If the work in question exceeds a value of \$2,000.00, the bond amount shall be increased by the difference plus ten percent of that difference. If said work remains incomplete after 30 days, or otherwise as approved in writing by the mayor or his designee, the bond will be forfeited.</p>
<p>Ch. 38, Sec. 38-1 (a)</p> <p>Municipal Parks Rules and Regulations</p>	<p>The municipal park shall be operated and maintained under the supervision of the mayor.</p>

<p>Ch. 38, Sec. 38-1 (b)</p> <p>Municipal Parks Rules and Regulations</p>	<p>The mayor shall see to the operation and maintenance of the park and shall perform his duties subject to the supervision of the town council.</p>
<p>Ch. 38, Sec. 38-1 (c)</p> <p>Municipal Parks Rules and Regulations</p>	<p>The mayor shall have supervision over all employees concerned in the maintenance of such park and they shall perform their duties under his supervision.</p>
<p>Ch. 42, Sec. 42-43</p> <p>Authority of Town Council to Grant Exclusive Franchise</p>	<p>All franchise agreement and any renewals, extensions and amendments thereto shall be granted only by ordinance. Upon passage and adoption the town clerk or mayor shall have the authority to execute the exclusive franchise agreement.</p>
<p>Ch. 54, Sec. 54-67</p> <p>Determination of Streets to be Used by Commercial Vehicles</p>	<p>The mayor shall determine which municipal streets are used by commercial motor vehicles and shall report to the town council the name of each street that is hazardous because of commercial motor vehicle traffic</p>
<p>Ch. 59, Sec. 59-2.2.8</p> <p>Review of Applications and Plans: Objections/ Appeal</p>	<p>Any objection to any invoice or to any matter set forth in this section, including the amount of a Review Deposit, must be set forth in writing and addressed and delivered to the mayor on or before the tenth day after the date of the relevant invoice. In the event the mayor denies the objection in writing, the Applicant shall have ten days after the date of the mayor's written decision to file an appeal of such decision with the Town Clerk, which appeal shall be heard by the Town council at the next regularly scheduled council meeting.</p>
<p>Ch. 59, Sec. 59-2.2.10</p> <p>Review of Applications and Plans: Change of Ownership</p>	<p>An Applicant shall provide prompt written notice to the mayor in the event of a change in Ownership of all or a portion of a lot, tract, or parcel of real property with respect to a pending Application or project.</p>

<p>Ch. 59, Sec. 59-2.2.12(3)(a)</p> <p>Review of Applications and Plans: Liens</p>	<p>The mayor is granted the authority to record liens consistent with this section in the public records of Lake County, and may include in such liens all recording costs, interests, costs of mailing pursuant to this section, and attorney fees incurred by the Town associated with such liens.</p>
<p>Ch. 59, Sec. 59-2.2.12(3)(b)</p> <p>Review of Applications and Plans: Liens</p>	<p>Within ten days after a lien against a property is recorded in the public records of Lake County, the mayor, or designee, shall mail by certified mail with a return receipt requested, and U.S. mail to the property Owner of record a notice of lien, informing the property Owner of the existence of the lien, the amount of the lien plus accrued interest and penalties, if any, and the services rendered by the city for which such lien was imposed.</p>
<p>Ch. 59, Sec. 59-4.1.1</p> <p>Zoning Regulations: Mapping District</p>	<p>All changes to the district boundaries, as approved by the Town Council shall be noted on the map, dated and signed by the Mayor.</p>
<p>Ch. 59, Sec. 59-5.3.3 (G)</p> <p>Required Submittals</p>	<p>The requirement of a tree survey may be deemed optional if a site is heavily forested. The Mayor will determine the necessity after consultation with Town staff (including planning and engineering consultants).</p>
<p>Ch. 59, Sec. 59-6.5.1(3)(b)</p> <p>Preliminary Development Plan</p>	<p>The submittals shall be reviewed by the Consultants and a written report will be forwarded to the Mayor for his/her review.</p>
<p>Ch. 59, Sec. 59-6.7.1 (3) (j)</p> <p>Final (Record) Plat</p>	<p>Upon approval by the Town Council, the plat shall be submitted to the Mayor for the Mayor's signature within 30 days of determination of compliance.</p>
<p>Ch. 59, Sec. 59-6.7.3</p> <p>Final (Record) Plat</p>	<p>The linen, or equivalent material copy, of the approved final plat will be retained by the Town for the purpose of recording with the Clerk of the Circuit Court of Lake County after approval by the Mayor and Planning and Zoning Commission.</p>

<p>Ch. 59, Sec. 59-7.9.7</p> <p>Fence Requirements</p>	<p>The construction of any fence shall require a building permit from the Town of Astatula. Before the building permit is issued, the applicant shall submit his / her plans which shall show the dimension of the property, the type of fence proposed to be constructed and its location on the property. Upon approval by the Mayor or designee, a building permit may be issued.</p>
<p>Ch. 59, Sec. 59-8.8.13</p> <p>Landscaping and Buffer Regulations</p>	<p>The Mayor or designee may require the removal of any tree or landscaping which constitutes imminent danger to the safety of the public.</p>
<p>Ch. 59, Sec. 59-9.1.2</p> <p>Signs</p>	<p>No permit for a sign shall be issued except in conformity with the provisions of this ordinance as administered by the Mayor or designee.</p>

Responsibilities and Duties of Town Clerk
Town of Astatula, Florida

<p>Policy and Procedure Manual, 1.3</p> <p>Town Responsibilities and Authority</p>	<p>The Town Council and Mayor work together to establish operations and services of the Town under the budget established yearly by the Council with the assistance of the Town Clerk.</p>
<p>Policy and Procedure Manual, 1.7.3</p> <p>Office Procedure</p>	<p>Only the Clerk, Town Code Enforcer, the Mayor, and/or Council Members are permitted in the Clerk's office unless Town business is being conducted.</p>
<p>Policy and Procedure Manual, 2.6</p> <p>Solicitation</p>	<p>Council meetings, workshops, agendas, minutes of previous meeting, notices pertinent to safety and well being of Town Residents may be posted by the Town Clerk.</p>
<p>Article I Town Boundaries; Corporate Authority</p> <p>Sec. 1 Town created boundaries</p>	<p>A description of the Town boundaries shall be on file with the Town Clerk.</p>
<p>Article II The Town Council</p> <p>Sec. 1 The Town Council and Mayor</p>	<p>Candidate nominating petitions for Town Council elections shall be filed with the Town Clerk no earlier than noon, the 92nd day prior to the date of the general or special election, but not later than noon on the 81st day prior to the date of the general or special election date for which qualifying is being sought.</p>
<p>Article II The Town Council</p> <p>Sec. 2 Vacancies; forfeiture of office; filling of vacancies</p>	<p>Council Members desiring to run for Mayor must submit their resignation prior to the first day of qualifying to run for another position to the Town Clerk.</p> <p>The signatures must be received no later than noon of the 81st day prior to the election. Said signatures shall be verified by the clerk no later than the last day of the qualifying period.</p>

Article II The Town Council

Sec. 3 Financial Procedures

(b) Budget. The budget shall provide a complete financial plan of all Town funds and activities for ensuing fiscal year and, except as required by law or the Charter, shall be in such a form as the Town Clerk deems desirable or the Council may require. In organizing the budget, the Town Clerk shall receive from each department their budget request by July 1, with the first budget meeting being held within 15 days of the July Council meeting.

(c) Supplemental appropriations. If, during the fiscal year, the Town Clerk certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council by resolution may make supplemental appropriations for the year up to the amount of such excess.

(d) Reduction of appropriations. If at any time during the fiscal year it appears probable to the Town Clerk that the revenues available will be insufficient to meet the amount appropriated, the Town Clerk shall report to the Council immediately, indicating the estimated amount of the deficit, any remedial action taken by the Town Clerk and recommendations as to any other steps to be taken.

(e) Transfer of Appropriations. Upon written request by the Town Clerk or by action of the Town Council, the Town Council may, by resolution transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency or to another department, office or agency.

<p>Article II The Town Council</p> <p>Sec. 5 Administrative</p>	<p>The Town Clerk shall be responsible to the Council for the proper administration of the Town as stated by the Town Council and to the end may be required to:</p> <p>(a) Attend all Council meetings and shall have the right to take part in discussion but may not vote.</p> <p>(b) See that all laws, provisions of this Charter and acts of the Council are faithfully executed.</p> <p>(c) Perform such other duties as are specified in this Charter or may be required by the Council.</p> <p>(d) He/she shall be required to furnish bond in such amount as may be required by the Town Council; which shall be paid for by the Town.</p> <p>(e). Prepare the budget annually and submit it to the Council and be responsible for its administration after adoption, subject to guidelines established by the Town Council.</p> <p>(f). Submit to the Council and make available to the public a complete report on the finances and administrative activities of the Town as of the end of each fiscal year.</p> <p>(g). Keep the Council fully advised as to the financial condition and future needs of the Town and make such recommendations to the Council concerning the affairs of the Town as may be deemed desirable or necessary.</p> <p>(h). Sign contracts on behalf of the Town pursuant to the provisions of appropriations, ordinances, and guidelines established by Council.</p> <p>(i). The Town Clerk shall conduct all Town elections.</p> <p>G)[(j)]. Additional duties as set forth by the Council in the Policy and Procedure manual.</p>
<p>Article IV Miscellaneous Provisions</p> <p>Sec. 2 Actions Against the Town</p>	<p>No action shall be maintained against the Town for damage, injury, death or other loss arising out of accident, or the alleged failure to keep in proper condition any public properties or places, or any alleged or imputed negligence of the Town or any of its officers or employees unless: Written notice of such loss shall have been given to the Town Clerk within fifteen (15) days after the occurrence of the accident or other event causing the loss by the injured party or their agent or attorney</p>

<p>Chapter 2 Administration</p> <p>Article I In General</p> <p>Sec. 2-1 Fees for petitions to use, regulate or develop land</p>	<p>(c) All fees shall be collected by the town clerk at the time the petition is filed.</p>
<p>Chapter 2 Administration</p> <p>Article III Finance</p> <p>Sec. 2-66 Signing of checks</p>	<p>All checks drawn on an account held by the town over the amount of \$2,500.00 shall be co-signed by the mayor. Should the mayor not be available for a 24-hour period, the vice-mayor is authorized to co-sign. Two or more checks may not be written to the same payee within a 30-day period to avoid the co-signing requirement. If the town clerk is unavailable for a 24-hour period, the mayor and vice-mayor may execute checks.</p>
<p>Chapter 2 Administration</p> <p>Article V Town Facilities</p> <p>Sec. 2-210 Enforcement and penalties</p>	<p>The provisions of this division may be enforced by the town police department, public works department, the code enforcement department, the town clerk, and /or town staff when applicable.</p>
<p>Chapter 2 Administration</p> <p>Article VI Town Seal, Logo, Letterhead</p> <p>Sec. 2-235 Prohibitions</p>	<p>The town clerk of the town is the custodian of the town seal.</p>
<p>Chapter 2 Administration</p> <p>Article VI Town Seal, Logo, Letterhead</p> <p>Sec. 2-237 Penalty</p>	<p>The town, through the town clerk, may immediately revoke a person or entity's previously authorized use of the town seal or town logo upon finding false or inaccurate information was submitted on its application to the town requesting authorization to use the town seal or town logo.</p>
<p>Chapter 5 Cemeteries</p> <p>Sec. 5-2 Creation of a cemetery committee; appointment; terms; meetings</p>	<p>A secretary shall be appointed to keep minutes of each meeting. The minutes shall be filed of record with the clerk of the town.</p>

<p>Chapter 5 Cemeteries</p> <p>Sec. 5-4 Role of cemetery committee</p>	<p>The committee shall report directly to the town council; however, its chairperson may confer with the mayor and town clerk when necessary.</p>
<p>Chapter 5 Cemeteries</p> <p>Sec. 5-5 Daily operation of town cemetery</p>	<p>The mayor and town clerk shall be responsible for the daily operation and maintenance of the town cemetery under the supervision of the town council, including, but not limited to, enforcement of all rules, maintaining order, utilizing employees of the town to care for the cemetery, to expel from the cemetery all improper persons or those who violate any rules, and to refuse admission to any person or use of materials when deemed such action is necessary.</p>
<p>Chapter 5 Cemeteries</p> <p>Sec. 5-6 Deposit of funds</p>	<p>The mayor or town clerk shall deposit all funds in the general fund of the town. A separate ledger shall be kept by the town clerk showing deposits to and withdrawals from the fund.</p> <p>All withdrawals from any account shall be countersigned by the council member overseeing the finance department of the town or the town clerk and the mayor.</p>
<p>Chapter 5 Cemeteries</p> <p>Sec. 5-7 Eligibility for burial at town cemetery</p>	<p>a) No person shall be buried in the cemetery of the town until the personal representative or surviving relative of the deceased has presented a certificate of reservation and filed a request for interment with the town clerk.</p> <p>b) A copy of the certificate of interment shall be kept on file with the town clerk in the Astatula town hall.</p>
<p>Chapter 13 Business Tax</p> <p>Sec. 13-3 Business tax receipt required</p>	<p>No person shall engage in any business, profession, occupation, trade, or industry within the town without first having procured a business tax receipt from the town clerk.</p>
<p>Chapter 13 Business Tax</p> <p>Sec. 13-5 Business tax receipt issuance</p>	<p>Upon approvals required in this section, the town clerk, or designee will notify the applicant that the business tax receipt is approved for issuance.</p>
<p>Chapter 13 Business Tax</p> <p>Sec. 13-9 Duplicate business tax receipts</p>	<p>Duplicate business tax receipts may be issued by the finance director or designee. A fee on file in the town clerk's office will be assessed for each duplicate business tax receipt issued.</p>

<p>Chapter 15 Sales</p> <p>Sec. 15-4 Permit Required; application; contents</p>	<p>No person, either alone or jointly with another, or any entity of any nature, shall conduct any open air sales without having first obtained a permit to do so from the town clerk.</p>
<p>Chapter 15 Sales</p> <p>Sec. 15-5 Issuance, expiration, exhibition of permit.</p>	<p>If, upon an investigation reasonably made, the town clerk ascertains and determines that the applicant for a permit required by this section is a person of good moral character and proposes to engage in a lawful, commercial or professional enterprise permitted by this chapter, the town clerk shall issue the permit.</p>
<p>Chapter 23 Unsightly and Nuisance Yards</p> <p>Sec. 23-8 Abatement of violation by town</p>	<p>D. Should the owner fail to pay the amount shown on the invoice within 30 days from the date of the owner's receipt of the invoice or within 30 days of the invoice being returned unclaimed, the town clerk shall record a notice of lien for the amount of the assessment in the public records of Lake County, Florida.</p>
<p>Chapter 23 Unsightly and Nuisance Yards</p> <p>Sec. 23-9 Enforcement</p>	<p>The town clerk may also institute abatement proceedings as provided for in this chapter.</p>
<p>Chapter 27 Permitting Special Events</p> <p>Sec. 27-3 Definitions</p>	<p>Classification means categories events are placed in based on the impact the event may have on town residents and town services. Classifications shall be assigned by the town clerk, using the classifications and criteria listed below.</p> <p>Any "class A" permit for an event held on public property must be approved by the town council. The permit application with recommendations made by the town clerk will be presented for action by the town council after the planning meeting has taken place.</p>

Chapter 27 Permitting
Special Events

Sec. 27-5 Application for
special events; time for
submission; contents

(a) Any person or entity desiring to hold a "special event" within the town, shall submit an application to the town clerk.

(d). Upon receipt of a completed application, the town clerk shall review same and determine if the proposed event should be classified as a class A event, a class B event, or a class C event, as these categories are defined in [section 27-5](#).

(i). The town clerk shall schedule a post-event review meeting within 30 days after the close of a class "A" event, and may schedule a post-event review meeting within 45 days after the close of a class "B" event, which shall include the special events committee and the applicant and/or representatives.

Chapter 27 Permitting
Special Events

Sec. 27-6 Permit issuance;
fees

(a) If an application for a class "A" or class "B" permit is approved, the town clerk shall notify the applicant of same in writing and shall provide the applicant with a written summary of the permit's terms, conditions, and limitations, which shall include, but not be limited to, a listing of all fees and costs to be assessed in conjunction with the issuance of the permit. If the application for a class "A" or class "B" permit is denied, the town clerk shall notify the applicant in writing of same and of the reason specified as the basis for the denial.

(e) The town council has the right to waive or reduce fees for applicants who meet the definition of charitable organizations. Any applicant may request any or all fees for town services be reduced or waived by the town council for class B or C special events of less than eight hours in duration, which involve no commercial benefit to any enterprise. All such requests must be in writing and provided to the town clerk for placement on the council agenda at a meeting to be held prior to the event.

(f) Payment of all fees and "estimated" fees shall be due at least 14 days prior to the first day of the event. Any fee that is "estimated" shall be precisely calculated as soon as information necessary to said calculation is available, but not later than 30 days after the event has concluded. The town clerk shall then notify the applicant of the variance between the estimated fee and the actual fee, and shall within 30 days thereafter, refund to the applicant the amount of any "surplus" fee collected or, collect from the applicant the amount of any fee "deficit."

(i) Proof of issuance of any such "additional" permits or authorizations shall be provided to the town clerk at least five business days prior to the first day of the special event.

(j) Notice of said "noncompliance" shall be communicated immediately to the applicant or designee by the town clerk or designee, or the chief of police or designee. The town clerk or designee, or the chief of police or designee may then suspend the event, if the noncompliance is not remedied or until the noncompliance is remedied.

<p>Chapter 27 Permitting Special Events</p> <p>Sec. 27-7 Indemnification/ insurance; liquor liability insurance</p>	<p>At least seven days prior to the first day of any special event or recurring event, the applicant shall furnish to the town clerk proof of liability insurance protection, in an amount of not less than \$1,000,000.00 per person for bodily injury or death, \$2,000,000.00 per occurrence for bodily injury or death and \$500,000.00 per occurrence for property damage, naming the town as "additional insured."</p>
<p>Chapter 27 Permitting Special Events</p> <p>Sec. 27-34 Miscellaneous requirements</p>	<p>(2) Notification of neighboring properties. Class A event organizers are required to provide written notification to all town residents located within 1,500 feet of the property on which the special event will occur. This notification shall include the date(s), type of the event, area to be impacted, estimated attendance security measures and any activities of the event that may impact the property owners of neighboring properties. Applicants must provide the town clerk a copy of the letter; a list of names and addresses of those notified; and if the notice is hand delivered, a notarized affidavit certifying that the letter was delivered a minimum of 15 days prior to the event.</p>
<p>Chapter 39 Impact Fees</p> <p>Sec. 39-8 Refund of fees paid</p>	<p>(a) If a building permit expires or is cancelled without development commencing, the impact fee payer shall be entitled to a refund, without interest, of the impact fees paid. The impact fee payer shall submit a written request for such a refund to the town clerk or his designee within 60 days of the expiration of the building permit.</p> <p>(b)(2) If impact fees have not been expended or encumbered by the end of the calendar quarter immediately following ten years from the date the impact fees were paid, upon application of the impact fee payer of proof of payment, the fees shall be returned without interest in accordance with the following procedure:</p> <p>The petition must be submitted to the town clerk or his designee and must contain...</p>
<p>Chapter 39 Impact Fees</p> <p>Sec. 39-9 Appeals</p>	<p>The town clerk or his designee shall consider all facts material to the appeal and provide such information to the town council.</p>
<p>Chapter 39 Impact Fees</p> <p>Sec. 39-11 Waiver of impact fees</p>	<p>From time to time, the town council may by ordinance adopt a moratorium to waive the collection of impact fees. Such ordinances will be on file with the town clerk.</p>

<p>Chapter 42 Solid Waste</p> <p>Article II Collection and Disposal</p> <p>Sec. 42-33 Mandatory collection by town</p>	<p>(d) Any person claiming an exemption under this subsection shall be required, within 30 days from the effective date hereof, to deliver to the town clerk a copy of the contract for solid waste collection and disposal. No such existing contract for solid waste collection and disposal may be renewed following its expiration, at which time all collection and disposal shall be provided by the town.</p>
<p>Chapter 42 Solid Waste</p> <p>Article II Collection and Disposal</p> <p>Sec. 42-35 Establishment of special assessment district; application; payment of charges required; failure to pay</p>	<p>(e) Whenever a bill for services remains unpaid for 30 days after it has been rendered, the town clerk may file with the clerk of the court a statement of claim of lien.</p>
<p>Chapter 42 Solid Waste</p> <p>Article II Collection and Disposal</p> <p>Sec. 42-40 Construction Waste</p>	<p>The town shall order or require container service for all construction locations if the property owner or contractor does not satisfactorily provide for the removal of trash and debris. Order of said container by the town clerk shall be his sole discretion and at the expense of the property owner and/or contractor.</p>
<p>Chapter 42 Solid Waste</p> <p>Article II Collection and Disposal</p> <p>Sec. 42-43 Authority of town council to grant exclusive franchise</p>	<p>Upon passage and adoption the town clerk or mayor shall have the authority to execute the exclusive franchise agreement.</p>

<p>Chapter 59 Land Development Regulations</p> <p>Article I Overview and procedures</p> <p>Sec. 59-1.3 Annexation</p>	<p>1.3.2 Initiation Point. Applications for annexation must be made to the Town Clerk.</p> <p>1.3.4 Review Process. The application and any required submittals shall be submitted to the Town Clerk who will review the application to make sure it is complete.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article I Overview and procedures</p> <p>Sec. 59-1.4 Small scale comprehensive plan amendment (less than ten acres)</p>	<p>1.4.2 Initiation Point. Applications for a Small Scale Comprehensive Plan Amendment must be made to the Town Clerk</p> <p>1.4.4 Review Process. The application and any required submittals shall be submitted to the Town Clerk who will review the application to make sure it is complete.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article I Overview and procedures</p> <p>Sec. 59-1.4 Small scale comprehensive plan amendment (less than ten acres)</p>	<p>1.5.2 Initiation Point. Applications for a Large Scale Comprehensive Plan Amendment must be made to the Town Clerk.</p> <p>1.5.4 Review Process. The application and any required submittals shall be submitted to the Town Clerk who will review the application to make sure it is complete.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article I Overview and procedures</p> <p>Sec. 59-1.6 Rezoning</p>	<p>1.6.2 Initiation Point. Applications for Rezoning must be made to the Town Clerk.</p> <p>1.6.4 Review Process. The application and any required submittals shall be submitted to the Town Clerk who will review the application to make sure it is complete.</p>

<p>Chapter 59 Land Development Regulations</p> <p>Article I Overview and procedures</p> <p>Sec. 59-1.9 Conditional uses</p>	<p>1.9.1 Initiation Point. Applications for Conditional Use must be made to the Town Clerk.</p> <p>1.9.3 Review Process. The application and any required submittals shall be submitted to the Town Clerk who will review the application to make sure it is complete.</p> <p>1.9.3 (b) Every person requesting a Conditional Use Permit shall file an application for a permit with the Town Clerk.</p> <p>1.9.3 (c) Every person requesting a Conditional Use Permit shall file an application for a permit with the Town Clerk.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article I Overview and procedures</p> <p>Sec. 59-1.10 Variances</p>	<p>1.10.1 Initiation Point. Applications for Variances must be made to the Town Clerk.</p> <p>1.10.3 Review Process. The application and any required submittals shall be submitted to the Town Clerk who will review the application to make sure it is complete.</p> <p>1.10.3 (c) Every applicant requesting a Variance shall file an application for a permit with the Town Clerk</p>

Chapter 59 Land
Development Regulations

Article I Overview and
procedures

Sec. 59-2.2 Review of
application and plans

2.2.1. Establishment and Purpose. It is hereby established that all applications and plans will be accepted by the Town Clerk and forwarded to the Town's consulting planner and consulting engineer and legal consultant for the initial review of development proposals for compliance with the provisions of this code.

2.2.3 (1) Review Deposits. In the event the initial Review Deposit is depleted when the Town pays its expenses, the Town Clerk shall notify the Applicant of such depletion all work on the Application shall cease until the deposit is replenished to the original deposit amount, unless waived pursuant to this section.

2.2.4 Project Account. Once an Application pertaining or relating to an Application has been submitted to the Town, and the total review amount has been collected, the Town Clerk, or the Town Clerk's designee, shall establish an individual project account in which the review deposit shall be deposited. When the Application is final, the Town Clerk shall make final payment for all invoices related to the Application.

2.2.5 Town Invoices. Mailing of Invoices. The Town Clerk shall, at the end of each month, calculate the costs, expenses and fees incurred by the Town for each Application for which a review deposit is required and send an invoice to the Applicant for payment.

2.2.7 Assessable costs, Expenses, and Fees. Town consultants shall submit records of their time, fees, costs, and expenses to the Town Clerk, and such fees, costs and expenses shall be invoiced to the Applicant on a dollar-for-dollar basis for services provided under the direction of the Town to review. The rates charged to the Applicant for said services shall not exceed those charged to the Town.

2.2.8 Objections/ Appeal. Any objection to any invoice or to any matter set forth in this section, including the amount of a Review Deposit, must be set forth in writing and addressed and delivered to the mayor on or before the tenth day after the date of the relevant invoice. In the event the mayor denies the objection in writing, the Applicant shall have ten days after the date of the mayor's written decision to file an appeal of such decision with the Town Clerk, which appeal shall be heard by the Town council at the next regularly scheduled council meeting.

<p>Chapter 59 Land Development Regulations</p> <p>Article III Definitions</p>	<p>Town Clerk: The Town's chief administrative officer, responsible for the proper administration of all affairs of the Town. Town Clerk shall prepare budgets and be responsible for its administration after adoption, attend council meetings, may take part in discussions but does not have the power to vote, sees that all laws, provisions of the Charter and acts of council are faithfully executed, and signs contracts.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article IV Zoning Regulations</p> <p>Sec. 59-4.9 Establishment of districts</p>	<p>4.9.1 (2) (e) Agriculture - Permitted Uses. A temporary structure. On-site use of these units with permission initially from the Town Clerk and then from the Town Council.</p> <p>4.9.2 (2) (g) R-1 Single-Family Low Density Residential - Permitted Uses. A temporary structure. On-site use of these units with permission initially from the Town Clerk and then from the Town Council;</p> <p>4.9.3 (2)(h) R-2 Single-family Medium Density Residential District - Permitted Uses. A temporary structure. On-site use of these units with permission initially from the Town Clerk and then from the Town Council;</p> <p>4.9.4 (2)(f) R-3 Manufactured Housing Park - Permitted Uses. A temporary structure. On-site use of these units with permission initially from the Town Clerk and then from the Town Council.</p> <p>4.9.4 (5)(c)(1) R-3 Manufactured Housing Park. Upon completion of preliminary design plans, the developer /property owner shall contact the Town Clerk and arrange a pre-application conference between the developer /property owner and their consulting engineer and the Town's consulting planner and engineer.</p> <p>4.9.4 (5)(c)(5) The Master Park Plan shall be prepared by an architect, surveyor or land planner together with an engineer and shall be submitted to the Town Clerk on a reproducible sheet, size 24 inches by 36 inches with two prints drawn to scale and shall contain the following information</p>

<p>Chapter 59 Land Development Regulations</p> <p>Article IV Subdivision Regulations</p> <p>Sec. 59-6.3 Lot split</p>	<p>(2) After receiving a recommendation to the Town Council from the Town's Planning and Zoning Commission and upon the approval by the Town Council a title opinion prepared by a licensed attorney or a certification by a title company dated through the date of final approval must be submitted to the Town Clerk for review by the Town Attorney...</p> <p>3. Upon approval by the Town Council and approval of the Town Attorney of the title opinion the Town Clerk shall record the lot split on the appropriate maps appropriate maps and documents of the Town and shall, at the applicant's expense, record the lot split in the public records of Lake County, Florida.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article IV Subdivision Regulations</p> <p>Sec. 59-6.3 Lot split</p>	<p>6.5.1 Review of Preliminary Development Plan. Initial Point and Deadline. All submittals must be made to the Town Clerk in order to be reviewed by the Town's consultants and scheduled for a Planning and Zoning Commission hearing.</p> <p>6.5.1 Review of Preliminary Development Plan. Review Process. Each preliminary development plan shall follow a standard review process as outlined below: All submittals will be compiled and circulated by the Town Clerk to the consultants for review and comment.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article IV Subdivision Regulations</p> <p>Sec. 59-6.6 Final development plan</p>	<p>6.6.1 (1) Review of Final Development Plan. Initial Point and Deadline. All submittals must be made to the Town Clerk by the first Monday of any given month.</p> <p>6.6.1 (3) (a) Review Process. Each final development plan shall be subjected to a standard review process as outlined below: The Town Clerk receives all submittals, ensures that they are complete, and distributes them to the Town's consultants for review.</p> <p>6.6.2 (3) Final Development. Five copies and a digital copy each of signed and sealed final development (engineering) plans and specifications for the following improvements, both on-site and off-site shall be submitted to the Town Clerk.</p> <p>6.6.2 (5) (a). Other required submittals. Arbor Information: The location of all protected trees within road rights-of-way and easements to be cleared will be submitted to the Town Clerk, if different than shown on the preliminary plat.</p>

<p>Chapter 59 Land Development Regulations</p> <p>Article IV Subdivision Regulations</p> <p>Sec. 59-6.7 Final (record) plat</p>	<p>6.7.1 (1) Initial Point and Deadline. All submittals must be presented to the Town Clerk by the first Monday of any given month.</p> <p>6.7.1 (3)(a) The Town Clerk receives all submittals, ensures that they are complete, and distributes them to the Town's consultants for review.</p> <p>6.7.3 Recording of Final (Record) Plat. The linen, or equivalent material copy, of the approved final plat will be retained by the Town for the purpose of recording with the Clerk of the Circuit Court of Lake County after approval by the Mayor and Planning and Zoning Commission. All fees and documents required by the clerk for filing and recording of the approved final (record) plat shall be transmitted through the Town Clerk to the County Clerk when final approval is received.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article VII Design Standards</p> <p>Sec. 59-7.7 Parks and recreation</p>	<p>7.7.3 In order to obtain a determination by Council of this decision for additional lands prior to the preparation and submission of a preliminary plat, the Owner or Developer may submit the appropriate application to the Clerk for consideration by the Council who shall, if possible, make such determination within 30 days of receipt of the request.</p>
<p>Chapter 59 Land Development Regulations</p> <p>Article IX Sign Standards</p> <p>Sec. 59-9.1 Signs</p>	<p>9.1.2 Permit Required. It shall be unlawful for any person, agency, firm or corporation to erect, structurally modify (other than normal maintenance), replace or relocate within the Town of Astatula, any sign, except as exempted by this article without first obtaining a permit to do so from the Town Clerk and making payment of the permit fees as required.</p> <p>9.1.3. (A) Required Application Information. All applications for the sign permit required by this ordinance shall be made to the Town Clerk, or designee, upon forms provided by the Town and shall contain the following information</p> <p>9.1.12. Permitted Signs. The following signs are permitted in all districts as indicated, however a site plan showing the proposed location of the sign and a detailed plan for the sign must be submitted to the Town Clerk for a zoning clearance and for a building permit from the Building Official.</p>

GOVERNMENT IN THE SUNSHINE

Florida's public meetings law, section 286.011, Florida Statutes, commonly referred to as the Sunshine Law, provides a right of access to governmental proceedings at both the state and local levels. The law applies to both elected and appointed boards and to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action. The three basic requirements of the Sunshine Law are:

- (1) meetings of public boards or commissions must be open to the public;
- (2) reasonable notice of such meetings must be given; and
- (3) minutes of the meetings must be taken.

WHAT AGENCIES ARE COVERED BY THE SUNSHINE LAW?

It was the Legislature's intent to extend application of the Sunshine Law so as to bind "every 'board or commission' of the state, or of any county or political subdivision over which it has dominion and control." *Times Publishing Company v. Williams*, 222 So. 2d 470, 473 (Fla. 2d DCA 1969). So, the Sunshine Law applies to:

- The Florida legislature
- State agencies
- County commissions
- "Quasi-judicial" proceedings
- Advisory boards
- City commissions
- Special district boards

Advisory boards created pursuant to law, ordinance, rule or otherwise established by public agencies are subject to the Sunshine Law, even though their recommendations are not binding upon the entities that create them.

WHAT IS REASONABLE NOTICE?

Notice must always include date, time, meeting location, agenda or summary. There is no precise definition of "reasonable," but seven days is accepted minimum except for emergency meetings. Notice must always be given, even if the public may be aware of the meeting.

WHAT ARE RECORDING REQUIREMENTS?

Minutes must be kept. A summary of the meeting is acceptable. The meeting does not have to be recorded but if it is the recordings must be maintained as public records according to the state record retention statutes.

WHAT ARE OTHER CONSIDERATIONS?

The public has a right to attend and has a right to be heard at Sunshine meetings, with very few exceptions. The public can also record the meetings. The government or advisory board can place reasonable restrictions on speaking such as a reasonable time limit for speakers.

WHAT ARE PENALTIES FOR VIOLATING THE SUNSHINE LAW?

Penalties for violations of the Sunshine Law may include:

- Decisions taken at meetings may be voidable.
- Removal from office.
- A knowing violation is punishable as a second-degree misdemeanor which includes imprisonment up to 60 days and/or fines up to \$500.
- Unintentional violations may be punishable by a fine of up to \$500.
- Attorneys' fees can be awarded.

RESOURCES

2021 Government in the Sunshine Manual:

[http://myfloridalegal.com/webfiles.nsf/wf/mnos-b9qq79/\\$file/sunshinemanual.pdf](http://myfloridalegal.com/webfiles.nsf/wf/mnos-b9qq79/$file/sunshinemanual.pdf)

Florida Attorney General Frequently Asked Questions:

<http://myfloridalegal.com/webfiles.nsf/wf/mnos->