

1 ALACHUA COUNTY  
2 BOARD OF COUNTY COMMISSIONERS

3 **ORDINANCE 2020-**

4 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
5 ALACHUA COUNTY, FLORIDA; REQUIRING FIRE/EMS COVERAGE FOR  
6 SPECIAL EVENTS; PROVIDING DEFINITIONS; PROVIDING FOR  
7 SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND  
8 SCRIVENER'S ERROR; PROVIDING AN IMMEDIATE EFFECTIVE DATE.

9 WHEREAS, Alachua County finds that it has a compelling governmental interest in the  
10 health, safety, and welfare of its citizens; and

11 WHEREAS, Alachua County finds that large gatherings of people present a real and  
12 potentially catastrophic danger of a major fire, medical emergency, or both; and

13 WHEREAS, Alachua County finds that large gatherings of people present hazards and  
14 risks requiring crowd control and planning to minimize disruption to the flow of traffic caused  
15 by travel to and from the gathering; and

16 WHEREAS, Alachua County seeks to understand and prepare for the known collateral  
17 and secondary effects that special events present; and

18 WHEREAS, the intent of this Ordinance is to promote, protect and improve the health,  
19 safety, and welfare of the citizens of Alachua County by requiring certain event promoters to  
20 obtain Fire/EMS coverage for special events.

21 BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF  
22 ALACHUA, FLORIDA:

23 SECTION 1. The Board of County Commissioners finds and declares that all statements  
24 in the preamble of the ordinance are true and correct.

25 SECTION 2. Article III of Chapter 52 of the Alachua County Code is amended as  
26 follows:

1 **ARTICLE III. Alachua County Special Event Permit**

2 **Sec. 52.46. Title of Article**

3 This article shall be known and cited as the “Alachua County Special Event Permitting  
4 Act.”

5 **Sec. 52.47. Definitions**

6 The following words and phrases, when used in this ordinance are defined as follows:

7 *Advanced Life Support Service* means any emergency medical transport or non-transport service  
8 which uses advanced life support techniques as defined in this article and Florida Statutes,  
9 chapter 401.

10 *County* means the Alachua County Board of County Commission, its departments, and divisions.

11 *EMS* means emergency medical services.

12 *Emergency medical technician (EMT)* means any person who is trained in basic life support and  
13 who is certified by the department and the system medical director to perform such procedures in  
14 emergency situations.

15 *Event promoter* means the applicant (person, corporation, host organization or similar entity)  
16 who files a special event permit with Alachua County and is the principal person responsible for  
17 the special event.

18 *Fire service* means EMS, fire service and personnel provided by Alachua County Fire Rescue.

19 *Fire Chief* means the chief officer of Alachua County Fire Rescue.

20 *Private property* means property that is owned, leased, operated, maintained, or controlled by  
21 one or more individuals, corporations, organizations, or similar entities.

22 *Public property* means property that is owned, leased, operated, maintained, or controlled by  
23 Alachua County or other municipalities served by Alachua County Fire Rescue.

24 *Special event* means a temporary preplanned event of an: entertainment, cultural, recreational,  
25 educational, political, religious, or sporting nature, sale, or any other nature, that is sponsored by  
26 an individual or entity and is open to the public as set forth below, whether on public or private  
27 property.

28 (a) A “Level 1” is an event with an anticipated, maximum attendance at any point in time of  
29 up to five hundred (500).

30  
31 (b) A “Level 2” is an event with an anticipated, maximum attendance at any point in time of  
32 more than five hundred (500) to (1,000) persons.

- 1 (c) A “Level 3” is an event with an anticipated, maximum attendance at any point in time of  
2 more than one thousand (1,000) and to (2,000) persons.
- 3 (d) A “Level 4” is an event with an anticipated, maximum attendance at any point in time of  
4 more than two thousand (2,000) to (10,000) persons.
- 5 (e) A “Level 5” is an event with an anticipated, maximum attendance at any point exceeding  
6 ten thousand (10,000) persons.
- 7 (f) Temporary filming or audio recording of still, live or motion picture productions for  
8 commercial purposes (e.g. theatres, television entertainment, industrial use, or internet  
9 content). Excluded from these permit requirements are any individuals filming or  
10 videotaping for personal or family use only, employees of print or electronic news media  
11 when filming on-going news events, or students and faculty filming exclusively for  
12 educational purposes.
- 13 (g) Assembly Occupancies that do not exceed the cumulative occupant load of all buildings  
14 on the property are exempt from the special event permit except where they meet any of  
15 the criteria found in Sec. 52.47 (10).

16 **Sec. 52.47. Application for Special Event Permit**

17 (a) All applications for a permit under this Article must contain:

18 (1) The name and address of the event promoter and if not a natural person the  
19 names and addresses of the corporation and its principal officers or designees.

20 (2) The start and end dates and times of the special event.

21 (3) An estimated number of people anticipated to be in attendance in the event  
22 venue at any point in time, an explanation as to how the attendance was estimated (i.e., ticket  
23 sales, RSVPs, historical data for reoccurring events, etc.) and a plan for:

24 a. determining the actual number of persons in attendance at the  
25 event venue as the event progresses.

26 b. keeping Alachua County informed in real time of that number; and

27 c. a crowd control plan to manage and control or disburse the persons  
28 trying to enter the event after capacity is reached.

29 (4) A plan for the provision of fire protection and/or EMS, including  
30 ambulance service, and emergency vehicle access in and around the event venue. Each special  
31 event utilizing county roads shall leave a fifteen-foot (15ft) wide emergency access lane. The  
32 Fire/EMS Department shall delineate fire and life safety requirements depending on the nature  
33 and size of the event using approved codes and standards. The Fire Chief or their designee is  
34 authorized to require employment of standby firefighters, EMS, or Fire Inspectors for special  
35 events.

1 (5) The Applicant shall obtain a written agreement with each Fire/EMS  
2 agency that has agreed to participate, in which the Fire/EMS agency identifies the type of EMS  
3 or fire service, the number of EMS providers, the vehicles, the equipment and supplies it will  
4 provide.

5 (6) A description of the onsite treatment facilities including a map of the  
6 special event site.

7 (7) A risk assessment for the event, and a plan for responding to a possible  
8 disaster or medical emergency at the event site.

9 (8) A plan for evacuation of the special event site.

10 (9) A plan for educating event attendees regarding Fire/EMS system access  
11 and specific hazards, such as topography or severe weather.

12 (10) The following event types require Fire/EMS Service:

13 a. An event that has two thousand (2,000) or more anticipated  
14 attendees at any time.

15 b. An event incorporating pyrotechnics, explosives, or other  
16 incendiary devices, or involves stunts of any kind.

17 c. An event that the Fire Chief determines has an adverse impact on  
18 public safety due to, diminished access to buildings, structures, fire hydrants and fire apparatus  
19 access roads.

20 d. An event that the Fire Chief determines requires EMS or fire  
21 service due to the topography of the land, weather conditions, nature of event, time of day or  
22 because alcohol is sold or served

23 (11) The applicant shall coordinate Fire/EMS coverage with local emergency  
24 care services and public safety agencies—such as EMS, fire rescue and hospital agencies or  
25 organizations.

26 (12) Evidence that those law enforcement agencies impacted by traffic or  
27 crowd control are aware of the event and are involved in approval of the plan. If the event takes  
28 place inside of any municipality and is within 1 mile of the municipal boundary with the County  
29 and the natural traffic flow will be along County or State maintained roads once the traffic passes  
30 beyond the municipal boundary, traffic control must be coordinated with the Alachua County  
31 Sheriff.

32 (b) Each application for a special event permit must be filed with proof of insurance  
33 and the permit fee paid, no more than three hundred sixty-five (365) days in advance and no less  
34 than the following number of days before the opening of the event to the public:

1 (1) Sixty (60) calendar days for a Level 5 special event or for a Level 3 or 4  
2 special event to be held in whole or in part during University of Florida (UF) home football  
3 game weekends, Memorial Day weekend, 4th of July and its closest weekend, and Labor Day  
4 weekend.

5 (2) Thirty (30) calendar days for a Level 3 or 4 special event other than at the  
6 above times.

7 (3) Twenty (20) calendar days for a Level 1 or 2 event.

8 (4) The Fire Chief may accept a tardy application if:

9 a. County staff has the capacity to conduct an ordinary review of the  
10 application without causing material neglect of other staff duties or,

11 b. The event promoter stands willing and able to pay and deposits a  
12 sum of money to cover any overtime for County staff to conduct an ordinary review of the  
13 application, and staff volunteers such overtime, then the County will use reasonable efforts to  
14 process a tardy application in time to allow the event to be held.

15 (5) Applications shall be reviewed in the order received and priority shall be  
16 given to timely filed applications

17 (6) Special events shall not be permitted on Thanksgiving Day or the Friday,  
18 Saturday and Sunday following Thanksgiving, Christmas Eve, or Christmas Day or on dates that  
19 the County sponsors special events.

20 (7) The following events are exempted from this section: Funeral Repast,  
21 similar ceremonies, and other events as determined by the Fire Chief.

22 (c) Plan approval. The applicant shall satisfy the requirements in this section before  
23 securing County approval of a special event permit.

24 (d) Level 1 event permitting requirements may be waived or reduced by the Fire  
25 Chief or their designee if it is determined that the event does not pose a significant fire or life  
26 safety threat.

27 **Sec. 52.48. Staffing Requirements for Special Events**

28 (a) A medical services plan submitted under this section is a danger to public health  
29 and safety if it does not prohibit medical personnel from working more than one (1) twelve-hour  
30 (12) shift in any twenty-four-hour (24) period. A medical services plan presents a danger to  
31 public safety and health if it does not provide for the following on site professionals to work to  
32 event.

33 (1) For an event in which less than two thousand (2,000) persons are expected  
34 to attend and the Fire Chief determines presents a lower hazard that does not require EMS or fire  
35 coverage: none.

1 (2) For a special event where there are two to ten thousand (2,000-10,000)  
2 anticipated attendees: two (2) Emergency Medical Technicians (“EMTs”), paramedics, or other  
3 professionals with equivalent (or higher) medical training, plus an additional two (2) such  
4 persons for each ten thousand (10,000) anticipated maximum attendees, or portion over five  
5 thousand (5,000) anticipated maximum attendees.

6 (b) The Fire Chief may approve a special event EMS plan that does not meet this  
7 staffing criterion if it is reasonably shown that public health and safety can be secured through  
8 alternative means or that such staffing is not reasonably required for the proposed special event.

9 (1) The County may require that staffing guidelines set forth above in section  
10 (a) (2) be increased or decreased as may be reasonably required to secure the public health and  
11 safety during the event depending upon whether the event objectively presents a lower or higher  
12 hazard. The staffing guidelines set forth above are intended for moderate hazard special events  
13 which include, but are not limited to, concerts, carnivals, fairs, or similar events. Low hazard  
14 special events include, but are not limited to, car shows, flea and farmers markets, local festivals,  
15 craft shows and expositions, local high or middle school sporting events and organized sporting  
16 tournaments. High hazard events include, but are not limited to, an event with stunts or having  
17 potential for presenting danger to participants or spectators or the potential for attendees to be  
18 exposed to extreme ambient temperature or weather. A special event which would normally be  
19 categorized as either a low or moderate hazard event may be reclassified as high hazard due to  
20 extreme weather or temperature.

21 (2) High hazard events may be required to provide standby onsite Advance  
22 Life Support Service with transportation capability. Staffing shall be equipped with customary  
23 supplies necessary to treat injuries and illnesses commonly associated with outdoor activities or  
24 similar events.

#### 25 **Sec. 54.49. Proof of Liability Insurance**

26 (a) Insurance for Private Property. The event promoter shall provide to the County a  
27 Certificate of Liability Insurance for special events with an anticipated attendance of five  
28 hundred (500) or more persons. This Certificate shall show general liability insurance coverage  
29 limits in the amount of one million dollars (\$1,000,000). Insurance coverage for workers’  
30 compensation shall be shown on a Certificate for any employees of the event promoter.

31 (b) Insurance for Public Property. The event promoter shall provide a Certificate of  
32 Liability Insurance to the County Risk Management for special events with an anticipated  
33 attendance of five hundred (500) or more persons. This Certificate shall show general liability  
34 coverage limits in the amount of one million dollars (\$1,000,000), naming Alachua County as an  
35 Additional Insured. Insurance coverage for workers’ compensation shall be shown on a  
36 Certificate for any employees of the event promoter.

37 (c) Alachua County reserves the right to require additional types of insurance, or to  
38 raise or lower the above limits stated above upon the identified risk of the special event. All  
39 insurance companies named on certificates must show a current A.M. Best Company rating of  
40 B+ or higher.

#### 41 **Sec. 54.50. Indemnification of Alachua County**

1 The event promoter shall indemnify, defend (with counsel acceptable to the county) and  
2 hold harmless the county, its officers, employees, elected officials, agents, boards, consultants,  
3 independent contractors, commissions and any successors to county's interest, from and against  
4 any and all claims, demands, losses, damages (including but not limited to personal injury  
5 resulting in death), liabilities (including those arising from releases of hazardous materials),  
6 suits, fines, penalties, charges, administrative and judicial proceedings and orders, judgments and  
7 all costs and expenses incurred in connection therewith, including without limitation reasonable  
8 attorney's fees and costs of defense (collectively, the "Losses") arising from acts or omissions of  
9 the event promoter or its successors, agents, contractors or employees, in connection with or  
10 related in any way to the employment of EMS or fire personnel at special events, except to the  
11 extent any losses arise from the negligent or wrongful act or omission of the county or its  
12 employees acting within the course and scope of their employment. The foregoing obligation  
13 shall extend, but shall not be limited to, claims for the following: damages to persons or  
14 property; invasion of the right of privacy; loss of ticket sales; failure to comply with the  
15 provisions of applicable law.

16 **Sec. 54.51. Mitigation of Impact**

17 Due to the nature of the special event, Alachua County may require the event promoter to  
18 notify residents, business, and places of worship, schools and other entities that may be directly  
19 impacted by the special event no later than three (3) days before the start of the event. The event  
20 promoter shall pay all costs associated with notifying affected entities.

21 **Sec. 54.52. Suspension of Special Event Permit**

22 Each plan included in the special event application, any conditions imposed by the  
23 County Manager pursuant to Sec. 52.47, and any applicable Alachua County Ordinances, shall  
24 be continuously implemented throughout the duration of the special event. Any failure to do so  
25 shall result in the automatic suspension of the permit and suspension of the special event until the  
26 event promoter fully complies.

27 **Sec. 54.53. Compliance with Fire Code**

28 All Special Events must comply with the current Fire Protection Code as adopted by the  
29 State of Florida.

30 **Sec. 54.54. Territory Embraced**

31 This portion of the Code covers the unincorporated portion of Alachua County and any  
32 municipality where the County by contract or otherwise provides Fire and EMS Services.

33 SECTION 3. Severability. If any word, phrase, clause, paragraph, section or provision of  
34 this ordinance or the application hereof to any person or circumstance is held invalid or  
35 unconstitutional, such finding shall not affect the other provisions or applications of the  
36 ordinance which can be given effect without the invalid or unconstitutional provisions or  
37 application, and to this end the provisions of this ordinance are declared severable.

1           SECTION 4. Inclusion in the Code, Scrivener’s Error. It is the intent of the Board of  
2 County Commissioners of Alachua County, Florida, and it is hereby provided that the provision  
3 of this ordinance shall become and be made a part of the Code of Ordinances of Alachua County,  
4 Florida; that the section of this ordinance may be renumber or re-lettered to accomplish such  
5 intent and that the word “ordinance” may be changed to “section,” “article,” or other appropriate  
6 designation. The correction of typographical errors which do not affect the intent of the  
7 ordinance may be authorized by the County Manager or designee without public hearing, by  
8 filling a corrected or re-codified copy of the same with the Clerk of the Circuit Court.

9           SECTION 5. Effective Date. This ordinance shall take effect immediately upon filing  
10 with the Secretary of State.

BOARD OF COUNTY COMMISSIONERS  
OF ALACHUA COUNTY, FLORIDA

ATTEST:

By: \_\_\_\_\_  
Mary Alford, Chair

\_\_\_\_\_  
J.K. Irby, Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney

(SEAL)