

1 ALACHUA COUNTY
2 BOARD OF COUNTY COMMISSIONERS

3 ORDINANCE 2024-

4 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA
5 COUNTY, FLORIDA; REPLACING CHAPTER 52 ARTICLE III, ALACHUA
6 COUNTY SPECIAL EVENT PERMIT; PROVIDING DEFINITIONS; PROVIDING
7 FOR 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 health,
10 safety, and welfare of its citizens; and

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

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

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

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

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

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

25 SECTION 2. Article III of Chapter 52 of the Alachua County Code is replaced in its entirety 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 Act.”

4 **Sec. 52.47. Definitions**

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

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

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

9 *EMS* means emergency medical services.

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

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

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

16 *Fire Chief* means the chief officer of Alachua County Fire Rescue, or their designee.

17 *High hazard* means factors that include, but are not limited to, stunts or having potential for presenting
18 danger to participants or spectators or the potential for attendees to be exposed to extreme ambient
19 temperature or weather.

20 *Low hazard* means factors that include, but are not limited to, car shows, flea and farmers markets, local
21 festivals, craft shows and expositions, local high or middle school sporting events and organized
22 sporting tournaments. A low hazard event may be reclassified as high hazard due to extreme weather or
23 temperature.

24 *Moderate hazard* means factors that include, but are not limited to, concerts, carnivals, fairs, or similar
25 events. A special event which would normally be categorized as moderate hazard event may be
26 reclassified as high hazard due to extreme weather or temperature.

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

29 *Public property* means property that is owned, leased, operated, maintained, or controlled by Alachua
30 County or other jurisdictions served by Alachua County Fire Rescue.

31 *Special event* means a temporary preplanned event including, but not limited to entertainment, cultural,
32 recreational, educational, political, religious, or sporting nature, sales, filming or audio recording for
33 commercial purposes, that is sponsored by an individual or entity and is open to the public as set forth
34 below, whether on public or private property.

- 1 (a) A “Level 1 event” is an event with an anticipated, maximum attendance at any point in time of
2 up to 500 persons.
- 3 (b) A “Level 2 event” is an event with an anticipated, maximum attendance at any point in time of
4 more than 500 up to 1,000 persons.
- 5 (c) A “Level 3 event” is an event with an anticipated, maximum attendance at any point in time of
6 more than 1,000 up to 2,000 persons.
- 7 (d) A “Level 4 event” is an event with an anticipated, maximum attendance at any point in time of
8 more than 2,000 up to 10,000 persons.
- 9 (e) A “Level 5 event” is an event with an anticipated, maximum attendance at any point exceeding
10 10,000 persons.

11 **Sec. 52.48. Applicability**

12 This Article of the Code applies to all special events in the unincorporated portion of Alachua County
13 and any municipality where the County, by contract or otherwise, provides Fire and EMS Services.

14
15 **Sec. 52.49. Special Event Permit Required**

- 16 (a) Except as provided for in (b), below, all special events shall make application for and have
17 approved a special event permit. Applications shall be submitted no more than 365 days prior to
18 the beginning of the event, but no later than:
- 19 (1) For Level 1, 2 or 3 events, 15 days prior to the event, except as in (3), below;
20 (2) For Level 4 or 5 events, 90 days prior to the event;
21 (3) For any event that occurs in whole or in part on a University of Florida home football
22 game day, the weekend prior to and including Memorial Day, July 4th and the weekend
23 closest to it, or the weekend prior to and including Labor Day, 90 days prior to the start of
24 the event.
- 25 (4) Notwithstanding the application timeframes in (1) through (3), above, the Fire Chief may
26 accept a tardy application if:
- 27 a. County staff has the capacity to conduct an ordinary review of the application
28 without causing material neglect of other staff duties or,
29 b. The event promoter pays to cover any overtime for County staff to conduct an
30 extraordinary review of the application, and staff volunteers such overtime, then
31 the County will use reasonable efforts to process a tardy application in time to
32 allow the event to be held.
- 33 (b) The following are exempt from application for a special event permit.
- 34 (1) Individuals filming or videotaping for personal or family use only, employees of print or
35 electronic news media when filming on-going news events, or students and faculty
36 filming exclusively for educational purposes;
37 (2) Funeral Repast, or similar ceremonies;
38 (3) Low hazard events where attendance does not exceed the cumulative occupant load of all
39 buildings on the property.
40 (4) Other events as determined by the Fire Chief;
- 41 (c) Notwithstanding (a) and (b), above, the Fire Chief, may waive or reduce the permitting
42 requirements for a Level 1 event if it is determined that the event does not pose a significant fire
43 or life safety threat, or if the event is considered a low hazard event.
- 44 (d) A special event permit may be processed concurrently with a Temporary Use Permit where
45 required by the Unified Land Development Code in unincorporated Alachua County.

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2 **Sec. 52.50. Required Fire/EMS Service**

3 The following special events require Fire/EMS Service Plan, as detailed in Sec. 52.52:

- 4 (1) Any Level 4 or 5 event;
5 (2) Any event incorporating pyrotechnics, explosives, or other incendiary devices, or involving
6 stunts of any kind;
7 (3) Any event that the Fire Chief determines has an adverse impact on public safety due to
8 diminished access to buildings, structures, fire hydrants or fire apparatus access roads.
9 (4) Any event that the Fire Chief determines requires EMS or fire service due to the topography of
10 the land, weather conditions, nature of event, time of day or because alcohol is sold or served.

11
12 **Sec. 52.51. Application Requirements for Special Event Permit**

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

- 14 (1) The name and address of the event promoter and if not a natural person the names and
15 addresses of the corporation and its principal officers or designees.
16 (2) The start and end dates and times of the special event.
17 (3) An estimated maximum number of people anticipated to be in attendance the event at any
18 point in time, an explanation as to how the attendance was estimated (i.e. ticket sales,
19 RSVPs, historical data for reoccurring events, etc.) and a plan for:
20 a. determining the actual number of persons in attendance at the event venue as the
21 event progresses;
22 b. keeping Alachua County informed in real time of that number; and
23 c. controlling or disbursing persons trying to enter the event after capacity is reached.
24 (4) A plan for the provision of fire protection and/or EMS, including ambulance service, and
25 emergency vehicle access in and around the event venue. Each special event utilizing county
26 roads shall leave a 15 ft wide emergency access lane. The Fire/EMS Department shall
27 delineate fire and life safety requirements depending on the nature and size of the event using
28 approved codes and standards. The Fire Chief is authorized to require employment of
29 standby firefighters, EMS, or Fire Inspectors for special events.
30 (5) Written agreement(s) with each Fire/EMS agency that has agreed to participate, in which the
31 Fire/EMS agency identifies the type of EMS or fire service, the number of EMS providers,
32 the vehicles, the equipment and supplies it will provide.
33 (6) A map of the special event site including a description and location of the onsite treatment
34 facilities.
35 (7) A risk assessment for the event, and a plan for responding to a possible disaster or medical
36 emergency at the event site.
37 (8) A plan for evacuation of the special event site.
38 (9) A plan for educating event attendees regarding Fire/EMS system access and specific hazards,
39 such as topography or severe weather.
40 (10) Evidence that those law enforcement agencies impacted by traffic or crowd control are aware
41 of the event and are involved in approval of the plan. If the event takes place inside of any
42 municipality and is within 1 mile of the municipal boundary with the County and the natural
43 traffic flow will be along County or State maintained roads once the traffic passes beyond the
44 municipal boundary, traffic control must be coordinated with the Alachua County Sheriff.
45 (11) Proof of insurance as follows:

- 1 a. Insurance for Private Property. The event promoter shall provide to the County a
2 Certificate of Liability Insurance for special events with an anticipated attendance of 500
3 or more persons. This Certificate shall show general liability insurance coverage limits in
4 the amount of \$1,000,000. Insurance coverage for workers' compensation shall be shown
5 on a Certificate for any employees of the event promoter.
- 6 b. Insurance for Public Property. The event promoter shall provide a Certificate of Liability
7 Insurance to the County Risk Management for special events with an anticipated
8 attendance of 500 or more persons. This Certificate shall show general liability coverage
9 limits in the amount of \$1,000,000, naming Alachua County as an Additional Insured.
10 Insurance coverage for workers' compensation shall be shown on a Certificate for any
11 employees of the event promoter.
- 12 c. Alachua County reserves the right to require additional types of insurance, or to raise or
13 lower the above limits stated above upon the identified risk of the special event. All
14 insurance companies named on certificates must show a current A.M. Best Company
15 rating of B+ or higher.
- 16 (12) The permit fee established by the Board of County Commissioners.

17 **Sec. 52.52. Staffing Requirements for Special Events**

- 18 (a) An EMS/fire services plan submitted under this section is a danger to public health and safety if
19 it does not prohibit medical personnel from working more than one 12-hour shift in any 24-hour
20 period. An EMS/fire services plan presents a danger to public safety and health if it does not
21 provide for the on-site professionals defined in this Section to work to event.
- 22 (b) For a Level 1, 2 or 3 special events where the Fire Chief determines the event activities present a
23 lower hazard that does not require EMS or fire coverage, no staffing is required.
- 24 (c) For Level 4 and 5 special events, a EMS/fire services plan shall include 2 EMTs, paramedics, or
25 other professionals with equivalent (or higher) medical training, plus an additional 2 such
26 persons for each 10,000 anticipated maximum attendees, or portion over 5,000 anticipated
27 maximum attendees.
- 28 (d) Notwithstanding the above, the Fire Chief may approve a special event EMS/Fire services plan
29 that does not meet this staffing criterion if it is reasonably shown that public health and safety
30 can be secured through alternative means or that such staffing is not reasonably required for the
31 proposed special event.
- 32 (e) Notwithstanding the above, the Fire Chief may require that staffing guidelines set forth in
33 sections (b) or (c), above, be increased or decreased as may be reasonably required to secure the
34 public health and safety during the event depending upon whether the event objectively presents
35 a lower or higher hazard. The staffing guidelines set forth above are intended for moderate
36 hazard special events.
- 37 (f) High hazard events may be required to provide standby onsite Advanced EMSt Service with
38 transportation capability. Staffing shall be equipped with customary supplies necessary to treat
39 injuries and illnesses commonly associated with outdoor activities or similar events.

40 **Sec. 52.53. Indemnification of Alachua County**

41 The event promoter shall indemnify, defend (with counsel acceptable to the county) and hold harmless
42 the county, its officers, employees, elected officials, agents, boards, consultants, independent
43 contractors, commissions and any successors to county's interest, from and against any and all claims,
44 demands, losses, damages (including but not limited to personal injury resulting in death), liabilities
45 (including those arising from releases of hazardous materials), suits, fines, penalties, charges,

1 administrative and judicial proceedings and orders, judgments and all costs and expenses incurred in
2 connection therewith, including without limitation reasonable attorney's fees and costs of defense
3 (collectively, the "Losses") arising from acts or omissions of the event promoter or its successors,
4 agents, contractors or employees, in connection with or related in any way to the employment of EMS or
5 fire personnel at special events, except to the extent any losses arise from the negligent or wrongful act
6 or omission of the county or its employees acting within the course and scope of their employment. The
7 foregoing obligation shall extend, but shall not be limited to, claims for the following: damages to
8 persons or property; invasion of the right of privacy; loss of ticket sales; failure to comply with the
9 provisions of applicable law.

10 **Sec. 52.54. Suspension of Special Event Permit**

11 Each plan included in the special event application, any conditions imposed by the Fire Chief pursuant
12 to Sec. 52.49, and any applicable Alachua County Ordinances, shall be continuously implemented
13 throughout the duration of the special event. Any failure to do so shall result in the automatic suspension
14 of the permit and suspension of the special event until the event promoter fully complies.

15 **Sec. 52.55. Compliance with Fire Code**

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

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

23 SECTION 4. Inclusion in the Code, Scrivener's Error. It is the intent of the Board of County
24 Commissioners of Alachua County, Florida, and it is hereby provided that the provision of this
25 ordinance shall become and be made a part of the Code of Ordinances of Alachua County, Florida; that
26 the section of this ordinance may be renumber or re-lettered to accomplish such intent and that the word
27 "ordinance" may be changed to "section," "article," or other appropriate designation. The correction of
28 typographical errors which do not affect the intent of the ordinance may be authorized by the County
29 Manager or designee without public hearing, by filling a corrected or re-codified copy of the same with
30 the Clerk of the Circuit Court.

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

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5 ATTEST:

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10 _____
J.K. Irby, Clerk

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13 (SEAL)

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15 BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA

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19 By: _____
20 Mary Alford, Chair

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25 APPROVED AS TO FORM

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County Attorney