
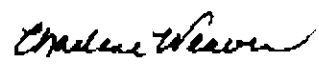



<b>Date:</b> 03/19/2015		<b>AGENDA ITEM</b>		<b>Item:</b> 32
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Budget Resolution	<input checked="" type="checkbox"/> Other	
<b>Department:</b> Public Protection				
<b>Division:</b> Beach Safety				
<b>Subject:</b> Special Event permit - Barefoot on the Beach				
Terry Boczkus Proxy for George Recktenwald Interim Director Public Protection Department Approval		<b>Legal</b>  Jamie E. Seaman County Attorney    Approved as to Form and Legality	<b>County Manager's Office</b>  Charlene Weaver, CPA, CFO Deputy County Manager  	
Mark Swanson Director Beach Safety    Division Approval				
<b>Council Action:</b>				
<b>Modification:</b>				
<b>Account Number(s):</b> NA				
<b>Total Item Budget:</b> NA				
<b>Staff Contact(s):</b>		<b>Phone:</b>	<b>Ext.</b>	
George Recktenwald		386 740 5120	12904	
Mark Swanson		386 239 6414	20330	
<b>Summary/Highlights:</b> The National Association of County Engineers and the American Public Works Association seek a special event permit. The application is for the Barefoot on the Beach cook-out, a one day event to take place on the beach in front of the Bandshell Tuesday, April 21, 2015 for conference attendees, their families and guests. The applicant plans to provide alcohol as part of the event. The beer trailer and the cooking trailer will remain on the beach during the event. Event attendees will be identified with bracelets and security will be provided by Beach Safety staff. This area is in the Traffic free zone. The applicant has been notified that all insurance requirements and environmental conditions must be satisfied before final approval will be granted for the permit. The county code provides that only the county council can waive its prohibition of alcohol on the beach				
<b>Recommended Motion:</b> Approval.				



**BEACH SAFETY DIVISION**  
**VOLUSIA COUNTY COUNCIL AGENDA - SPECIAL EVENT APPLICATION**

15-060                      Barefoot on the Beach w/ NACE & APWA  
Permit #                      Name

04/21/2015                      on the beach in front of the Bandshell  
Permit Date                      Location

**Attached:**

  X   Application

  X   Site Plan

  X   Environmental Conditions

       DEP Permit (if required)

  X   Insurance – to be reviewed & approved by Risk Management prior to event

**Request For:**

       Beach Closure

  X   Alcohol Consumption on the beach

       County Sponsorship

       Premiums (give away) – Event Specific

       Sales – Event Specific

       Bonfire Permit (reviewed / approved VCFS)

  X   Other (explain) beer trailer & cooking trailer will remain on the beach during the event. Total event area is 200 ' x 50' and is shown on the site map in blue (part of the event will be setup on the boardwalk).



County of Volusia  
Department of Public Protection  
Beach Safety Division  
515 South Atlantic Ave., Daytona Beach, FL 32118  
(386) 239-6414 • Fax (386) 239-6420  
www.volusia.org

## 2015 SPECIAL EVENT APPLICATION

DATE: 01/16/2015

PERMIT NUMBER: 15-060

**DESCRIBE EACH ACTIVITY THAT WILL TAKE PLACE ON THE BEACH:**

Private party with 4 fires, pig roast, oyster bar, smores bar, beer tubs (2), liquor bars (2), grills

**LIST ALL EQUIPMENT THAT WILL BE USED FOR THE EVENT:**

Tables, Fire Containers (Pits), BBQ Grill (large), Beer Tub (manned), Liquor Bars (manned), Ice Coolers

**EVENT LOCATION ADDRESS:**

70 Boardwalk, Daytona Beach

LINEAR FEET REQUIRED FOR EVENT: 200 N-S, 50 E-W

SET UP DATE(S): 04/21/2015

EVENT DATE(S): 04/21/2015

NUMBER OF DAYS: 1

BREAK DOWN DATE(S): 04/21/2015

EVENT TIME(S): FROM 1500 TO 1800 -SET UP

FROM 1800 TO 2300 -EVENT

FROM 2300 TO 2400 -BREAK DOWN

TITLE OF THE EVENT: Barefoot on the Beach with NACE / APWA

EVENT SPONSOR: Nat'l Assoc of County Engineers / American Public Works Assoc.

ADDRESS: 25 Massachusetts Ave CITY: Washington

STATE: DC ZIP: 20001 PHONE: 202-393-5041 FAX: 202-393-2630

CONTACT PERSON: Brian Roberts / Todd Buckles E-Mail: broberts@naco.org / tbuckles@volusia.org

WEB URL: www.countyengineers.org

ESTIMATED DAILY ATTENDANCE: 800

WILL FEES BE CHARGED: Y N

IF YES, EXPLAIN: Attendance includes Bandshell space received through City of Daytona

**PERMITTEE SHALL KEEP A COPY OF THIS PERMIT ON SITE, WHILE OPERATING ON VOLUSIA COUNTY BEACHES**

### FEES

- \$100 application fee due upon submission of the application.
- Daily beach use fees which includes 100 linear feet; if more than 100' then charged per foot. These fees depend upon the time of year (peak or non-peak) & type of event (N/A for non-profit & closed to the public events).
- Alcohol fee of \$50 per day (requires County Council approval).
- Sponsor/Banner fee of \$50 per day.

### GENERAL CONDITIONS

- This application must be completed and returned to *Beach Services*, 515 South Atlantic Avenue, Daytona Beach, FL 32118 at least 45 days prior to the event.
- There shall be no sale or distribution of products or other material without the prior approval of *Beach Services*.
- An approved Special Event Application is required for all groups and must be in the possession of the applicant at the event.

*The applicant must provide at his/her expense the following services as determined necessary by Volusia County Beach Services. Any contractor used for the following service(s) must have HCP training prior to operating on Volusia County beaches. You may coordinate training through Environmental Mgmt. at 386.238.4716.*

1. *Additional Lifeguard, Law Enforcement and /or traffic control personnel*
  2. *First Aid*
  3. *Sanitation facilities to accommodate crowd*
  4. *Other items such as trash cans, barricades etc.*
- Groups shall leave areas in clean and orderly condition, satisfactory to Beach Safety, including, but not limited to, trash removal and returning the beach to grade.
  - The applicant, in exercising the privileges granted by this permit, shall comply with ordinance Chapter 20, Beach Code, Volusia County Code of Ordinances.
  - This permit is a revocable permit and may be revoked at the discretion of the *County Council, Volusia County or Beach Safety* upon 24 hours notice or without notice, if the safety and health of the public is threatened, notwithstanding any other terms or conditions of the permit to the contrary.
  - The permittee hereby agrees to save and hold harmless the County of Volusia, its agents and employees, from any and all claims, damages, suits at law or equity of whatever kind of nature for damages to or loss of property or injury or death to persons, resulting directly or indirectly from, or attributable to, the applicant or its employees in connection with the special event authorized by this permit.

### SITE PLAN: (use attached) - Please include:

- Area to be closed
- Any structures, booths, bleachers, tents to be erected
- If placement of structure requires digging or placement of posts, please indicate where and how many.
- Sanitary facilities (trash, comfort stations)
- Special parking arrangements
- Any special features (TV, radio coverage, etc.)



**ENVIRONMENTAL CONDITIONS** *please initial each condition*

The protection of the beach ecosystem is a priority of *Volusia County Beach Safety*. All special events must be managed in a manner that preserves the natural resources of Volusia County Beaches and must comply with all state, federal and County environmental regulations.

- BR 15* All event activities and temporary equipment set-up must take place fully seaward (east) of the Conservation Zone (CZ; conspicuously marked with posts and signs). No driving or parking of vehicles or trailers in the CZ is permitted.
- BR 15* All general public driving and parking rules apply. The speed limit is 10 mph on the beach at all times. **NO** activity is permitted within 30 feet of a marked sea turtle nest.
- BR 15* In public driving areas, vehicles must obey all standard driving rules including opening and closing times (November 1 – April 30: sunrise to sunset; May 1 – October 31, 8:00 AM to 7:00 PM). No driving or parking of vehicles or trailers is permitted in the Natural Beach (non-driving) areas without explicit authorization from Volusia County.
- BR 15* Fully protect all beach vegetation. Keep all event participants off the dune and dune vegetation. Protect the dune. The dune must not be altered either by direct means such as digging, excavation, or by heavy pedestrian traffic. All pedestrian access to the beach must be via vehicle access ramps or elevated dune crossovers. Removal of beach sand from the beach is prohibited.
- BR 15* All equipment associated with the event and all trash generated by the event must be removed from the beach upon conclusion of each day's activities.
- BR 15* Use of disposable Styrofoam items is prohibited.
- BR 15* Use of toxic chemicals or materials is prohibited.

**\*Additional Environmental Conditions specific to your event may be applicable. These conditions will be attached to your permit and must be followed.**

**INSURANCE**

The permit holder shall carry, at a minimum, a \$1,000,000 comprehensive general liability insurance policy (or special events policy) and the County of Volusia shall be an additional insured under the policy. The permit holder shall provide a Certificate of Insurance naming the County as the certificate holder and additional insured under the comprehensive general liability policy in the format below:

County of Volusia  
123 W. Indiana Avenue  
Deland, FL 32720

Prior to obtaining insurance, we recommend you contact Scott Poertner, Volusia County Risk Management to verify insurance requirements. Additional policies may be required upon application review. Mr. Poertner can be contacted at 386-736-5963.

**Please provide a copy of your W-9 along with this application for our Accounting Dept's financial records; or you can provide your EIN or SSN here:** 59-1002720



Applicant Signature

11/16/15  
Date

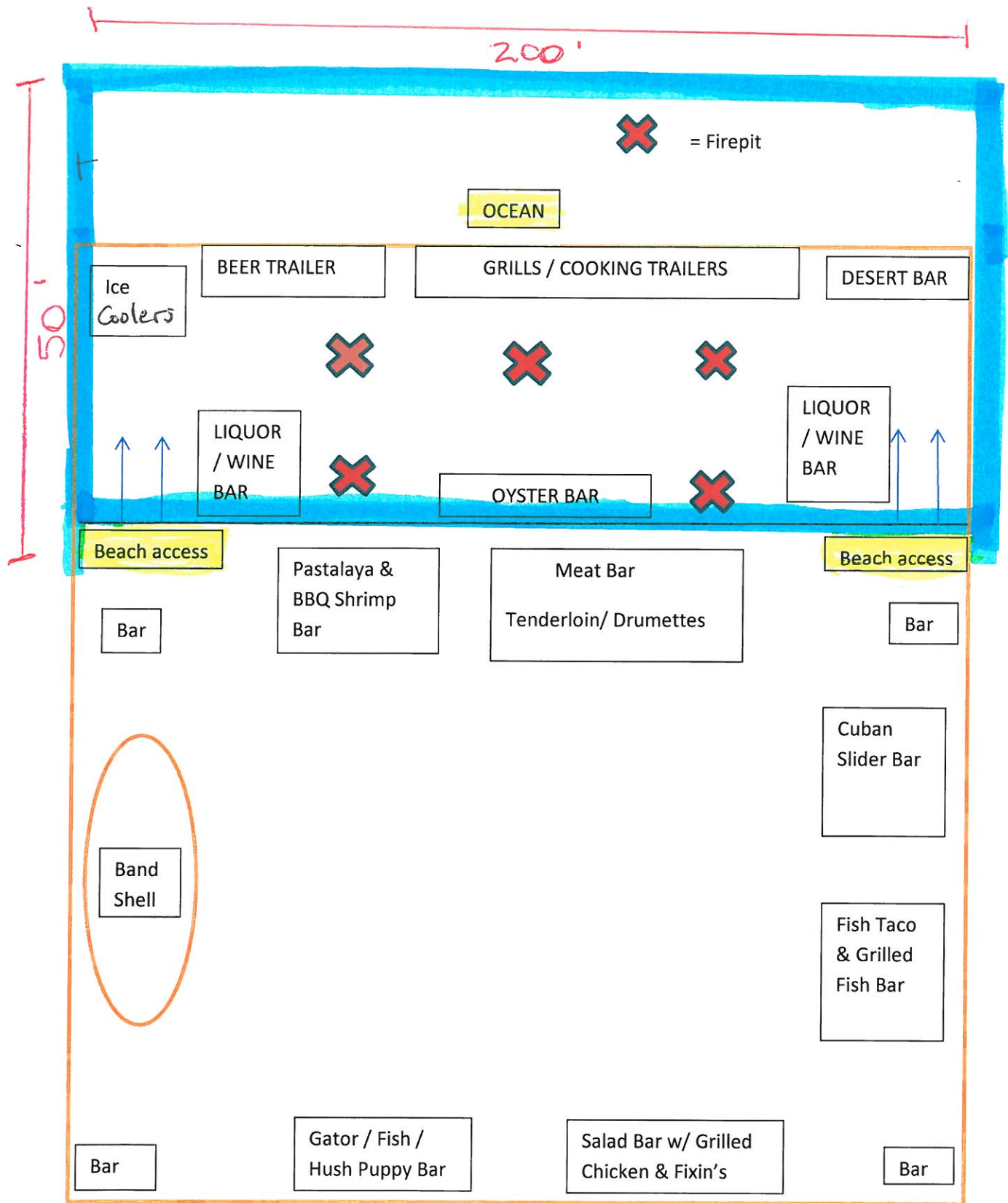
**OFFICE USE ONLY**

Beach Director

Date

Director, Special Events

Date



Each of the food bars will have Salads and fixin's at them

Permit #: 15-060

PSS Review: N/A

**Title: Barefoot on the Beach with NACE/APWA**

April 21, 2015

70 Boardwalk, Daytona Beach

**ENVIRONMENTAL CONDITIONS**

- 1) Follow the environmental conditions described in the special event permit application.
- 2) **This event may also require a Florida Department of Environmental Protection (FDEP) Permit (FDEP; 904-655-1765 or [trey.hatch@dep.state.fl.us](mailto:trey.hatch@dep.state.fl.us)) for allowance of temporary equipment on the beach after sunset. You must adhere to all conditions imposed by the FDEP permit as well as those additional requirements set forth below. A copy of the FDEP permit must be provided to Volusia County Beach Services prior to the event.**
- 3) Volusia County's Habitat Conservation Plan (HCP) requires that all equipment is set-up outside (seaward) of the marked Conservation Zone (CZ), and activities stay off the dune and dune vegetation. **Within the Traffic Free Zone (International Speedway Blvd. to Seabreeze Blvd.), the CZ is unmarked. To comply with the HCP, equipment and structures must be set-back at least 15 feet from the seawall or toe of dune.** Any damage to the dune shall be restored to its pre-event condition.
- 4) **Within the Traffic Free Zone, vehicles will only be allowed for set-up and clean-up of the event and must obey all standard driving rules, including access times (sunrise-sunset, tide permitting).** Therefore any equipment to be set-up prior to sunrise or removed after sunset in the Traffic Free Zone must be hand-carried. No other driving or parking of vehicles on the beach in this zone will be permitted. Coordinate with the Beach Safety Headquarters, (386) 239-6414, for access into the Traffic Free Zone.
- 5) **Outside the traffic Free Zone all standard public parking and driving rules apply.** Vehicular Access may be delayed or prohibited when environmental conditions, such as high tides, warrant.
- 6) **All equipment associated with the event and all trash generated by the event must be removed from the site upon conclusion of event activities.**
- 7) **Please recycle.** Host a "Green Event" and encourage all participants and spectators to use the yellow recycling bins next to trash cans posted along the beach and promote other eco-friendly activities.

I have read, understand and agree to follow the Environmental Conditions 1-7 described above:

Applicant Signature: 

If you have any questions about the Environmental Conditions for your event, please contact Jennifer Winters, Habitat Conservation Plan Coordinator, County of Volusia at (386) 238-4668 or [jwinters@volusia.org](mailto:jwinters@volusia.org)



**Sec. 20-127. Unattended items.**

Unattended portable recreational equipment, including but not limited to, tents, canopies, cabanas, shading devices, chairs, tables, grills, and volleyball nets, on the beach from 9:00 p.m. to 6:00 a.m. is declared to be a public nuisance and shall be removed and disposed of by Volusia County or its designee, except such portable recreational equipment otherwise permitted by federal, state or local law.

(Ord. No. 2012-13, § I, 8-9-12)

**Secs. 20-128—20-140. Reserved.**

### ARTICLE V. TEMPORARY USE FOR SPECIAL EVENTS

**Sec. 20-141. Penalty.**

Violations of this article are punishable as provided in section 1-7.

**Sec. 20-142. Policy; objective.**

This article is intended to ensure broad beach usage by allowing temporary uses of the beach for purposes which otherwise would be prohibited. These special uses would be allowed by a permit that waives certain restrictions under specific conditions which still protect the public health, safety and welfare. The permitting process is intended to provide a convenient procedure to be followed by beach users and ensure that beachfront cities have notice.

(Ord. No. 87-36, § 5.00, 11-16-87; Ord. No. 97-2, § I, 2-6-97)

**Sec. 20-143. Permit required.**

No person shall organize, promote or conduct a special event except as provided in a special event permit issued pursuant to this article.

(Ord. No. 87-36, § 5.01, 11-16-87)

**Sec. 20-144. Reserved.**

**Editor's note**—Section I of Ord. No. 97-2, adopted Feb. 6, 1997, deleted § 20-144 in its entirety. Formerly, § 20-144 pertained to permits for small events and derived from § 5.02 of Ord. No. 87-36, adopted Nov. 16, 1987; § 3 of Ord. No. 89-34, adopted Aug. 25, 1989; and § I of Ord. No. 93-5, adopted Feb. 18, 1993.

**Sec. 20-145. Permits for special events.**

A special event may be permitted by the beach director if the special event facilitates the recreational use of the beach in accordance with the philosophy set forth in section 20-4. Such a permit shall according to its terms constitute a temporary waiver of one or more provisions of this chapter. An application for such a special event shall be filed with the beach director containing pertinent information such as time, date, place and nature of the event, crowd size, commercial sponsorships and any other information reasonably required by the beach director. No permit shall be issued by the beach director for waiver of any provision of this chapter and unless he shall be reasonably satisfied that the public health, safety or welfare will not be endangered thereby; the permit is consistent with and will facilitate the customary recreational uses of the beach; the use of the permit will not constitute an undue intrusion upon established residential neighborhoods adjacent to the beach; and the permit conforms to any plan for zones of use then in effect. After the beach director is satisfied that the application is complete, a copy of the application will be delivered to any municipality that is affected by the proposed special event for its review and comment, including whether or not it will provide any services that may be needed by the special event. Such comments as the municipality shall desire to make shall be provided within two weeks. Upon conclusion of the period for comment, the beach director shall grant or deny the permit. If the permit is granted the beach director shall issue the permit with all conditions included therein. Conditions shall include payment of on-beach costs, and off-beach costs directly attributable to such event, insurance and any other reasonable conditions. The beach director will then transmit the permit to the municipality and the applicant. No permit shall be issued waiving the provisions of this article concerning alcoholic beverages or temporary closure of a portion of the beach to vehicular traffic unless the beach director obtains approval from the county council. The determination of the beach director will be final unless the applicant or municipality appeals the same to the county council.



cil, in which event the county council shall review the decision of the beach director and make a final determination thereof.

(Ord. No. 87-36, § 5.03, 11-16-87; Ord. No. 97-2, § I, 2-6-97)

**Sec. 20-146. Effect of permit; violation of permit conditions.**

A special event permit will preempt or waive otherwise conflicting provisions of this chapter as provided in the permit. Violation of the terms of a permit will be cause for immediate revocation of the permit by the beach director and a violation of this chapter, and shall be punished as provided for in section 20-141.

(Ord. No. 87-36, § 5.04, 11-16-87)

**Sec. 20-147. Commercial events.**

Provided that the event is not to be held directly opposite a residential neighborhood, commercial events shall not be denied a permit under this article solely because the event involves the promotion or advertisement of commercial or business interests. Reasonable franchise fees may be imposed by the county council as a condition of the permit.

(Ord. No. 87-36, § 5.05, 11-16-87)

**Secs. 20-148—20-170. Reserved.**

**ARTICLE VI. TRAFFIC AND VEHICLES\***

**DIVISION 1. GENERALLY**

**Sec. 20-171. Penalty.**

Violations of this article are punishable as provided in section 1-7.

(Ord. No. 87-36, § 6.06, 11-16-87)

**Sec. 20-172. Objective; policy; authority of enforcement officials.**

(a) The objective of this article is to provide motor vehicular access to the beach during daylight hours subject to conditions that will promote

\*Cross reference—Traffic and vehicles, ch. 118.

Special acts reference—Exception to licensing requirement for operation of vehicles rented from beach concessions, § 234-1.

separation of motor vehicles and people on the beach, conserve as much as possible of the beach for use by pedestrians, promote an even, uncongested flow of traffic along the beach and onto and off approaches, discourage unnecessary beach traffic, and give notice of hazards that remain. No provision of this division shall be deemed to create a duty of care not otherwise existing as a matter of law.

(b) The beach director and all law enforcement officers with authority for traffic enforcement on the beach shall provide by the placement of signage and by traffic direction and enforcement that traffic is restricted to a single lane of northbound traffic and a single lane of southbound traffic. A single driving lane will be approximately ten feet wide. The western edge of the southbound lane will be set at the mean daily high tide line and extend eastward ten feet. The northbound lane will extend an additional ten feet east. The parking area will begin at the mean daily high tide line and continue 30 feet west. At no time will the parking area encroach into the conservation zone, except in those areas specifically delineated in subsection 20-272(a). The beach director may authorize one driving lane in those areas deemed appropriate by the director. The beach director and all law enforcement officers shall direct that drivers park their motor vehicles in an orderly fashion to conserve parking spaces. In the discretion of the beach director or his designee, if there is not at least 15 feet of hard packed sand not under high tide inundation, the driving lanes may be temporarily shut down until the high tide recedes. The beach may be closed to driving during this time period; parked vehicles may remain. The beach director and all law enforcement officers shall have the discretion to move these designated areas according to circumstances on the beach.

(c) When the westerly row of parking has been filled, and provided that tidal conditions permit, the beach director and law enforcement personnel may allow parking on the east side of the traffic lanes. If there is to be a high tide during peak hours of beach use, tidal conditions ordinarily would not be deemed to permit a second row of parking until after the tide has turned and receded far enough to allow beach users a pedes-

