



AGENDA ITEM MEMORADUM

Town Manager's Office

Bud Bentley/Tuchette Torres

Department

Assistant Town Manger/Code Compliance Officer

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> April 10, 2012	

*Subject to Change

- Presentation Reports **Consent** Ordinance
 Resolution Quasi-Judicial Old Business New Business

SUBJECT TITLE: Special Event Application for Athena's By The Sea for Music By The Sea event proposed for Saturday nights from May 12, 2012 to May 11, 2013.

EXPLANATION: The event is proposed to be held on Saturday evenings from May 12, 2012 to May 11, 2013. Set up of the event will start at 4:00 p.m. and the area will be cleaned up by 11:00 p.m. The event requires closing west bound Commercial Boulevard between A1A and El Mar Drive.

The Special Event Application is attached (**Exhibit 1**). An annual permit for the Saturday night events was first approved by the Commission on April 27, 2010 making this the third annual permit for this event.

The applicant is requesting that the event music end at 11:00 p.m., however, Section 17-114(C) (10) of the Town code requires all broadcasting of live or recorded music to cease by 10:30 p.m. which is reflected in the event conditions below. In the last two years, the Commission has only approved New Year's Eve and St. Patrick's Day events for a later time. The proposed music time and the past times are as follows:

Annual Permit	Road Closing	Music ends	Street Open
2010 – 11	4:00	10:00	11:00
2011 – 12	4:00	10:30	11:00
2012 – 13 Request	4:00	11:00	11:00
Recommended	4:00	10:30	11:00

We have also discuss with the applicant the desirability of upgrading some of the materials used at the event site, for example, the orange construction fencing that is used as a pedestrian barrier on the Commercial Boulevard median. The applicant is agreeable to change if a reasonable priced alternative is available that can be easily moved and stored. We have modified Condition 4 to provide that the materials, barricades and fencing used within the event site are subject to the Town Manager's approval.



RECOMMENDATION: Approve with the following conditions:

1. The event hours are from 4:00 pm (closing of Commercial Boulevard) to 11:00 pm (opening of Commercial).
2. The event shall comply with code Section 17-114 (C) (10) and all broadcasting of live or recorded music shall cease by 10:30 p.m. The Sound system shall be operated so as not to violate the Town's Code by not exceeding 90 dba or 95 dbc between the hours of 7:00 am and 10:00 pm or 75 dba and 75 dbc from 10:00 to 10:30 pm when measured at or beyond 200 ft.)
3. The Police Chief shall specify the number of detail officers needed for traffic and crowd control. In the past, BSO has specified two off duty detail deputies.
4. The site plan may be administratively modified when necessary to improve public safety or the functionality of the even. Materials, barricades, fencing used within the event site are subject to the approval of the Town Manager.
5. Provide additional waste receptacles and recycle bins. At the end of the event the applicant shall empty the Town's waste receptacles within the event area.
6. Proof of general liability insurance coverage in an amount not less than one million dollars with the Town listed as a coinsured shall be provided no less than 30-days in advance of each event with notification to Town required in the event of cancellation of coverage.
7. Barricades shall be placed at the east and west ends of Commercial Boulevard to close the street to traffic. Fencing that is sufficient to prevent jay walking shall be placed along the Commercial Boulevard median.
8. No alcohol is permitted outside of the designated area.
9. All electric cords shall be covered and secured so as not to pose a hazard to the public or event staff.
10. Tents and stage must not interfere with pedestrian walkways, ingress or egress.
11. In the event that insurance certificates, licenses and other material requirements are not provided by the required dates, the approval for this event shall expire unless the Town Manager finds there are extenuating circumstances that the event sponsors have cured or can immediately cure without compromising the health, welfare and safety of the citizens of the Town of Lauderdale-By-The-Sea or those attending the event and without increasing the administration costs of the Town.
12. The Town Manager may suspend permission for this event or the onsite Town representative may terminate an event due to the applicant not complying with the terms and conditions of the Town's event permit or for health or safety issues, such as crowds that exceed the capacity of the event site.
13. The Town Commission may rescind this annual special permit by providing thirty (30) days written notice.

EXHIBITS: 1. Special Event Application

Reviewed by Town Attorney
 Yes No

Town Manager Initials *CA*



The Town of Lauderdale-By-The-Sea
Special Event Application



SPECIAL EVENTS APPLICATION

This completed application must be submitted 60 days prior to the date of the event together with a \$100 application fee to: Assistant Town Manager, Town Hall, 4501 Ocean Drive, Lauderdale-By-The-Sea, Florida 33308-3610.

This application is available on the Town website at www.lauderdalebythesea-fl.gov.

Questions: Phone: 954-776-3611 or email ATM@lauderdalebythesea-fl.gov

Special events are approved by the Town Commission. The Special Event Permit will state all of the conditions that shall be met for the event to be held. The applicant shall be responsible for securing and paying for all licenses, and permits required by any governmental agency having jurisdiction, providing the Town evidence of all required insurances, and providing evidence of organization and/or charity.

1. Name of event: Music By The Sea
2. Day and date of event: Every Saturday Night starting May 12, 2012 till May 11, 2013 Returning event X
3. Location where event will be held: Westbound Commercial Between El Mar and Ocean Drive
4. Description of Event: Musical Festivities, Street Event
5. Name and address of sponsor or hosting organization Athena By The Sea
4400 Ocean Drive LBTS , FL 33308
6. Name(s) of local contact person(s) who will be present each day of the event: Louis Marchelos
Mailing address: 4400 Ocean Drive LBTS, FL 33308
Daytime phone#: 954-771-2900 Evening phone#: 954-771-2900 Mobile phone#: 954-465-7934
Email: emarchelos@aol.com Fax#: _____
7. What is the actual beginning and ending time of the event? 6:00pm-11:00pm
Start of set-up time? 4:00pm End of tear-down time? 11:00pm
8. What type of audience is the event planned for? Families, Locals, Tourists
9. How many participants do you anticipate? 100 spectators? _____ adult volunteers? No
10. Are there fees for the participants or spectators? No Will fees be collected on-site? No

DETAILED SITE PLAN (required)

The Town of Lauderdale-By-The-Sea
Special Event Application

11. A detailed site plan must be included with the application. Draw a plan on page 6 or attach separately to this application. Identify any street closures or public parking areas affected. Briefly describe the proposed route for parades, runs, walks, etc and include route on detailed site plan.

See map

STREET CLOSURES

12. Are you requesting that any public streets be closed for the event? Yes No

If yes, indicate the streets and blocks and times the closure is requested:

Westbound Commercial Blvd. Between Elmar and Ocean

TRAFFIC CONTROL/BARRICADES

A traffic control contractor may be required for events which require barricades or traffic control signage.

13. Please list your traffic control contractor, if applicable. _____

VEHICLE LOADING/UNLOADING

14. Are you requesting that vehicles be permitted to load/unload in non-metered areas? NO

If yes, please indicate the location and times loading and unloading would occur: _____

PARKING

Include detailed site plan indicating how on and off street parking will be accommodated. Information on signage must include location, colors, size and number of signs. Indicate signage to be placed in any right of way that directs traffic to the event and their approximate size. If you are requesting that vehicles be permitted to drive or park on Town property, please indicate the type(s) of vehicles, the locations, and times they would be parked. Applicant shall be responsible for restoration of any damage to Town property

N/A

15. Are you requesting use of Town parking meter spaces for the event? Yes No

If yes, provide the meter numbers on the site plan and purpose for which they will be used.

Spaces to be used are meters 120 to 132

Unless the parking meter fees are waived by the Town Commission, all fees must be paid at the beginning of the month of the event.



The Town of Lauderdale-By-The-Sea
Special Event Application

SIGNAGE

Will signs be erected for the event? Yes ___ No X Number of signs ___ Size ___ sq.ft.
Location of signs _____

Locate signs on detailed site plan.

OFF DUTY POLICE/CODE COMPLIANCE OFFICERS

Off duty police officers are required for street closures, events with alcohol, or large crowds, as determined by the Sheriff's Department. Applicant is responsible for additional code compliance officers to ensure compliance with Town codes.

16. Do you anticipate hiring off duty police/code compliance officers for your event? Yes X No ___

BJO Detail

ANIMALS

17. Any exhibition or similar undertaking in which animals are required to participate in performances for the amusement or entertainment of an audience is subject to Town Commission approval. Are animals included in your event? Yes ___ No X

SOUND SYSTEMS

18. Request to use amplified sound on public property-the following is requested:
x Amplified sound/speaker system x Live music ___ Recorded music

CLEAN UP AND TRASH REMOVAL

Clean up of the event area immediately following the event, including trash removal, is the responsibility of the applicant.

19. Please name the contractor or organization, including phone number who is responsible for:

Clean up of the event site: Athena By The Sea

Removal of trash from the event site: Athena By The Sea

TOWN UTILITIES

Electrical power and/or water supply is the responsibility of the applicant. A fee is required, paid in advance, to use Town utilities. Indicate generators and fuel storage locations on the detailed site plan.

20. Will the event require the following on public property?

NO Electrical power-Describe use: _____

NO Water - Describe use: _____

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The Town of Lauderdale-By-The-Sea
Special Event Application

VEHICLES ON PARK GROUNDS

21. Vehicles are not allowed to drive or park randomly on the turf of Town property or park grounds due to extensive underground irrigation systems that sustain damage when vehicles drive across them.

RESTROOMS (refer to item #9)

22. Will additional restroom facilities be brought to the event site? no If yes, how many? _____

A Broward County permit is required for portable toilets. The number of portable toilets required for events with fewer than 1500 participants is as follows; 1 toilet per 75 males, 1 per 40 females. Ratio of male to female is 50/50. Separate male and female handicap accessible restrooms are required. Business locations that exceed the required # of restroom facilities may count the extra facilities toward calculating the total number required. For additional information, please contact the Building Department at 954-492-1830.

TENTS/CANOPIES/STAGES

Tents, canopies (larger than 120 sq.ft. or multiple tents without separation) and stages require a Broward County Permit, contact Broward County.

23. Please indicate if any of the following will be assembled at the event and locate on the site plan.

 Tent (size: x) 3 Canopy (size 10 x 10) 1 Platform Stage for Band Bleachers

The use of tents requires a review by the LBTS Fire Marshal, with approval labels attached to the tents and canopies. Tents are generally defined as temporary structures having two or more sidewalls or drops. Rental agencies must provide documentation of the flame spread labeling for submittal with application. Stages and bleachers must include product approvals that are supplied by the manufacturer.

FIREWORKS (Fireworks require a separate permit approval process and application)

24. Are you requesting approval to discharge fireworks at the event? Yes No X

FOOD

25. Will food be served at the event? Yes X No If yes, is the food provided:
Free of charge Available for purchase X Non-Profit For profit
Please list the types of food you are serving: Athena Menu

Cooking Equipment: Fryers? Charcoal Grills? Propane Grills? Concession trailers?
Open fires? Warmers? Sterno? Smokers? Hoods? Refrigerators?

Are you requesting approval to offer other items for sale at the event? Yes No
List other items

EVENT CONTRACTOR

26. Please name your event contractor, if applicable: Louis Marchelos

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ALCOHOL

27. Are you requesting that alcohol be served or sold at the event? Yes
If yes, please provide copy of appropriate State license.

PERMISSION OF THE PROPERTY OWNER

28. An event held on property that is not owned by the applicant requires the permission of the property owner. Include a notarized affidavit in the permit submittal including the beginning and ending dates.

RIDES (rides may require a State of Florida inspection)

29. Are rides to be included in the event? Yes _____ No X
Types: Mechanical/Electrical _____ Inflatable (bounce house etc.) _____ Manual (slides, trampolines) _____

Include a copy of the contract(s) with any provider of rides, mechanical devices and amusements.

FIREWATCH

30. If determined in the review of the application, the applicant must provide for a fire watch and/or an EMS Crew during the event. Large events or those using combustible materials may require qualified stand-by personnel and the appropriate equipment.

LICENSES

31. Copies of State and County licenses for vendors and contractors, as required.

INDEMNIFICATION

32. Applicant shall indemnify, defend and hold harmless the Town, its officers, agents and employees, from and against any and all claims, suits, actions, damages, liabilities, expenditures or causes of action of any kind arising directly or indirectly from this Special Event and resulting or accruing from any intentional act or any negligent act, omission or error of Applicant which in turn results in or relates to injuries to body, life, limb or property sustained in, about or upon the Special Event Area, and arising from the use of the Town property.

Applicant shall defend, at its sole cost and expense, any legal action, claim or proceeding instituted by any person against the Town as a result of any claim, suit or cause of action accruing or in any way arising out of this Special Event Application for injuries to body, life, limb or property as set forth above.

Applicant shall save the Town harmless from and against all judgments, orders, decrees, attorneys' fees, costs, expenses and liabilities incurred in and about any claim, and the investigation or defense of them, which maybe entered, incurred or assessed as result of the foregoing.



The Town of Lauderdale-By-The-Sea
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STATEMENT OF BENEFIT

33. If the applicant is seeking sponsorship/co-sponsorship from the Town of Lauderdale-by-the-Sea, a Statement of Benefit is required by Town Code and must be submitted with application.

Insurance Certificates or Binders establishing proof of coverage of general liability insurance listing the Town of Lauderdale-By-The-Sea as additionally insured must be provided for permit to be issued. An approved form of a certificate of liability insurance must be received 30 days prior to the event date.

By signing this event application, the petitioner agrees to all terms, conditions, and indemnification in this application, and understands that this application is not permission to violate any laws, ordinances or statutes. The Sheriff's Department has the authority, in the interest of the public welfare, safety, or order to terminate the event without notice. Additions and/or revisions to this application shall be submitted in writing.

The Applicant shall keep safety inspection and financial records of the event sufficient to document all revenues generated by the event. These records shall be open for audit by the Town in the event the Town acts as sponsor or co-sponsor of the event.

[Handwritten Signature]
Applicant's Signature (required)

3-15-12
Date

Elias Marchelos, Athena By The Sea
Applicant's Printed Name and Title/Organization

954-465-7934

STATE OF FLORIDA:
COUNTY OF BROWARD:

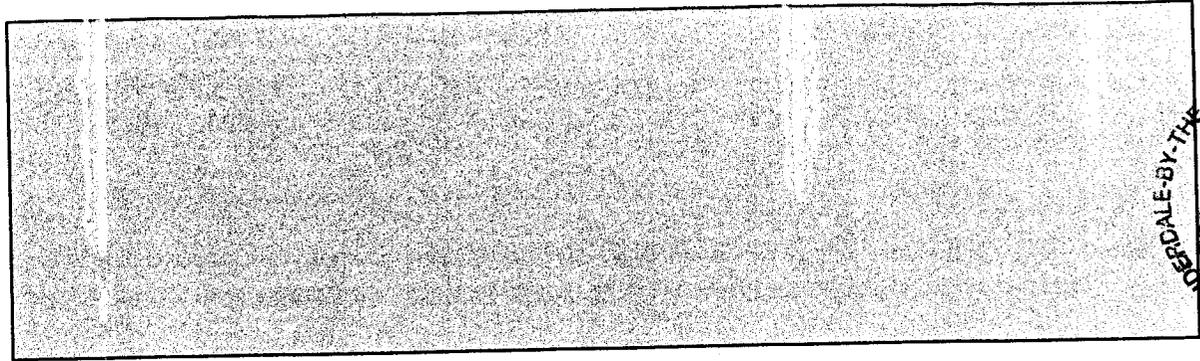
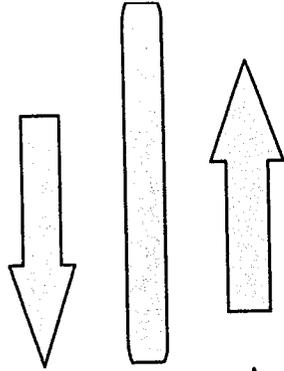
SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida,
by Elias Marchelos who is personally known to me/provided _____ as
identification and who did/did not take an oath.

Linda Connors
Notary Public, State of Florida

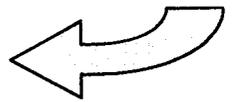
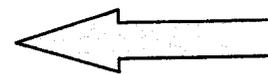
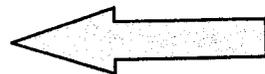
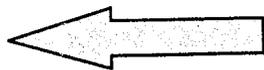
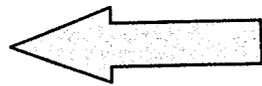
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SCOTTS

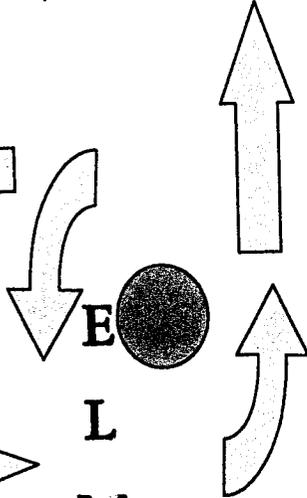


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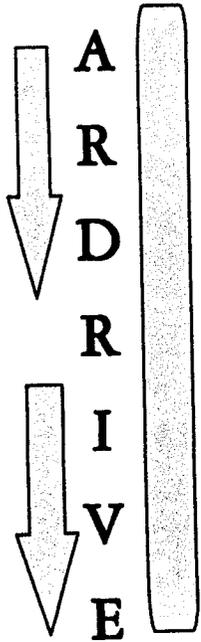
A
1
A

Median



COMMERICAL BOULEVARD east
Median

VILLAGE GRILL



B
A
R
R
I
E
R

*Move BMK
Close
to
median*

#1
ATHENA
BAR

STAGE

B
A
R
R
I
E
R

Center line

#2
ATHENA
BAR

*Move bar
away from
sidewalk*

SIDEWALK

101
DIAMOND &
ATHENA
DOGGIES
KILWINS

