

ORDINANCE 2013-16

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING SECTION 2-192 EVENT DISCLOSURE OF THE BUNNELL CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the permitting of special events is regulated in Chapter 2 of the Code of Ordinances; and

WHEREAS, said regulations are in need of revision; and

WHEREAS, it is the intent of the City Commission to protect the rights of its citizens to engage in protected free speech activities and allow for the least restrictive and reasonable time, place and manner regulation of those activities; and

WHEREAS, the City has exclusive rights to solid waste services within the City;

NOW THEREFORE BE IT ORDAINED BY THE COMMISSION OF THE CITY OF BUNNELL, FLAGLER COUNTY, FLORIDA THAT:

Section 1.

Section 2-192, City of Bunnell Code of Ordinance is hereby amended as follows:

Sec. 2-192. - Event disclosure.

All applicants to hold an event shall be required to disclose the event on the city's event disclosure form for determination whether the event is a special event requiring a special event permit.

If an event holder certifies to the following on the event disclosure form, the activity will not be considered a special event:

- (1) The event will be conducted on private property.
- (2) Except for City Solid Waste services, ~~N~~no additional city services are needed for the event.
- (3) If the activity creates an impact on city services requiring the need for additional city services creating an extra expense to the city, the event holder will reimburse the city for the additional expenses.
- (4) The activity holder must indemnify the city from any liability regarding the activity.

Section 2. Conflicting Provisions

All conflicting Ordinances and Resolutions, or parts thereof in conflict with this Ordinance, are hereby superseded by this Ordinance to the extent of such conflicts.

Section 3. Severability and Applicability

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

Section 4. Effective Date

That this Ordinance shall become effective upon its final adoption.

Approved on First Reading, 13th day of May 2013.

Adopted on Second Reading, 23rd day of May 2013.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Sidney M. Nowell, Esq., City Attorney

Attest:

Sandra Bolser, City Clerk

Seal: