



City Attorney's Communication #2015-1572
September 3, 2015

TO: Karen Friedman, AICP, Principal Planner

FROM: Mark E. Berman, City Attorney

RE: Ordinance Amending Section 132.27, "Special Events on Private Property; Permit Required"

As requested in your memorandum of August 26, 2015, Department of Development Services Memorandum No. 15-451, the following form of Ordinance, relative to the above-referenced matter, has been prepared and is attached:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 132, "PUBLIC PEACE AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 132.27, "SPECIAL EVENTS ON PRIVATE PROPERTY; PERMIT REQUIRED," TO MODIFY TIME REQUIREMENTS FOR SAID EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.



MARK E. BERMAN

/jrm
l:cor/dev-srv/2015-1572

Attachment

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 132, "PUBLIC PEACE AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 132.27, "SPECIAL EVENTS ON PRIVATE PROPERTY; PERMIT REQUIRED," TO MODIFY TIME REQUIREMENTS FOR SAID EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 132.27 entitled, "Special Events on Private Property; Permit Required," of Chapter 132, "Public Peace and Safety," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 132.27 SPECIAL EVENTS ON PRIVATE PROPERTY; PERMIT REQUIRED.

...

(B) Definitions. For the purpose of this section the following definitions shall apply.

(1) **OUTDOOR MUSICAL PERFORMANCE.** As defined in Section 132.26.

...

(3) **SPECIAL EVENT.** Any meeting, activity, gathering or group of persons, animals or vehicles or a combination thereof having a common purpose, common design or goal upon private property in which the meeting, activity, or gathering is of a temporary nature ~~not exceeding 96 hours in duration~~ and meets one or more of the following conditions:

...

(C) Number of Special events permitted.

(1) ~~Four special events~~ For properties that are less than 7.5 acres, the maximum number of special events shall not exceed four per fiscal year (October 1 through September 30) are permitted per property. Each special event shall not exceed 96 hours in duration.

(2) For properties that are a minimum of 7.5 acres, the maximum number of special events shall not exceed ~~12~~ 52 per fiscal year (October 1 through September 30). Each special event shall not exceed 24 hours in duration, except that up to four special events may be held consecutively for a maximum of 96 hours in duration.

...

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2015.

PASSED SECOND READING this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm
9/3/15
l:ord/ch132/2015-483