



Town of Indian Shores
19305 Gulf Boulevard
Indian Shores, FL 33785
(727)-595-4020

TOWN OF INDIAN SHORES SPECIAL EVENT PERMIT APPLICATION BEACH EVENTS

Applicant

Name of Applicant: _____

Name of Organization (if applicable): _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Event Information

Event Type (description): _____

Event Location: _____

Event Date & Time (Start & Finish): _____

Anticipated Crowd Size: _____

If music will be used describe: _____

Check all that apply:

Yes	No
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- Police Dept. assistance for traffic/crowd control will be needed
- Tents will be used (Provide fire and wind certification from tent vendor)
- Temporary fence/gate(s) will be used. (Show location, height & gate size on site plan)
- There will be live music. (show proposed location for DJ or band set-up on site plan)

MUST ATTACH A SITE PLAN OF THE EVENT SITE INCLUDING: SET UP, PARKING, TENTS, TEMPORARY FENCE/GATES & LIVE MUSIC.

The Police Department may visit an event site during the event for purposes of evaluating safety issues/concerns & has the right to shut down an event for safety reasons

SITE PLAN FOR SPECIAL EVENTS
THIS PAGE MUST BE FILLED OUT.

THIS PAGE MUST BE FILLED OUT

The applicant BY SIGNING shall also agree to indemnify, defend and hold the town, its officials, employees, agents and assigns harmless from any liability or damage or claims that may occur during or arising out of the permitted special event. The applicant may be required to post an appropriate performance bond to ensure that the proper cleanup, damage, and fees are paid after the completion of the use.

Applicant Initials_____

Should the special event require town or governmental services, the applicant shall pay a reasonable fee for those services. This fee shall be based on the scope of services provided for the special event and no greater than the actual cost to the governmental agency applying the services.

Applicant Initials_____

Applicant signature_____

Date____ / ____/ ____

Once all the required documentation is provided, this event application will be routed to all applicable departments for approval. You will be notified when approved or if additional information is required.

****TOWN STAFF USE ONLY****

Town Staff please mark the applicable box, sign and date and deliver to the next department for review.

Town Clerk's Office: Approved Disapproved N/A

Sign Date

Building/Zoning: Approved Disapproved N/A

Sign Date

Police Department: Approved Disapproved N/A

Sign Date

Fire Department: Approved Disapproved N/A

Sign Date

Sec. 10-33. Special events and weddings on the beach.

(a) Definitions:

Applicant shall mean the person or entity applying for the special permit.

Special event is an activity, of a specifically limited time and purpose, having higher impacts on adjacent areas and public services than would be reasonably expected from a normally permitted land use or activity. Special events include, but are not limited to, indoor and outdoor arts and crafts shows; bazaars; carnivals; sports events; commercial and sale activities; sidewalk sales; flea markets; rummage sales; holiday events Christmas tree sales; plant sales; grand openings; festivals; fairs auctions; breakfasts; weddings and wedding receptions; block parties; races; flash mobs and floatopias and similar social media generated events; charitable and other fundraising events; and parades. Exempted from the definition of special events non-commercial activities on private property put on for the specific benefit of the property owner or the property owner's immediate family. Garage sales shall not be deemed as a special event in residential districts unless they involve three or more contiguous dwelling units or if they are held more often than four days within any 14-day period at any one dwelling unit. After the fourth day, no less than 90 days must pass before further garage sales may be held at a site without a special event permit.

Town shall mean the Town of Indian Shores. For the purposes of processing special event applications, the term *town* shall refer to the town employees designated to review and process such applications.

Town council shall mean the Town Council of Indian Shores.

- (b) No person shall organize, stage, promote, or conduct any special event without holding a valid and unsuspended special event permit granted by the town.
- (c) The applicant must complete and submit an application on forms provided by the town.
- (d) The town may set a reasonable fee scheduled by resolution from time to time.
- (e) The information contained in the application shall include at a minimum: applicant's name, applicant's email address, applicant's address, and applicant's telephone number; date, address, and end/start time(s) of the event; a brief description of the event to include activities, service of alcohol, traffic/crowd control assistance, size of anticipated crowd, tents to be used, goods and services provided, and entertainment to be offered; a site plan of the special event, including, but not limited to the layout of parking, tents, size and location of temporary fencing/gates, bandstands, and outdoor cooking facilities.
- (f) The town will review the application for completeness and the applicant will be advised of any further information needed. When the application is deemed complete, it does not guarantee approval of the application. The application will be reviewed by the town police department and by the Indian Shores Building Department and by the Pinellas Suncoast Fire and Rescue District.
- (g) To the extent that the applicant properly discloses the date(s) and time(s) of the performances of bands or the generation of amplified sound, the regulation of noise shall not be applicable to the special event pursuant to section 34-82. If the applicant fails to disclose or incorrectly discloses band performances or amplified sound generation associated with the special event or allows same to occur during periods outside of the special event time(s) and date(s) approved in the permit, such noise regulations shall be applicable and enforceable against the applicant and any contractor, vendor or other person failing to comply with the terms thereof.
- (h) In the event applicant seeks to serve alcohol during the special event. Applicant must comply with the terms of section 6-5 of the Code.
- (i) All applicants requesting public property for the location of their special event shall be required to have appropriate insurance as a condition for approval of the permit. Proof of insurance showing the town as an

also-named insured and with a minimum of \$1,000,000.00 general liability coverage, shall be provided to the town at least 48 hours prior to the start of the special event. The applicant shall also agree to indemnify, defend and hold the town, its officials, employees, agents and assigns harmless from any liability or damage or claims that may occur during or arising out of the permitted special event. The applicant may be required to post an appropriate performance bond to ensure that the proper cleanup, damage, and fees are paid after the completion of the use.

- (j) Should the special event require town or governmental services, the applicant shall pay a reasonable fee for those services. This fee shall be based on the scope of services provided for the special event and no greater than the actual cost to the governmental agency applying the services.
- (k) Any applicant aggrieved by the determination of the town in regard to a special event permit, may petition the town council for review of the town's findings. The petition shall briefly set forth the grounds for review. The town council's factual review shall be limited to the information before the town when the decision was made on the application. In making its determination, the town council shall consider the provisions of all applicable town codes, including this article, and state and federal law.
- (l) Weddings on the beach are not open to the public, but are held on property owned, managed, or controlled by the town. Wedding events are permitted on the beach. However, applicants must follow the procedure outlined for special events. No wedding receptions or similar events are allowed on the beach.
- (m) A violation of this section may be enforced by issuance of a citation by a duly authorized law enforcement officer pursuant to F.S. § 327.72. Every violation of this section shall be deemed a civil infraction punishable by a fine not to exceed \$500.00. Every day a violation of this section continues shall constitute a separate offense which shall be separately punished. Every discrete violation of this section shall constitute a separate offense which shall be separately punished.

(Ord. No. 2023-03, § 2, 6-13-23)

ARTICLE V. LEAVE NO TRACE¹

Sec. 34-119. Purpose and title.

The purpose of this article is to ensure the public beach and beach access areas are free from any obstruction by any item of personal property in order to protect public ingress, egress and use of the public beach, promote public safety, and to protect endangered sea turtles. This article may be referred to as the "Leave No Trace Ordinance."

(Ord. No. 2018-04, § II, 4-9-19)

Sec. 34-120. Definitions.

Beach means the zone of unconsolidated material that extends landward from the mean low water line to either the place where there is a marked change in material or physiographic form: the line of permanent vegetation, which is usually the effective limit of storm waves; or constructed bulkheads or other coastal protection structures.

Beach access areas means those public beach access points in the town, identified by appropriate signage, including associated boardwalks, walkways, and dedicated parking areas, and the area on the public beach beginning at the entrance of the beach access point perpendicular with the applicable road right-of-way to the water's edge.

Dune means a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying landward of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation, and is subject to fluctuations in configuration and location. In the absence of a discernible dune, the seaward boundary of a dune will be deemed to be the line of native vegetation.

Person includes a natural person and all artificial entities, such as, but not limited to, corporations, limited liability companies, partnerships, limited partnerships, associations, trustees, receivers, legal representatives and organizations.

Personal property means all types of personal property, including by way of example and not limitation, tents (including tent frames), canopies, cabanas, umbrellas and other shading devices, picnic tables, tiki huts, volleyball nets, tents, hammocks, beach chairs and other furniture, kayaks, canoes, catamarans, floats, sailboards, surfboards, kites, jet skis, sailboats, water cycles and other watercraft.

Public beach means any beach area, whether publicly or privately owned, extending inland from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico to which the public has acquired the right of use or easement to or over the area by prescription, dedication, presumption, or has retained a right by virtue of continuous right in the public since time immemorial, as recognized in law and custom.

(Ord. No. 2018-04, § II, 4-9-19)

¹Cross reference(s)—Sea turtle protection plan, § 106-90, et seq.

Sec. 34-121. Digging holes on beach.

Holes dug on the beach are required to be attended and shall be filled prior to leaving the public beach.

(Ord. No. 2018-04, § II, 4-9-19)

Sec. 34-122. Obstructions on the beach and beach access areas prohibited.

- (a) It shall be unlawful for any person to leave an item of personal property unattended on any portion of the public beach located in the town from 10:00 p.m. until 8:00 a.m. daily, except as otherwise permitted in this article.
- (b) It shall be unlawful for any person to leave an item of personal property unattended at anytime within any public beach access area located in the town.
- (c) Any items of personal property that remain on the beach in violation of this article shall be deemed a nuisance and abandoned by the owner and shall be removed by the town police department, public works staff or code enforcement officer. Any personal property so removed shall be stored in an area designated by the town. After 90 days of impoundment, as required by F.S. § 705.103, the town may dispose of any item(s) removed pursuant to this section. The town may, by resolution, enact an impoundment fee to be collected at the time any item(s) are retrieved from impoundment by the party claiming the item(s).
- (d) From 10:00 p.m. until 8:00 a.m. daily on the beach, items of personal property that are relocated as close to, but not on, the toe of the dune or native vegetation, or where there are no dunes or native vegetation, are relocated as close as practicable to an existing permanent structure or the line of buildings, will not be considered discarded by the owner, abandoned or a violation of this article, provided:
 - (1) Such items shall not be placed on the dune or on native vegetation.
 - (2) Such items shall be stored in a neat and orderly manner.
 - (3) Such items shall not inhibit access to the public beach from the nearest public access areas, nor obstruct access on the public beach, nor impact native vegetation, nor significantly affect sea turtles.
 - (4) Private property owners may store items under or adjacent to their private dune walkovers, boardwalks, or permanent structure.
 - (5) Items shall not be placed on any public beach access point or within 20 feet of any public trash receptacle.
- (e) Unattended items of personal property in violation of this article shall be removed from the public beach by any law enforcement officer, code enforcement officer, or town public works staff.
- (f) Unattended or abandoned items of personal property, and unattended, unfilled holes on the beach, are in violation of this article and are a public nuisance.

(Ord. No. 2018-04, § II, 4-9-19; Ord. No. 2022-06, § II, 10-11-22)

Sec. 34-123. Exceptions.

The prohibitions contained herein do not apply to:

- (1) Trash containers;
- (2) Signs placed by a governmental agency;

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- (3) Items placed by persons acting under authority of the chief of police, the town administrator, or other governmental agency;
- (4) Structures, including without limitation boardwalks, decks, and dune walkovers constructed and permitted by the town, county or the state;
- (5) Items placed on the beach by persons who have authorization or a permit to engage in marine turtle nesting research issued by the United States Fish and Wildlife Service or the state.

(Ord. No. 2018-04, § II, 4-9-19)

Sec. 34-124. Permits.

- (a) Permits may be issued by the building official or their designee for activities otherwise prohibited by this article for such periods of time and under such conditions as the building official deems reasonably appropriate under the circumstances that are found to be necessary for:
 - (1) Reasonable accommodation of persons with disabilities;
 - (2) Adjunct to a lawfully existing activity;
 - (3) For the conduct of a governmental, civic or educational activity;
 - (4) For the conduct of scientific research;
 - (5) For special events; or
 - (6) For a beach amusement, beach business, or beach service.
- (b) There shall be no fee for obtaining this permit. Such permit shall include the following:
 - (1) Name and contact information of the owner or person in possession and control of the item;
 - (2) Description of the item;
 - (3) Location of the item;
 - (4) Duration of time the item will remain in such location; and
 - (5) Acknowledgement that the owner or person in possession and control of the item will be liable for any impacts to federally protected species.
- (c) This article is not intended to authorize any violation of F.S. § 379.2431, or any of the provisions of the Endangered Species Act. The town will not be liable for any impacts to federally protected species resulting from persons leaving items of personal property on the beach and such liability will rest with the owner of such item.

(Ord. No. 2018-04, § II, 4-9-19)

Sec. 34-125. Fires prohibited.

It shall be unlawful to start, maintain or otherwise ignite an open fire on the beach or sand within the town and as otherwise prohibited in chapter 38—Fire Prevention and Protection.

(Ord. No. 2018-04, § II, 4-9-19)

Sec. 106-4. Glassware, bottles on beach.

No person shall bring, abandon, carry, transport, or cause to be transported any glassware, glass containers or other potentially dangerous or sharp objects on any public beach, or onto any public bathing areas.

(Ord. No. 94-3, § 1(7-4), 2-8-94)