



V I L L A G E O F K E Y B I S C A Y N E

Office of the Village Manager

MEMORANDUM

Village Council
Robert L. Vernon, *Mayor*
Enrique Garcia, *Vice Mayor*
Michael W. Davey
Robert Gusman
Michael E. Kelly
Jorge E. Mendia
Thomas Thornton

DATE: June 1, 2010

TO: Honorable Mayor and Members of the Village Council

FROM: Genaro "Chip" Iglesias, Village Manager

A large, bold, handwritten signature in black ink, appearing to be "Chip" followed by a stylized flourish.

Village Manager
Genaro "Chip" Iglesias

RE: Use of Village Owned Property by Non-profit Organizations

RECOMMENDATION

Presently, the Village Green is used by Relay for Life, Kiwanis 4th of July, Youth Council, and private and public schools for fundraising purposes. The Village is a sponsor of all of these except for the school events. The Administration is requesting policy direction from the Council to determine if additional non-profit organizations may be permitted to use public land for fundraising activities. Should this occur, it is recommended that the below be included as part of the Special Event Application. Attached please find the Special Event Application currently used by the Building, Zoning, and Planning Department.

BACKGROUND

During the past several months, the Administration has been contacted by a number of non-profit organizations who wish to conduct fundraising events on the Village Green. These activities usually involve the selling of merchandise and/or food for one day. These organizations cite the use of the Village Green by the other non-profit organizations such as Relay for Life, Kiwanis 4th of July, Youth Council, and private and public schools as their justification to use the park for their fundraising activities.

The Village assists these long established organizations through the provision of public safety and public works services. However, there is no funding for this assistance in the Police Department, Fire Rescue Department or Public Works FY10 budget.

Should the Council wish to permit additional non-profit organizations to use the Village Green or other publically owned properties for fundraising purposes, it is suggested the following regulations be established:

1. Submission of 501(c)(3) incorporation documents.
2. Village is listed as an "additional insured party".

3. Organization or local chapter is composed of a majority of individuals who reside in the Village.
4. Submission of an Operational Plan which includes garbage collection, security and safety, hours and days of operation, loading and unloading of equipment.
5. If the Administration determines that a police officer(s) are required to be present during the event, then the organization shall reimburse the Police Department for the cost of providing security.
6. If the Public Works Department provides services (garbage collection), then the organization shall reimburse the Village for the cost of these services.



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

SPECIAL EVENT PERMIT APPLICATION

Application Date: _____

Permit No: SE _____

Fee Charged: _____

Check No. _____

EVENT DESCRIPTION:

Title of Event: _____

Date of Event: _____

Event Location: _____ (Attach Site Diagram)

Description: _____

Event Hours: _____ Set-up: _____ Breakdown: _____

Estimated Attendance: _____ /per day

Sponsors: _____

Producing Organization/Entity: _____

Contact Person: _____ Phone: _____

APPLICANT INFORMATION:

Signature: _____

Name (Please Print): _____

Mailing Address: _____

Phone: _____ Fax: _____

Cellular/Pager: _____

**A Special Event Fee must be submitted with this application
(Any Fire Rescue fees are paid separately)**

SPECIAL EVENT PERMIT APPLICATION, page 2

VILLAGE DEPARTMENT APPROVALS:

Application Date: _____

Event Date: _____

Title of Event: _____

Event Location: _____

DEPARTMENT	APPROVED	REJECTED	DATE
Building			
Electrical			
Mechanical			
Plumbing			
Zoning			
Public Works			
Recreation			
Police			
Fire Rescue			
Village Manager			



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

SPECIAL EVENT APPLICATION AND FEE SHEET

(Special Event Approval Provisions from Village of Key Biscayne Code Ch. 17-5;
Fee Schedule from Miami-Dade County Code)

A Special Event Permit is required for any event that takes place on public or private property. **The Special Event application form must be completed and submitted not less than twenty (20) days in advance of the event.** A Special Event may not be held unless it has been approved by the Village Manager pursuant to the procedures set forth below and in the attached application.

REQUIREMENTS:

1. Completed application and non-refundable permit fee pursuant to the attached fee schedule. **THE MINIMUM FEE FOR A SPECIAL EVENT PERMIT IS \$41.00.**
2. Certificate of Insurance
3. Site plan of the event showing all temporary installations in relation to the surroundings. The site plan must show a detailed diagram of the event including the location of concession booths, portable toilets, dumpsters, public, emergency and accessible routes, parking, banners and signs, tents, location of stages, entertainment and orientation of loudspeakers, locations for electricity and water, and other relevant information.

The person in charge of the event must be present at the event and remain at the location for the entire duration of the event.

FEE SCHEDULE:

Unusual Uses, Special Permits, Business and Industrial Use Variance

DESCRIPTION	ORIGINAL FEE	ANNUAL RENEWAL FEE
All unusual uses, except the following	\$210.00	\$210.00
Churches	None	None
Airport, commercial dump permits, racetracks, stadiums	\$420.00	\$160.00
Cabaret, nightclub, liquor or package store	\$265.00	\$265.00
Rock quarries, lake excavations and/or filling thereof	\$315.00	\$160.00
Circus or Carnival (per week)	\$185.00	\$185.00
Open lot uses	\$125.00	\$105.00
Land clearing, subsoil preparation	\$110.00	\$125.00

SPECIAL EVENT PERMIT AFFIDAVITS

Complete one or more of the following that relates to your request (3 options).

1. **Tenant or Owner Affidavit**

(if tenant is applicant then owner must sign owner/power of attorney affidavit)

I, _____, being first duly sworn, depose and say that I am the owner/tenant of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all supplemental data attached to and made a part of the application are honest and true to the best of my knowledge and belief.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property. If necessary, in the HR, PUD or PC zoning districts where a violation of Sec. 17-3 of the Village Noise Ordinance may occur, I also authorize the posting of a NOTICE OF PUBLIC HEARING on my property and understand that members of the Village Council may need to inspect my property. These inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant

Sworn to (or affirmed) and subscribed before me this
_____ day of _____, by _____
Name of person making statement

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

2. Owner/Power of Attorney Affidavit

I, being duly sworn, depose and say that I am the owner of the described real property and that I am aware of the nature and effect the request for:

relative to my property, which is hereby made by me OR I am hereby authorizing _____ to be my legal representative before the Village Council.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property. If necessary, in the HR, PUD or PC zoning districts where a violation of Sec. 17-3 of the Village Noise Ordinance may occur, I also authorize the posting of a NOTICE OF PUBLIC HEARING on my property and understand that members of the Village Council may need to inspect my property. These inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant

Sworn to (or affirmed) and subscribed before me this _____ day of _____, by _____
Name of person making statement

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

3. Corporation Affidavit

I, _____, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Ass't. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application and all supplemental data attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property. If necessary, in the HR, PUD or PC zoning districts where a violation of Sec. 17-3 of the Village Noise Ordinance may occur, I also authorize the posting of a NOTICE OF PUBLIC HEARING on my property and understand that members of the Village Council may need to inspect my property. These inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

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Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

**VILLAGE OF KEY BISCAYNE
FIRE RESCUE DEPARTMENT
FIRE WATCH PERMIT APPLICATION**

1. Name of Event: _____

2. Sponsoring Organization: _____

Mailing Address: _____

Person in Charge: _____ Telephone: _____

Person securing Permit Application: _____

A. Type of Event/Reason for Fire Watch: _____

B. Location of Event: _____

C. Dates of Event: _____

D. Time(s): _____

E. Estimated Attendance: _____

3. Fire Marshal's Office requirements:

A. Assembly Permit required: Yes ___ No ___

(If yes, Assembly Permit application to be obtained from Building & Zoning – Bill Fehr)

B. Fire Inspectors required: Yes ___ No ___

C. Layout Sketch/Floor Plan required: Yes ___ No ___

D. Fire Rating for Tent: Yes ___ No ___

E. Pyrotechnics Permit required: Yes ___ No ___ \$160.00

F. Fireworks Shells List: Yes ___ No ___

G. Fireworks Insurance required: Yes ___ No ___

H. Will there be cooking or heating Food? Yes ___ No ___

I. Bonfire Yes ___ No ___

4. Fire Apparatus required: Yes ___ No ___

5. Costs Incurred for Village of Key Biscayne Fire Rescue Services:

A. Fire Inspectors / Fire Watch: \$ 40.00/hour for ___ hours (minimum of 4 hours) \$ _____

B. Paramedic: \$40.00/hour for ___ hours

C. Firefighters: \$ 40.00/hour for ___ hours

TOTAL COSTS: \$ _____

6. Additional requirements to hold this Event: Yes ___ No ___

Applicant's Signature _____ Date: _____

Fire Department's Signature _____ Date: _____

_____ *Check made payable to the Village of Key Biscayne must be received at time of application and will be held until date of event. If event is canceled, please give at least 24 hours notice.