

RESOLUTION 16-121

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, AMENDING THE AARON BESSANT PARK OPERATIONAL POLICIES TO PERMIT CITY SPONSORED ACTIVITIES DURING THE SPRING BLACKOUT PERIOD, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, on May 24, 2012, the City adopted Operational Policies for Aaron Bessant Park, which provide Black Out Dates for Medium and Small park activities, being Spring Break (generally the first week in March through the first two weeks of April) and Memorial Day; and

WHEREAS, the City Council would like to update the Operational Policies for Aaron Bessant Park to allow for City sponsored events to be presented during the Spring Break period.


**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Panama City Beach, Florida, that the City's Operational Policies for Aaron Bessant Park shall be revised to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~)

4. The following activities shall not be considered a "Park Activity" regulated by these policies.
  - a. Park Activities with less than 500 attendees per hour (i.e. smaller than Small)
  - b. Activities which historically have surrounded the Park but not been centered on the Park, specifically:
    - i. Fourth of July fireworks
    - ii. New Year's Eve Ball Drop
  - c. ~~Note: the threshold to become a "Special Event" under the Special Event Ordinance is 500 attendees in any hour.~~
  
6. Operational Standards shall include the following "Black-Out Dates" during which no Medium or Small Park Activity shall be held **except Activities sponsored by the City.**
  - a. Spring Break (typically first week of March through first two weeks of April, subject to adjustment by resolution of the City Council.
  - b. Memorial Day Weekend.

**THIS RESOLUTION** shall be effective immediately upon passage.

PASSED in regular session this 22<sup>nd</sup> day of September, 2016.

**CITY OF PANAMA CITY BEACH**

By:   
Mike Thomas, Mayor

**ATTEST:**

  
Diane Fowler, City Clerk



## CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

**1. DEPARTMENT MAKING REQUEST/NAME:**

ADMINISTRATION/MARIO GISBERT

**2. MEETING DATE:**

SEPTEMBER 22, 2016

**3. REQUESTED MOTION/ACTION:**

APPROVE AMENDMENT TO OPERATIONAL POLICIES TO AARON BESSANT PARK TO PERMIT CITY SPONSORED EVENTS DURING THE SPRING BREAK BLACKOUT PERIOD

**4. AGENDA**

PRESENTATION   
PUBLIC HEARING   
CONSENT   
REGULAR

**5. IS THIS ITEM BUDGETED (IF APPLICABLE)?** YES  NO  N/A   
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES  NO  N/A

**6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)**

On May 24, 2012, the City adopted Operational Policies for Aaron Bessant Park, which provide Black Out Dates for Medium and Small park activities during Spring Break (generally the first week in March through the first two weeks of April). At its last meeting on September 8, the City Council directed staff to update the Operational Policies for Aaron Bessant Park to allow for events meeting certain standards to be presented during the Spring Break period.

Attached for your review and consideration is an update to the Operational Policies making exception for City sponsored events. While a departure from the Council's perceived desire to allow private events during this time, the legally safest course is to simply allow the City to use its facility for its own events. Although unsolicited by the Council, a minor amendment is also proposed by staff to eliminate reference to a definition of special event no longer in effect.

## **Operational Policies for Aaron Bessant Park**

### **Mission Statement for the Park:**

To preserve designated wetlands and conservation areas and provide publicly available open spaces, fields, lawns and improvements for passive public recreation, public team sports practice and play, smaller team sports tournaments, and smaller festivals, concerts, plays and special events, all to enhance the quality of life for local residents and, during seasons when the City is able to accommodate more visitors, to attract tourists.

### **Operational Policies:**

1. These Operational Policies shall serve as guidelines for the development of specific “Operational Standards” to be incorporated into resolutions, event contracts, the Park Management Plan and Park rules and regulations, as appropriate.
2. Activities within the Park shall be classified as follows, each a “Park Activity” or “Activity”:
  - a. Team practice or intramural games
  - b. Sports tournaments
  - c. Festivals
    - i. ticketed with a limited number of tickets
    - ii. open admission, regardless of price
  - d. Concerts, plays and other “one-off” activities (typically less than 4 hours and each a “One-Off Activity”)
    - i. ticketed with a limited number of tickets
    - ii. open admission, regardless of price
  - e. Community activities (such as Heart Walk, graduation, or a health fair)
  - f. Other group organized activities, including private invitation only events occupying only a portion of the Park (such as birthday parties, weddings)
3. Park Activities may be classified as Small or Medium
  - a. Small: More than 500 attendees per hour but less than 4,500 attendees per day
  - b. Medium: Between 4,500 and 7,500 attendees per day (generally a Park “Event” under the Park Management Plan)
  - c. No Park Activities larger than 7,500 attendees per day

- d. Larger activities shall be held at Frank Brown Park
4. The following activities shall not be considered a "Park Activity" regulated by these policies.
    - a. Park Activities with less than 500 attendees per hour (i.e. smaller than Small)
    - b. Activities which historically have surrounded the Park but not been centered on the Park, specifically:
      - i. Fourth of July fireworks
      - ii. New Year's Eve Ball Drop
    - c. Note: the threshold to become a "Special Event" under the Special Event Ordinance is 500 attendees in any hour.
  5. Operational Standards shall prohibit certain activities in the Park, including without limitation:
    - a. Motorized vehicles except in designated vehicular access and parking areas, and as necessary during set up, take down and routine maintenance.
    - b. Discharge of firearms (the City acting in its proprietary not in its police or regulatory capacity).
  6. Operational Standards shall include the following "Black-Out Dates" during which no Medium or Small Park Activity shall be held.
    - a. Spring Break (typically first week of March through first two weeks of April, subject to adjustment by resolution of the City Council.
    - b. Memorial Day Weekend
  7. Operational Standards shall include the following "Black-Out Dates" during which no Medium Park Activity shall be held.
    - a. June 10 through August 10.
    - b. Exception may be made by the City Council for an extraordinary opportunity for a One-Off Activity which is widely supported by the community as benefit to their quality of life even though there is no need to attract additional tourists. All other applicable standards shall apply.
  8. Operational Standards shall require parking and traffic control for all Park Activities, as follows:
    - a. Small Activities, ticketed and open:
      - i. Adequate onsite parking

- ii. Adequate signage to direct traffic.
  - iii. Adequate personnel to direct traffic in parking lots and contingency plans to provide additional personnel to direct traffic in roadways and intersections.
  - iv. Less stringent requirements may be adequate for a ticketed Small Activity with a corresponding limit placed upon the number of tickets.
  - v. A full day or a multi-day Activity will require more careful attention and more strict standards for both routine and contingency parking and vehicular access plans than a One-Off Activity.
- b. Medium Activities, ticketed and open:
- i. Adequate onsite and contingency plans for off-site parking including stand-by busses.
  - ii. Adequate signage to direct traffic.
  - iii. Adequate personnel to direct traffic in parking lots, roadways and intersections.
  - iv. Less stringent requirements may be adequate for a ticketed Medium Activity with a corresponding limit placed upon the number of tickets.
  - v. A full day or a multi-day Activity will require more careful attention and more strict standards for both routine and contingency parking and vehicular access plans than a One-Off Activity.
- c. Note: Vehicular access to the Park will be at the intersection of West Park Drive and L. C. Hilton. In addition, north access may be acquired from Pier Park Drive and Back Beach Road.
9. Operational standards for all Medium Activities shall require contingency plans for private funding of security forces to maintain crowd-control.
10. Many Park Activities will be "Special Events" as defined in the Special Event Ordinance and, of course will have to comply with the Special Events Ordinance. However, the Sound Ordinance exempts "Special Events" covered by the Special Events Ordinance. Operational Standards should be established to regulate sound in the Park, and a version of those standards can be incorporated into the Special Events ordinance to cover sound from Special Events anywhere in the City.
11. Operational standards shall require all One-Off Activities and Festivals to close by 11:00 PM and all other Park Activities (such as a sports tournament or a private, invitation only

Activity) to follow residential noise guidelines after 11:00 pm on Friday evenings, Saturday evenings and the evening of legal holidays, and at 10:00 pm on all other evenings.

12. Operational standards shall prohibit excessive glare toward the beach from temporary night lighting during sea turtle nesting season, the same standards as are applied in Pier Park we assume.