

MEMORANDUM

September 5, 2014

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Katie Kinloch, Administrative Assistant

SUBJECT: Special Event Permit Application
House of Prayer "October Fest" and Street closing

SYNOPSIS: Approval of the special event permit application allows the House of Prayer Church to hold the third annual "October Fest" on October 25, 2014 and allow for the temporary closing of Seminole Avenue.

RECOMMENDATION

It is recommended that the City Commission take the following action:

Approve the special event permit application from the House of Prayer Church for the third annual "October Fest" to be held October 25, 2014

Approve the temporary street closing of Seminole Avenue from First Street to Scenic Highway between the hours of 12:00 p.m. and 5:00 p.m.

BACKGROUND

Pastor Edward Pittman of the House of Prayer Church submitted a special event permit application for their third annual "October Fest" to be held October 25, 2014 at 506 North First Street. This application also includes a request for the temporary closing of Seminole Avenue from Scenic Highway (SR17) to First Street between the hours of 12:00 p.m. and 5:00 p.m. The House of Prayer will have a Bounce House, carnival booths, kid games, hot dogs, hamburgers, chips, desserts, and sodas at their Activity Center located across the street on Seminole Avenue.

Last year the Church experienced some safety issues with the traffic using Seminole Avenue since the street was not closed during their entire event. Seminole Avenue was closed for a short period of time for the Pioneer Day's Antique Car Parade but at that time was not approved to be closed for the church event. Since Seminole Avenue will be closed once again for the Antique Car Parade from 11:00 a.m. to 1:30 p.m., the church is requesting that the street remain closed until 5:00 p.m. so that vehicular traffic will not be allowed to use Seminole Avenue during the October Fest activities.

Staff reviewed the application and has no issues with the street closing. The Streets Department will be setting up the barricades for the Antique Car Parade and will leave them until the October

Fest has concluded. The church is handling all site set ups; sanitary facilities, trash receptacles, and trash clean up. Insurance is being provided as required.

OTHER OPTIONS

Allow the October Fest but do not approve the request for the street closing.

FISCAL IMPACT

There is no cost to the City for this event.

ATTACHMENTS

Special Event Permit Application

Notarized Agreement to Assume Financial Responsibility

Location map

City of Lake Wales Application for Special Event Permit

Sponsor House of Prayer

Name of Event October Fest
 Description Games, Rides, Crafts, Free Food, Open to the Community
 Location 500 North 1st Street & 108 Seminole Ave
 Beginning Date October 25 Ending Date October 25 Hours of Operation 12 pm to 5 pm
 Sponsor Contact Florice Peterson - 863-605-5129 / Church 863-676-4849
 Mailing P.O. Box 1436
 City Lake Wales FL State FL Zip 33859
 Sponsor Type Non Profit Contact Phone # (863) 605-5129
(non-profit civic, professional, educational, religious, etc / commercial)

Indicate manner in which each will be handled; if City assistance is requested, please indicate. (if item is not applicable, indicate "N/A")

Sanitary facilities on church property
 Parking At church
 Site preparation Church Members
 Site clean-up Church Members

- Will vehicular traffic control be required? No Yes (Requires coordination with city Police & Public Works departments)
- Will pedestrian control be required? No Yes (Requires coordination with city Police & Public Works departments)
- Will city street(s) be closed? No Yes (Requires Commission approval)
- Will state road(s) be closed? No Yes (Requires permit from Dept of Transportation)
- Will add'l trash receptacles be required? No Yes (Requires coordination with BFI)
- Will tent(s) be erected? No Yes (Requires building permit & inspection)
- Will temporary structure(s) be erected? No Yes (Requires building permit & inspection)
- Will electrical service be installed? No Yes (Requires electrical permit & inspection)
- Will live animal(s) be included in event? No Yes (Requires coordination with city Code Enforcement Officer)
- Will amusement ride(s) be operated? No Yes (Requires permit from Dept of Agriculture & Consumer Services)
- Will food vendor(s) be utilized? No Yes (Requires health permit & county occupational license)
- Will craft or other vendor(s) be utilized? No Yes (Requires county occupational license)

- Attachments. (items marked "x" are required with all applications; indicate additional attachments)
- Diagram showing site location & layout, parking areas, traffic patterns, electrical, etc
 - Agreement to Assume Financial Responsibility for Injury or Damage
 - Legal description & notarized letter of consent (required for event on private property)
 - Dept of Transportation Road Closing Permit (required for state road closing)

Sponsor has received a copy of Ordinance 93-02 and understands that Sponsor will be required to show proof of Liability Insurance and will be required to reimburse City for costs associated with Special Event unless such requirements are specifically waived by the City Manager in granting the permit. City occupational license fees are required for some events as specified in Ordinance 93-02.

Edward Peterson 9-9-2014
 Signature of Sponsor's Authorized Representative Date

PASTOR



CITY OF LAKE WALES
 FACILITY USE APPLICATION, CONTRACT AND PERMIT FOR
 AGREEMENT TO ASSUME FINANCIAL RESPONSIBILITY FOR INJURY OR DAMAGE

Applicant: House of Prayer Event: October Fest Location: Seminole Ave.

The Sponsor (hereinafter referred to as "the permittee"), shall indemnify, defend, and hold harmless the City of Lake Wales (hereinafter referred to as "the City"), and all of its officers, agents, and employees from any claim, loss, damage, cost, change, or expense arising out of any acts, actions, neglect, or omission by the Permittee, its agent, employees, or subcontractors during the performance of the permitted event, whether direct or indirect, and whether to any person or property to which the City or said parties may be subject, except that neither the Permittee nor any of its agents, employees, or subcontractors will be liable under the agreement for damages arising out of the injury or damage to persons directly caused or resulting from the SOLELY negligence of the City or any of its officers, agents, or employees.

Permittee's obligation to indemnify, defend and pay for the defense or at the City's option, to participate and associate with the City in the defense and trial of any damage claim or suit and any related settlement negotiations, shall be initiated by the City's notice of claim for indemnification to Permittee. Permittee's inability to evaluate liability or its evaluation of liability shall not excuse Permittee's duty to defend and indemnify within seven days after such notice by the City is provided by registered mail. Only an adjudication or judgement after highest appeal is exhausted specifically finding the City SOLELY negligent shall excuse performance of this provision by Permittee. Permittee shall pay all costs and fees related to this obligation and its enforcement by the City. City's failure to notify Permittee of a claim shall not release the Permittee of the above duty to defend.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the City's right, title and interest in land to be entered upon and used by the Permittee, and the Permittee will, at all times, assume all risk of and indemnify, defend, and save harmless the City from and against any and all loss, damage, cost, and expense arising in any manner on account of the exercise or attempted exercise by said Permittee of the aforesaid rights and privileges.

During the event, the Permittee shall observe all safety regulations of the City, and the Permittee shall take measures to ensure the safety of the public.

In case of non-compliance with the City's requirements in effect as the approved state of the permit resulting from this agreement, said permit is void.

Edward Pittman
 Signature of Sponsor or Authorized Representative of Sponsor

9.9.2014
 Date

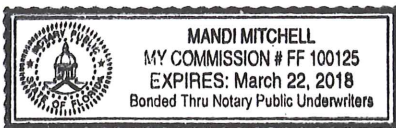
Edward Pittman
 Printed Name
Pastor

State of Florida
 County of Polk

The forgoing instrument was acknowledged before me this 9th day of September 2014 by

Edward Pittman

Mandi Mitchell
 Signature of Notary Public-State of Florida

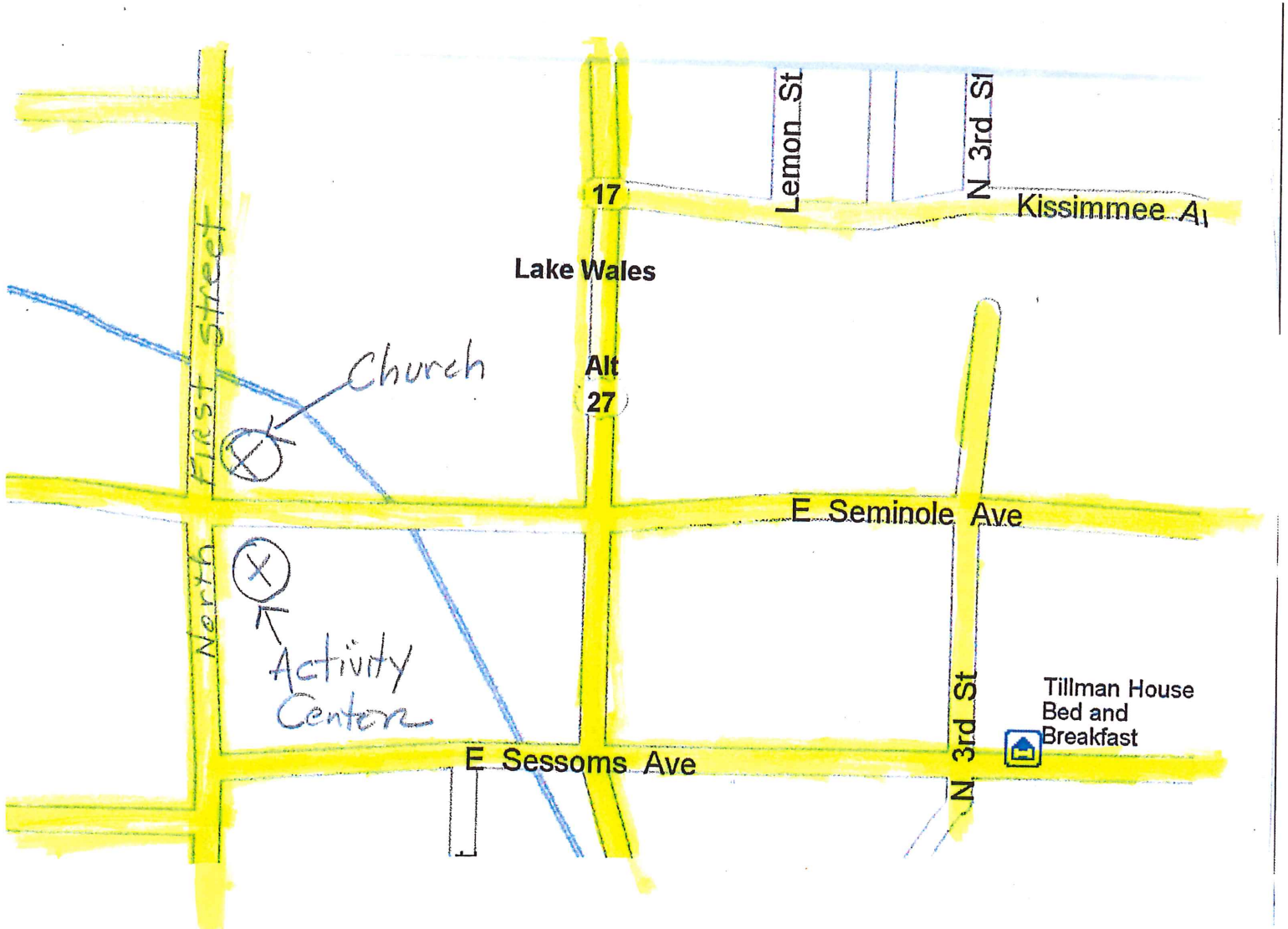


Mandi Mitchell
 Name of Notary Typed, Printed, or Stamped

(NOTARY SEAL)

Personally Known _____ OR Produced Identification
 Type of Identification Produced: FLDL - P355-220-46-417-0

House of Prayer Church October Fest Street Closing Location



The House of Prayer Church is requesting the closing of Seminole Avenue between First Street and Scenic Highway (SR17) on October 26, 2013 between the hours of 12:00 p.m. and 5:00 p.m. for their October Fest event.