

MEMORANDUM

September 12, 2014

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Special Projects Manager

RE: 39th Annual Pioneer Days Celebration

SYNOPSIS: Approval of this request will allow the Pioneer Days Celebration to take place on October 23, 2014 to October 26, 2014 in Lake Wailes Park, allow vendors to set up RV's in the park, and allow for the temporary street closings for the Antique Car Parade.

RECOMMENDATION

It is recommended that the City Commission consider taking the following action:

1. Approve the special event permit application for the 39th Annual Pioneer Days Celebration, which includes the Lake Wailes Revival, to be held October 23, 2014 to October 26, 2014
2. Approve the temporary road closing as specified in this memorandum for the Antique Car Parade on October 25, 2014 from 11:00 a.m. to 1:30 p.m.
3. Approve the request for RV's and tents to be set up by vendors in Lake Wailes Park throughout the three-day event subject to the conditions specified by staff.

BACKGROUND

The City of Lake Wales submitted a Special Event Permit Application for the 39th Annual Pioneer Days celebration to be held from October 23, 2014 through October 26, 2014 at Lake Wailes Park. Pioneer Days includes a variety of vendors, demonstrators, attractions and entertainers.

As part of Pioneer Days the annual Lake Wales Revival will take place beginning Thursday, October 23, 2014 and continue through Sunday, October 26, 2014 in Lake Wailes Park. The main tent will be set up on Wednesday and the sponsor will start setting up on Thursday, October 23, 2014 at approximately noon. The event time for each day is from 7:00 p.m. to 9:00 p.m. with clean up and securing of equipment each night between 9:00 p.m. and 10:00 p.m.

This application also includes a request for vendors to set up RV's and tents in Lake Wailes Park throughout the three-day event. Vendors would like to stay on site for security reasons and protection of their property. Per Sec. 18-82 q. of the Lake Wales Code, camping is prohibited in a City park unless specifically authorized by special permit. Staff recommends that approval specify the following conditions:

- The RV's will arrive no earlier than 8 a.m. Thursday, October 23, 2014 and must depart no later than 9 p.m. on Sunday, October 26, 2014 allowing ample time for take down and clean up.
- The RV's, vehicles, and tents will be set up in areas as designated by the City.
- No parking of vehicles will be allowed off pavement except in areas approved and designated by the City.
- No vehicles shall be parked or driven within 15 feet of the trunk of any trees within the park. Event personnel will install tape or temporary fencing to protect the trees.
- No vehicles shall drive or park on the bike path or cross the bike path.
- Vendors approved to set up inside the "horseshoe drive" across from the basketball courts, shall maintain a 15-foot distance from tree trunks.

The event will also include the Antique Car Parade on Saturday, October 25, 2014 from 11:00 a.m. to 1:30 p.m. and requires approval of the temporary closing of several streets. The requested temporary street closings will involve the following:

- Seminole Avenue from Scenic Highway west to First Street
- South on First Street from Seminole Avenue to Stuart Avenue
- East on Stuart Avenue to Third Street
- Third Street to Central Avenue
- Central Avenue to Lake Shore Blvd.
- Follow Lakeshore Blvd. to the entrance drive at Lake Wailes Park
- Travel on the "Horseshoe Drive" in the park until reaching Lakeshore Blvd.
- Cross Lakeshore Blvd. to N 5th Street and end at Crystal Lake Park.

On Friday, October 24, 2014, vendors and participants will be setting up in Lake Wailes Park beginning at 10:00 a.m. The main event will commence on Saturday, October 25, 2014, with the Pioneer Hour at 10:00 a.m. and will continue throughout the day with events and activities until 5:00 p.m. Sunday's activities will begin at 11:00 a.m. and will wrap up at 4:00 p.m.

OTHER OPTIONS

Do not approve the Special Event Permit Application for the Pioneer Days Celebration, Lake Wales Revival or the request for the road closures.

FISCAL IMPACT

In-Kind services for this event provided by the City will be approximately \$3,545.00.

ATTACHMENTS

Special Event Permit Application
Agreement to Assume Financial Responsibility
Antique Car Parade Route
Carriage Tour Route
Location Map of Activities

City of Lake Wales Application for Special Event Permit

Sponsor City of Lake Wales

Name of Event Annual Pioneer Days

Description Celebration at lake with vendors, performers, car parade, carriage tour, worship services and more.

Location Shores of Lake Wailes

Beginning Date 10/23/14 (Thurs) Ending Date 10/26/14 (Sun.) Hours of Operation 7am – 9pm

Sponsor Contact Jennifer Nanek, Special Projects Manager

Mailing Address 201. W. Central Ave

City Lake Wales State FL ZIP 33853

Sponsor Type city Contact Phone # 863-678-4182x270
(non-profit, professional, educational, religious, etc./commercial)

Indicate manner in which each will be handled; If City assistance is requested, please indicate. (If item not applicable, indicate n/a)

Sanitary Facilities Rhoddas Rentals – 8 portolets

Parking on grass in designated areas

Site Preparation City Staff

Site Clean-up City Staff

- Will vehicular traffic control be required? No Yes (Requires coordination with city Police and Public Works departments)
- Will pedestrian control be required? No Yes (Requires coordination with city Police and 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 Florida Refuse)
- Will tent(s) be erected? No Yes (Requires building permit and inspection)
- Will temporary structure(s) be erected? No Yes (Requires building permit and inspection)
- Will electrical service be used/installed? No Yes (Requires electrical permit and 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 Department of Agriculture and 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 site location & Layout, 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.

Signature of Sponsor's Authorized Representative

Date

SEP 03 2014



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

Applicant: City of Lake Wales **Event:** Pioneer Days **Location:** Shores of Lake Wailes

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 excise 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 sate of the permit resulting from this agreement, said permit is void.

Signature of Sponsor or Authorized Representative of Sponsor

Date

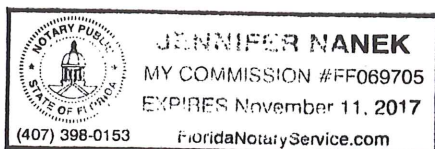
Kenneth Fields, City Manager

Printed Name

State of Florida
County of Polk

The forgoing instrument was acknowledged before me this 3rd day of September, 2014 by

Kenneth Fields



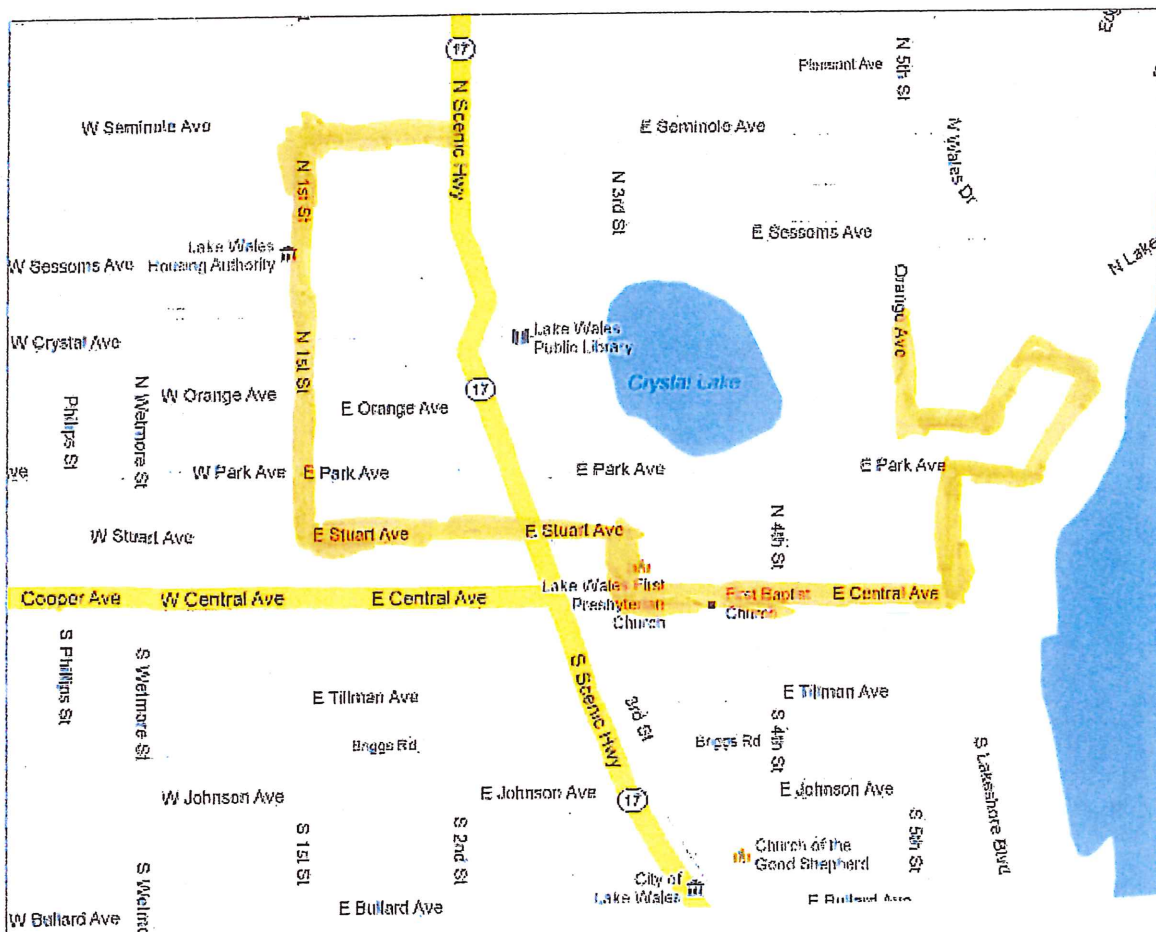
Signature of Notary Public-State of Florida
Jennifer S. NaneK
Name of Notary Typed, Printed, or Stamped

(NOTARY SEAL)

Personally Known OR Produced Identification _____

Type of Identification Produced: _____

Pioneer Days Event ANTIQUE CAR PARADE ROUTE



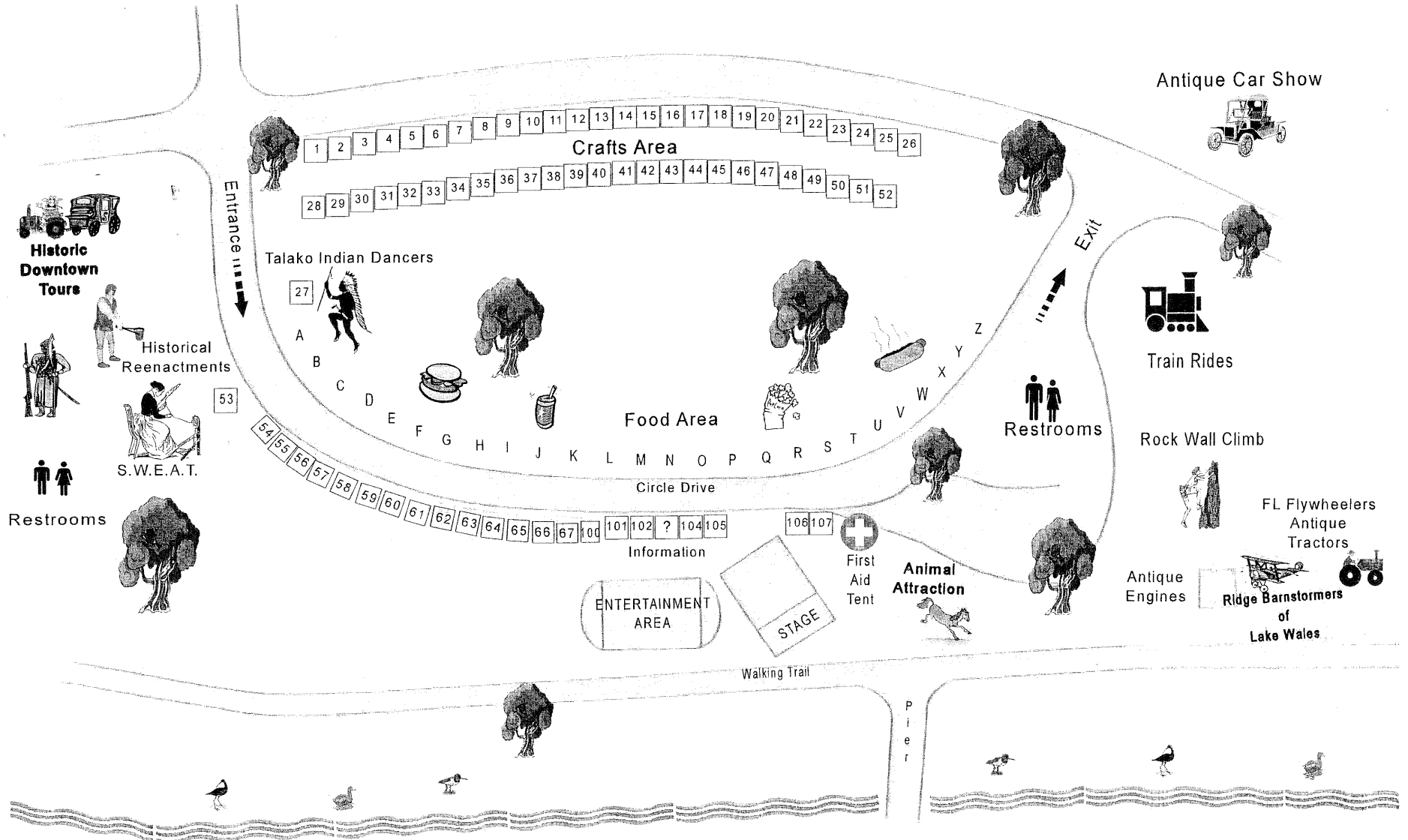
The cars will line up at Jim Maggard's at the intersection of Scenic Highway and Seminole Avenue. The parade will head west on Seminole Avenue until reaching First Street where they will turn south following First Street until reaching Stuart Avenue. At Stuart Avenue they will head west crossing over SR17 until reaching 3rd Street where the parade will travel south to Central Avenue. At Central Avenue they will travel east on Central until reaching Lakeshore Blvd. where the parade will turn north and head to the Lake Wailes Park where they will follow the Horseshoe Drive crossing over Lakeshore to Orange Avenue where the parade will end at Crystal Lake Park.

Pioneer Days Event Carriage Tours ROUTE



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LAKE WALES PIONEER DAYS ACTIVITIES MAP



Lake Wales

map created by
Catherine Harris
Oct. 18, 2012