



City of Florence
A City in Motion

City of Florence Council Work Session

Videoconference &
Florence City Hall
250 Hwy 101
Florence, OR 97439
541-997-3437
www.ci.florence.or.us

- Meeting materials including information on each agenda item are published at least 24 hours prior to the meeting, and can be found on the City of Florence website at www.ci.florence.or.us/council.
- Items distributed during the meeting, meeting minutes, and a link to the meeting video are posted to the City's website at www.ci.florence.or.us/council as soon as practicable after the meeting.
- To be notified of City Council meetings via email, please visit online at <http://www.ci.florence.or.us/newsletter/subscriptions>.

August 17, 2020

WORK SESSION AGENDA

10:30 a.m.

Councilors:

Joe Henry, Mayor

Woody Woodbury, Council President
Joshua Greene, Councilor

Ron Preisler, Council Vice-President
Geraldine Prociw, Councilor

With 48 hour prior notice, an interpreter and/or TDY: 541-997-3437, can be provided for the hearing impaired.
Meeting is wheelchair accessible.

COVID-19 UPDATE

Due to federal and state restrictions on public gatherings, the Florence City Council meetings shall be held via videoconference. Members of the public can listen and view the meeting through the 'GoToWebinar' platform at the following link <https://attendee.gotowebinar.com/register/3736533445575683341>.

Meetings are also shown live on Cable Channel 191 and online at <https://www.ci.florence.or.us/citymanager/public-meetings-live>.

In person attendance is not allowed at City Council meetings.

In accordance with Oregon Governor's Office Executive Order No. 20-16, to protect safety and ensure social distancing, members of the public will not be allowed to attend the City Council meeting.

Citizens wishing to express their views may submit comments in writing or verbally. For more information, please see the end of this agenda or visit the City of Florence website at www.ci.florence.or.us/council/request-address-city-council-speakers-card.

CALL TO ORDER – ROLL CALL

10:30 a.m.

1. WORK SESSION DISCUSSION TOPICS

- Special Events in Publicly Owned Spaces: Review and discuss the City of Florence's City Code and procedures related to special event applications for publicly owned spaces, including City parks.
- Review of Upcoming Agenda Items

COUNCIL CALENDAR

All meetings are held at the Florence City Hall (250 Hwy 101, Florence Oregon) unless otherwise indicated

Date	Time	Description
September 7, 2020	---	Labor Day Holiday City Offices Closed
		City Council Meeting Canceled
		City Council Work Session Canceled

UPDATED PUBLIC MEETINGS PROCEDURES – COVID-19

Given executive orders from Governor Brown concerning COVID-19 and social distancing requirements, the City of Florence has established temporary procedures for public meetings in order to protect our volunteers, public and staff.

In person attendance is not allowed at City Council meetings.

Expressing Views to the City Council: Work Sessions do not allow time for public comments. Public Comment periods are provided at City Council regular sessions which are generally held on the 1st and 3rd Mondays of each month beginning at 5:30 p.m. For the latest City Council meeting calendar, visit the City of Florence website at <https://www.ci.florence.or.us/calendar>.

1. **Written Testimony:** Citizens wishing to express their views to the City Council are encouraged to submit written testimony in one of the following ways:
 - a. Submit written comments via email to City Recorder at kelli.weese@ci.florence.or.us;
 - b. Mail written comments to Florence City Hall, Attn: City Council, 250 Hwy 101, Florence, OR 97439
 - c. Drop off written comments to the City of Florence drop box located at Florence City Hall (250 Hwy 101) to the right of the main entrance.

**** Note:** Written comments received at least 2 hours prior to the meeting (August 17, 2020 at 8:30 a.m.) that concern items on the work session agenda will be distributed to the City Council, posted to the City of Florence website, and made part of the record.

For more information on the City of Florence’s Temporary Public Meeting Policies, visit the City of Florence website at <https://www.ci.florence.or.us/em/public-meeting-during-covid-19>.

City of Florence

City Council Work Session

Memorandum

To: Florence City Council

From: Megan Messmer, AIC City Manager

RE: Special Events in Publicly Owned Spaces

A discussion of the City's process for approval of special events in publicly owned spaces, including City parks, has been requested by members of the City Council. Staff have prepared the following memo outlining the City Code and procedures related to special events below to provide a background for this discussion by the City Council.

City Code

Special events within the City limits are regulated by Florence City Code Title 7, Chapter 5: Special Events, which can be found in Attachment 1. This chapter regulates the use of city property for Special Events and regulates Special Events that impact city property and the rights of way within the city. This chapter does address all special events, including those on private property that impact the ordinary use of city property, public streets, rights-of-way, or sidewalks, or may require increase presence of City personnel. As the request for this discussion centered primarily on the use of parks, this memo will focus on the use of City property for special events.

7-5-2: SPECIAL EVENT ON CITY PROPERTY: Special Events on city property require a special event permit. Requests to conduct a Special Event on city property shall be made by application to the City Manager. The City Manager shall adopt policies for the application process, application review criteria, and conditions of approval. Applicants may appeal an application decision made by the City Manager to the City Council using the procedures set out in the Code Section 3-1-9. References to the City Manager shall mean the City Manager or the City Manager's designee. (Ord. 18, 12-15-10)

In addition, any event taking place adjacent to a roadway designated as an area of high motor vehicle traffic or high pedestrian traffic must also obtain a special events permit. Those areas are defined in 7-5-3 and generally include the streets in the Old Town area and Highways 101 and 126.

Special Event/Park Use Application

Those wanting to hold a special event or reserve a park fill out the application found in Attachment 2. The application requests general information about the event, including a series of yes or no questions designed to both indicated additional approvals needed and provide information for staff to review when developing the conditions of approval. The application also provides general guidelines for a timeline on when it needs to be submitted, the circumstances under which a special event permit is required, and the City's standard rules for events held at City parks.

Park Rules for Special Events

The City has general park rules for special events that are found on the application. Those rules are provided with approvals and are listed as follows.

1. All litter must be picked up during and after the event. Large events will be required to provide additional trash enclosures / cans during the event and pay for their disposal. The contact person will be responsible for any cleanup.
2. During large events, event organizers will be responsible for providing additional portapotties for the event, as well as cleaning and monitoring of permanent restroom facilities.
3. No vehicles are allowed on lawn / landscape without prior permission. Event organizers shall unload and load from the curb.
4. No assembly shall be conducted in a City park during the time between thirty (30) minutes after sunset and thirty (30) minutes before sunrise the next day, unless expressly allowed to do so by the City Manager.
5. If tent stakes are put into the ground, the Parks division must approve stake location. The Event Organizer will be responsible for all damages caused by underground utilities or irrigation systems.
6. Events shall not block the public's access to a park by putting fencing or other barriers across public walkways or roadways. At least 5 feet of access shall be provided along such sidewalks and walkways at all times.
7. General park clean-up is the responsibility of the event organizer.
8. Alcohol shall not be served at City parks.

Any additional conditions of approval determined during staff review are provided to the applicant.

Fees

There is no fee to reserve a park or complete a general special events permit. There is a fee for street closures.

Noise Variances

If an event plans on amplifying sound, there is also a process to receive approval through a noise variance.

FCC 6-1-2-3-E Variances. Any person who is planning the use of a sound producing device which may violate any provision of this subsection may apply to the City Manager for a variance from such provision.

The City application for noise variances outlines when a variance is required, how to apply, the process for review, and the conditions of approval, which includes notification of surrounding properties. The Noise Variance Application can be found in Attachment 3.

Review and Approval Process

Per FCC 7-5-2, the City Manager shall adopt policies for the application process, application review criteria, and conditions of approval. The procedures for review of special event and business license applications were issued in fall of 2016 and updated with the writing of this memo to reflect current staff contacts. Those procedures can be viewed in Attachment 4.

Applications are received and distributed through the Customer Service Representative in the Administrative Services Department for review by various City departments, including Siuslaw Valley Fire & Rescue. The review of these requests to reserve City parks is completed by each department where necessary to look at safety, sanitation, access, traffic control, sales, alcohol, and other items related to the logistics of the special event. Staff are not reviewing content of the request, including political, religious, or other first amendment protections.

Once approved, applicants are sent communication regarding their event with conditions of approval. If denied, notification is sent to the applicant with an explanation.

TITLE 7
CHAPTER 5

SPECIAL EVENTS

SECTION:

- 7-5-1: Purpose
- 7-5-2: Special Event on City Property
- 7-5-3: Special Event Impacting Right of Way
- 7-5-4: Street and Right of Way Closures
- 7-5-4-1: Criteria for Approval
- 7-5-4-2: Application, Staff Review, Appeal, and Council Action
- 7-5-5: Revocation of Permit
- 7-5-6: Fees

7-5-1: PURPOSE: This Chapter regulates the use of city property for Special Events and regulates Special Events that impact city property and the rights of way within the city. A Special Event is any event that occurs upon private or public property that will affect the ordinary use of city property, public streets, rights-of-way or sidewalks, or may require increase presence of City personnel. A Special Event includes, but is not limited to, fairs, festivals, concerts, parades and block parties. Demonstrations and other lawful assemblies, including but not limited to private social gatherings that will make no use of city streets other than for lawful parking, are not included, unless the effect on city property or rights-of-way is extraordinary. School events on school property are not included. If a Special Event involves the sale of goods or services, a business license will be required under Title 3, Chapter 1. Regulations governing parades and processions are found in Title 7, Chapter 4. Regulations of certain commercial activity on city streets are found in Code Section 8-2-4. (Ord. 18, 12-15-10)

7-5-2: SPECIAL EVENT ON CITY PROPERTY: Special Events on city property require a special event permit. Requests to conduct a Special Event on city property shall be made by application to the City Manager. The City Manager shall adopt policies for the application process, application review criteria, and conditions of approval. Applicants may appeal an application decision made by the City Manager to the City Council using the procedures set out in the Code Section 3-1-9. References to the City Manager shall mean the City Manager or the City Manager's designee. (Ord. 18, 12-15-10)

7-5-3: SPECIAL EVENT IMPACTING RIGHT OF WAY: Any person or group who wishes to hold a Special Event on private property adjacent to a roadway designated in this Section as being in an "area of high motor vehicle traffic" or "high pedestrian traffic" must first obtain a special event permit from the City Manager. If the Special Event is or includes a parade, a parade permit must also be obtained from the appropriate governing agency. Special Events held adjacent to an area of high motor vehicle traffic or high pedestrian traffic may be subject to conditions of approval, as set out in policies adopted by the City Manager, that take into account the safety of vehicle and pedestrian traffic as well as the safety of those attending the Special Event. The following roadways are hereby designated as high motor vehicle traffic and high pedestrian traffic areas:

1. All locations on Bay Street
 2. 1st Street from Laurel Street to Harbor Street
 3. Laurel Street from 1st Street to Bay Street
 4. Maple Street from 1st Street to Bay Street
 5. Nopal Street from 1st Street to Bay Street
 6. All locations on Highway 101
 7. All locations on Highway 126
- (Ord. 18, 12-15-10)

7-5-4: STREET AND RIGHT OF WAY CLOSURES: Any person or entity seeking the closure of a street or public right of way as part of any Special Event shall in addition to a Special Event permit, also obtain a street closure permit from the City of Florence. This Section does not apply to persons or entities with the necessary and proper permits for construction or repair work on either public or private property which require temporary closure or partial closure of any right of way or street. This Chapter also does not apply to street or right of way closures authorized by: the City Manager under FCC 7-1-3-3-E; the Police Department, the Public Works Department, or other city department for city projects or business; and FCC 7-4 for parades.

Street closure permits may only be approved by the City Council after allowing the public an opportunity to

comment on the proposed street or right of way closure at a public meeting. The application, review criteria, and review procedures for a street closure permit shall be governed by this Section.

7-5-4-1: CRITERIA FOR APPROVAL: The Council may not grant a temporary permit pursuant to this Chapter unless the application for the permit demonstrates compliance with the following criteria:

- (1) The street closure and/or Special Event will not disrupt traffic within the city beyond practical solution.
- (2) The street closure and/or Special Event will not create unreasonable or significant safety issues for the participants, the public, attendees, pedestrians, motorists, or others.
- (3) The Special Event will not result in a violation of the city's noise ordinance, FCC 6-1-2-3. If the applicant is planning to use any sound producing devices which may violate the noise ordinance, a separate application for a variance under FCC 6-1-2-3 must accompany the application for a street closure. A final decision on the street closure application will not be made until after a final decision is made on the application for a variance to the noise ordinance.
- (4) The Special Event and/or the street closure will not unreasonably interfere with access to fire stations and fire hydrants.
- (5) The Special Event and/or the street closure will not unreasonably interfere with access to the affected area by police, fire, ambulance, or other emergency services providers.
- (6) If alcohol will be served or sold at the Special Event, applicant will obtain or has obtained any and all necessary OLCC permits. Applicant shall include a plan in the application which demonstrates the ability to comply with all state and local laws, rules and regulations. This paragraph is not intended to repeal or modify FCC 6-1-2-5 which prohibits the consumption of alcohol in a public right-of-way.
- (7) The Special Event and/or street closure will not cause undue hardship to adjacent businesses, public services including public transit, public buildings, and/or residences which cannot be reasonably mitigated by the applicant. If the Special Event will create undue hardships for adjacent businesses, public services, or residences, the applicant shall provide and fund a plan to mitigate or avoid these hardships.
- (8) The application is complete as required by this Chapter and contains no false information.
- (9) The applicant has fully paid or guaranteed payment for the cost of any mitigation plan and the cost of any activity the City has agreed to perform in support of the Special Event, if any.
- (10) The applicant has provided proof of insurance in a form and amount as approved by the city manager sufficient to protect the City and the public from the risk of any liability created by the street closure and/or the Special Event.

7-5-4-2: APPLICATION, STAFF REVIEW, APPEAL, AND COUNCIL ACTION:

A. APPLICATIONS:

A completed application for a Special Event permit requiring the temporary closure of any street or right of way shall be submitted to the City Manager, or designee, at least 45 days prior to the event if no other governmental entity approval or permit is required. Whenever another governmental entity approval or permit is required, the application shall be submitted to the City Manager, or designee, at least 90 days prior to the event. Applications may only be submitted for a Special Event up to one year in advance. Any such application shall include the following:

- (1) The full name and contact information for all event organizers and a detailed description of the event, including dates, hours, admission fees, and purpose, and a statement as to how the event will benefit the citizens of Florence.
- (2) A map and description of all streets and rights of way affected by the closure with sufficient detail to allow the City to complete the review and assess the impact of the closure.

- (3) A list of all businesses within 100' of the portion of the streets to be closed.
- (4) A detailed plan for ingress and egress from the closed area including delivery trucks, participants, attendees, the general public, residents, and emergency vehicles. This plan must include the number of access points, who will be allowed ingress and egress at those points, and how these points will be staffed and controlled.
- (5) An estimate as to how many participants and attendees are expected at the event including an explanation of how the estimate was derived.
- (6) A sanitation plan providing details as to how the organizers plan to accommodate the expected attendees and participants with an appropriate number of public restrooms or sanitation facilities.
- (7) A security plan which must include the number and deployment of security personnel, a temporary fencing plan, a crowd control plan, a traffic control plan, and a plan for how first aid will be provided during the event. For Special Events predicted to have a total attendance of greater than 500 people, the applicant shall supply information concerning the qualifications of the personnel that will provide crowd control and traffic control.
- (8) A statement as to whether alcohol will be consumed or sold during the Special Event, a copy of all required OLCC permits, or a statement that all required permits will be obtained and copies provided prior to the Special Event, and a plan which demonstrates compliance with all state and local laws, rules, and regulations. If alcohol will be sold at the Special Event, the applicant will obtain a commercial liquor liability insurance policy and submit a certificate of insurance to the City. For Special Events predicted to have total attendance of less than 500 people, the policy shall be for coverage of at least \$500,000 combined single limit per occurrence. For Special Events predicted to have total attendance of greater than 500 people, the policy shall be for coverage of at least \$1,000,000 combined single limit per occurrence.
- (9) A disclosure as to when and whether any sound producing devices including musical instruments will be used during the Special Event and when and where any sound will be amplified for any purpose during the event.
- (10) Proof of liability insurance for the Special Event in the form and amount approved by the city manager naming the City as an additional insured.
- (11) An approved City business license if required by FCC 3-1-4.
- (12) Approvals to place any signage within the rights of way as required by FCC 10-26-6.
- (13) A list of on-site contact persons that will be at the Special Event during all hours of the Special Event. The list shall contain the contact information for each contact person such that the city will be able to reach the contact person during the Special Event.
- (14) A consent to attend a pre-Special Event conference with city staff to prepare for the Special Event should such a conference be requested by the City Manager, or designee.
- (15) The fees required by FCC 7-5-6.
- (16) A written agreement to indemnify the city against any and all claims related to the applicant's actions or inactions related to the Special Event. Such indemnity shall be in a form approved by the City Manager.

The applicant shall sign the application, and if the signatory is signing on behalf of an entity, the signatory shall attest that the signatory has the authority to sign the application.

B. STAFF REVIEW PROCESS & APPEAL:

When an application is deemed complete by the City Manager, or designee, City staff will commence an administrative review of the application. The City Manager may determine which city staff will review each

application, but that staff review shall always include review by the Chief of Police, the Public Works Director, and the City Manager, or their respective designees. An application may not be deemed complete until all of the items listed in FCC 7-5-1-2(A) have been provided to the city. City staff will review the application to determine if it poses any unreasonable or significant threat to the public health or safety that cannot be mitigated by the applicant. City staff will also review the application to determine whether the event is an “outdoor mass gathering” or whether it requires a permit or permits from other public agencies. An outdoor mass gathering is defined and regulated by ORS 433.735. Applications for such events will be forwarded to Lane County for review and comment. An outdoor mass gathering is one where the event lasts between 24 and 120 hours with an excess of 3,000 people. Events of this nature will require the application to be submitted at least 90 days prior to the event. If it is determined that permits are required from other public agencies, the city will refer the applicant to those agencies before completing the staff review process. For example, alcohol sales are regulated by the Oregon Liquor Control Commission and a state permit may be required. Food handling may require a Lane County food handling permit. If state roads will be impacted or affected, an Oregon Department of Transportation (ODOT) permit is required. Failure to obtain any such permit may delay processing a temporary road closure permit by the city.

Any application may be summarily denied by the City Manager if it poses a health or safety hazard that cannot be mitigated by the applicant; if it would violate any federal, state, county, or city law; or if the applicant fails or refuses to provide any information required by this Chapter. Any summary denial by staff may be appealed to the City Council pursuant to FCC 3-1-9. All applications which have been through the staff review process and have not been summarily denied by the City Manager shall be forwarded to the City Council for a final decision on the application.

Notices of staff action on an application will be provided to the applicant via first class mail to the address provided by the applicant on the application.

C. COUNCIL ACTION:

After allowing public comment at a public meeting on any application to temporarily close a street or right of way, the City Council may approve the application, approve the application with conditions, deny the application, or require the applicant to provide additional information before making a decision. The City Council decision shall be based on the following questions:

- (1) Has the applicant demonstrated compliance with all of the criteria for approval set out in FCC 7-5-1-1?
- (2) Is the information provided by the applicant credible and are the plans submitted by the applicant adequate to protect the city, the public and the affected property owners?
- (3) Is the potential harm and inconvenience to public and affected property owners created by this road closure reasonably mitigated or avoided by the applicant’s plan for the event?

If the answer to all three of these questions is “yes,” the City Council shall direct the City Manager to issue the permit for the street closure regardless of the subject matter of the event or the identity of the applicant. If the answer to any of these three questions is “no,” the City Council shall deny the permit and that decision is final. The Council’s decision shall be in writing and include written findings upon which the decision is based.

D. Prior to the council meeting where the council is taking public comments on any applications filed under this chapter, the City shall provide notice of the proposed street closure and the Council’s deliberation on the proposed street closure to the following:

- (1) All property owners within 100’ of the proposed street closure;
- (2) All businesses within 100’ of the proposed street closure; and
- (3) The Siuslaw Valley Fire and Rescue District and the Western Lane Ambulance District

7-5-5: REVOCATION OF PERMIT: Any permit issued under this Chapter may be revoked by the City Manager, or designee, if the applicant: fails to adhere to all of the requirements for such permits set forth in this Chapter; does not fully comply with any condition imposed by the City Council when the permit was issued; and/or fails to fully implement any of the plans in the application which are intended to protect the health, safety, or welfare of the city, the public, or the affected property owners. Any such revocation may be appealed to the City Council pursuant to FCC 3-1-9.

7-5-6: FEES:

- A. Fees for permits issued pursuant to this Chapter shall be established by resolution of the City Council.
- B. The City Manager may waive or reduce any permit fee under this Chapter when, in the judgment of the City Manager, it would be in the public interest to do so.
- C. Fees shall be due at the time an application is submitted. An application is not complete and will not be reviewed until fees have been paid.

Established by Ordinance 13, 2009 – effective 9-16-09

Sections: 7-5-1, 7-5-2, 7-5-3, 7-5-4, 7-5-5, and 7-5-6 amended in Ord. 18, Series 2010, effective 12-15-10.



City of Florence

Special Event / Park Use Application

City Hall ~ 250 Hwy 101, Florence, OR 97439
(541) 997-3437 – www.ci.florence.or.us

Please see reverse for information on when a special event permit is necessary and for standard park rules.

Name of Event:		
Description of Event:		
Location of Event:		
Date(s) of Event:	From:	To:
Hours of Event	From:	To:

Please answer the following questions:

Will you charge an admission fee for the event?	Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes... please describe:	
What is your estimated minimum to maximum attendance?			
Will private security be provided?	Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes....please describe:	
Will food or alcohol be served?	Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes....please describe: Note: OLCC license may be required.)	
Will additional waste disposal be provided?	Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes....please describe:	
Will goods or services be sold at the event?	Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes.... City of Florence business license will be required.	
Will sound be amplified during the event?	Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes.... Noise variance will be required.	

Property Owner Information

(If event will be held on private property)

Owner Name:			
Owner Phone:		Owner Email:	
** Please submit written permission from property owner if event will be held on private property **			

Event Contact Information

Contact Name:			
Mailing Address:		City, State, Zip:	
Contact Phone:		Contact Email:	
In Case of Emergency regarding your event, please furnish after hours contact information.			
Name:		Phone Number:	

- I acknowledge that I will be the primary contact person for the event and will assume responsibility for all complaints, fees or damages.

Signature:		Date:	
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City of Florence

Special Event / Park Use Information

Events consisting of 40 or less participants must be submitted at least 7 days before the event.

Events consisting of 40-500 participants must be submitted at least 30 days before the event.

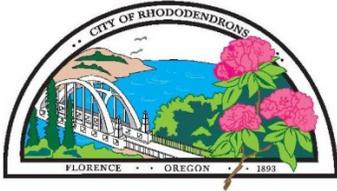
Events consisting of 500 or more participants must be submitted at least 90 days before the event.

A Special Events License is required in the following circumstances per FCC 7-5

1. Use of City property for an event (i.e. use of a city park or other facility)
2. The Special Event will be on private property adjacent to the following high pedestrian and motor vehicle traffic locations...
 - a. All locations on Bay Street
 - b. 1st Street from Laurel Street to Harbor Street
 - c. Laurel Street from 1st Street to Bay Street
 - d. Maple Street from 1st Street to Bay Street
 - e. Nopal Street from 1st Street to Bay Street
 - f. All locations on Hwy 101
 - g. All locations on Hwy 126
3. The special event will affect the ordinary use of city property, public streets, rights-of-way or sidewalks, or may require increased presence of City personnel.

The following are the standard rules for events held at City of Florence Parks

1. All litter must be picked up during and after the event. Large events will be required to provide additional trash enclosures / cans during the event and pay for their disposal. The contact person will be responsible for any cleanup.
2. During large events, event organizers will be responsible for providing additional porta-potties for the event, as well as cleaning and monitoring of permanent restroom facilities.
3. No vehicles are allowed on lawn / landscape without prior permission. Event organizers shall unload and load from the curb.
4. No assembly shall be conducted in a City park during the time between thirty (30) minutes after sunset and thirty (30) minutes before sunrise the next day, unless expressly allowed to do so by the City Manager.
5. If tent stakes are put into the ground, the Parks division must approve stake location. The Event Organizer will be responsible for all damages caused by underground utilities or irrigation systems.
6. Events shall not block the public's access to a park by putting fencing or other barriers across public walkways or roadways. At least 5 feet of access shall be provided along such sidewalks and walkways at all times.
7. General park clean-up is the responsibility of the event organizer.
8. Alcohol shall not be served at City parks.



City of Florence

Noise Variance Application

City Hall ~ 250 Hwy 101, Florence, OR 97439
(541) 997-3437 – www.ci.florence.or.us

*Application must be submitted at least 20 days prior to event OR 35 days prior to the event to allow for appeal rights.
Please see reverse for information on when a noise variance is required and the approval process.*

Name of Event:		
General Description of Event:		
Location of Event:		
Detailed Description of Amplified Sound:		
Detailed Description of the Nature of the Event, and why a noise variance is requested:		
Date(s) of Amplified Sound:	From:	To:
Hour(s) of Amplified Sound:	From:	To:

Property Owner Information

(If event will be held on private property)

Owner Name:			
Owner Phone:		Owner Email:	
** Please submit written permission from property owner if event will be held on private property **			

Event Contact Information

Contact Name:			
Mailing Address:		City, State, Zip:	
Contact Phone:		Contact Email:	
In Case of Emergency regarding your event, please furnish after hours contact information.			
Name:		Phone Number:	

- I acknowledge that I will be the primary contact person for the event and will assume responsibility for all complaints, fees or damages.

Signature:		Date:	
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Noise Variance Information

A Noise Variance is required if...

1. Sound is produced above 50 dBA (*the sound of the average home*) between the hours of 10 P.M. and 7 A.M.
2. Sound is produced above 60 dBA (*the sound of Normal Conversation*) between the hours of 7 A.M. and 10 P.M.
3. Except in the following scenarios...
 - a. Sound from organized athletic or group activities when activities are conducted on property generally used for such purposes (parks, schools, etc.)
 - b. Sound is caused by emergency work, the use of emergency equipment, or emergency warning devices and alarm systems
 - c. Sound caused by aircraft and watercraft (which are regulated by federal law)
 - d. Sound caused by reasonable activity in industrial zoned land
 - e. Sound caused by a vehicle idling for less than 30 consecutive minutes in preparation of its operation
 - f. Garbage Collection (in most instances per FCC 9-4-4-5-B-6 & 7)

A Noise Variance is reviewed by the City Manager within 10 days of the application, taking into account the following considerations...

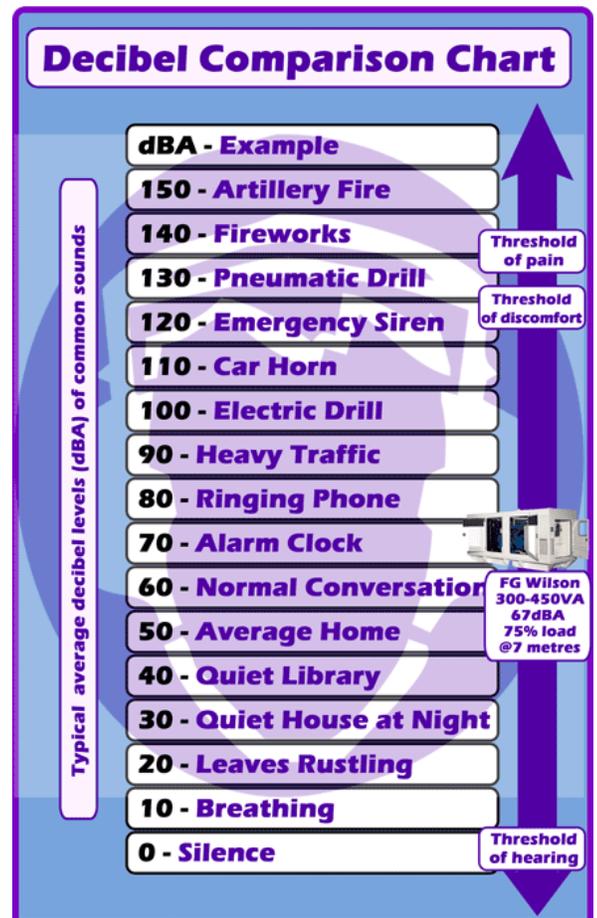
1. The nature and duration of the sound emitted
2. Whether the public health, safety or welfare is endangered
3. Whether compliance with the provision would produce no benefit to the public
4. Whether previous permits have been issued and the applicant's record of compliance

Should a noise variance application be denied, the applicant may appeal the decision to the City Council.

All Noise Variance approvals shall be conditioned on the following...

1. Notification shall be distributed to all businesses and/or residents within the area of concern (*Generally 100 feet from event depending on activity*), at least 7 days prior to the event. The notification shall include the following...
 - a. Date / Times of event
 - b. Type of Noise to be emitted
 - c. Intensity of Noise to be emitted
 - d. Contact person for the event, including telephone number

All complaints received concerning the event will be taken into consideration for future noise variance and special event applications.



City of Florence Business & Special Event License Procedures

Issued 9.16.16 | Updated 8.11.20

1. **Step One:** Business / Special Events licenses are received by the City Recorder's office, scanned, password protected
2. **Step Two:** Business / Special Event licenses are distributed via email to the following parties:

General Business Licenses (Brick and Mortar Businesses, Home Occupations, Transient Merchants & Master Vendors)

- Mike Miller – Public Works
- Eric Rines – Building
- Dispatch, John Pitcher & Tom Turner – Police
- Tony Miller – Fire
- Roxanne Johnston & Vevie McPherren – Planning
- Erin Reynolds – City Manager

Smaller Business Licenses (Traveling Businesses, contractors, 'no store front', not in city limits, vendors, Rhody Days)

- Eric Rines – Building
- Dispatch, John Pitcher & Tom Turner – Police
- Roxanne Johnston & Vevie McPherren – Planning
- Erin Reynolds – City Manager

Special Event / Park Use & Sidewalk Cafes

- Mike Miller & Mark Durbin – Public Works
- Dispatch & Tom Turner – Police
- Tony Miller – Fire
- Roxanne Johnston & Vevie McPherren – Planning
- Erin Reynolds – City Manager
- Dan Frazier – Code Enforcement

Parade, Walk/Run & Street Closures

- Mike Miller & Mark Durbin – Public Works
- Dispatch & Tom Turner – Police
- Tony Miller – Fire
- Roxanne Johnston – Planning
- Erin Reynolds – City Manager

Noise Variances

- Dispatch & Tom Turner – Police
- Mark Durbin – Public Works
- Erin Reynolds – City Manager

Liquor Licensees

- Dispatch, John Pitcher & Tom Turner – Police
- Roxanne Johnston & Vevie McPherrren – Planning
- Erin Reynolds – City Manager

3. **Step Three:** Each department has three business days to review the business / special event license and reply back to the City Recorder's office with one of the following responses:
- a. Recommendation for approval
 - b. Recommendation for approval with conditions
 - i. List conditions in format you wish them to be placed in the approval letter, along with contact person for the conditions
 - c. Request for additional time and a quick reason (i.e. potential CCH, Need to review land use file, etc.)
 - d. Recommendation for denial of license and reasoning (including citing code section if applicable)

*** A lack of response during this time will indicate an 'approval' for the license.

4. **Step Four:** City Recorder's office issues licenses
- a. Licenses without conditions are printed and mailed with template letter
 - b. Licenses with conditions are issued specialized letters
 - c. Any denials are processed with the City Recorder in conjunction with the department recommending denial

Updates made on August 11, 2020, include names of contacts due to staff changes. In addition, please note that the processing of applications is done by customer service staff within the Administrative Services Department.