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### **Sec. 50-9.14.0. Temporary use permits.**

Temporary uses and structures are allowed provided that a permit for such use or structure is obtained from the planning department. Applications for temporary uses or structures shall be submitted to the planning department on the appropriate application. The planning official shall approve, approve with conditions, or deny the application based on the application's consistency with the comprehensive plan, the general intent and provisions of this chapter and generally not detrimental the overall health, safety and welfare of the citizens of the county. Approved permits may be issued for the following:

### **Sec. 50-9.14.2. Temporary use—Activities requiring permits.**

- (a) Christmas tree sales provided that no such use shall exceed 60 days.
- (b) Indoor and outdoor art and craft shows, bazaars, carnivals, revivals, musical performances, circuses, sports events, and exhibits provided that no more than six events of a maximum of five days each are conducted on the same property during any calendar year.
- (c) Other temporary uses, events, and activities which are, in the opinion of the planning official, consistent with the comprehensive plan and the provisions of this chapter.

### **Sec. 50-9.14.3. Temporary use permit application requirements.**

A temporary use is any event, including without limitation, any party, reception, rally, exposition, gathering, outdoor retail sales promotion, organized competition, show, fair, carnival, circus, musical performance, or entertainment festival, which is of a commercial nature, is conducted for fee or other compensation, or for which registration is required, or a donation is solicited, and which is not a use typically associated with the permanently permitted uses for the property. Temporary uses are only allowed in the AG-20, AG-5 and IB land use districts and shall not be conducted without first obtaining a temporary use permit as provided in this section. Temporary uses for any given location shall be limited to a total six permitted events per calendar year of not more two days each. A single longer duration event of up to a total of 14 consecutive days may be approved as a special exception pursuant to Land Development Code section 50-9.15.0. Notwithstanding the above, for any given location, events involving primarily entertainment enhanced by amplified sound shall be limited to three single day events per year. For purposes of calculating the number of event days hereunder for any given location, contiguous parcels under common ownership (including those parcels having a common principal in an entity holding title) shall be considered one single event parcel. Temporary use permits are approved and issued by the planning official. A complete application for temporary use permit shall be submitted a minimum of 20 days before the event. Event promoters are encouraged to contact the planning department for a preapplication conference not less than 45 days before such event.

- (a) The following information shall be provided as part of an application for temporary use permit:
  - (1) Name, address, telephone number, of the owner of the property, and of the sponsor of the event; and
  - (2) Proof of legal right, or other authorization, to use the property on which the event is proposed to be conducted (copy of deed, lease agreement, license, or owner's affidavit of authorization).
  - (3) Identification of land use category and physical (911) address of the event property; and
  - (4) A thorough description of the proposed use, all associated activities, and the date(s) and hours of operation of the proposed event; and
  - (5) A site plan for the event, showing the location of all features and facilities required by this section, including without limitation, the area where activities and performances are to be

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located; ingress, egress, pedestrian and traffic control, and parking facilities (both on and off site); the location of areas for camping, restrooms and sanitary facilities, food vending, security, lost and found, and medical facilities (if any).

- (6) A copy of the applicant's latest sales tax payment report.
  - (7) Prior to the event, the applicant/permittee shall provide proof of publication of notice of the event in the form provided by the county published in a newspaper of general circulation not later than ten days before the event.
- (b) Temporary use permit applicants shall address the following:
- (1) Proof of \$1,000,000.00 liability insurance for the proposed event. Jefferson County shall be named as an additional insured.
  - (2) Security and traffic control: Two off-duty law enforcement officers shall be required for events over 300 attendees. For events expecting over 500 attendees, a security plan shall be submitted and approved by the sheriff's office. Traffic control shall provide safe ingress and egress from the site, at least one parking space for every four persons, and for safe pedestrian travel from the parking areas to the areas designated for activities and/or performances.
  - (3) Health, food & sanitation provisions:
    - a. *Potable water*: Adequate access to potable drinking water, or equivalent access to hydration, shall be provided at the rate of at least one gallon per day for every four attendees.
    - b. *Sanitary sewer*: Restroom facilities, or portable lavatories, including portable hand washing facilities, shall be provided as required by Florida Department of Health Rule 64E-6.0101, or successor rule, and shall be conveniently accessible to users.
    - c. *Food (if available)*: All food vendors shall display current licenses as required by the DBPR division of hotels and restaurants (unless a license is not required) and shall provide the county with evidence of payment of applicable sales taxes in the form of the vendor's latest sales tax report.
    - d. *Alcoholic beverages (if available)*: All vendors of alcoholic beverages shall obtain and display current licenses from DPBR division of alcoholic beverages and tobacco and shall provide the county with evidence of payment of any applicable taxes in the form of the vendor's latest sales and alcohol tax report.
  - (4) For events involving amplified sound and/or nighttime activities, the application shall include provisions for the control of sound and/or lighting during activities. Control of sound shall demonstrate consistency with the measures herein below limiting noise levels. Lighting shall avoid unreasonable glare which annoys residents or causes traffic safety hazard.
  - (5) Living accommodations: Providers of living accommodations for compensation, including camping, shall provide to the county evidence of payment of applicable local bed taxes in the form of the provider's latest tax report.
  - (6) Written confirmation shall be provided of notification of event & location to sheriff's dept. & fire/rescue dept.
- (c) The application requires notarized signatures of the owners and permittees of the following acknowledgement: "The undersigned fully understand(s) that this approval is for a one-time event on the date(s) listed and all subsequent events to occur at the above location will be required to submit a new Temporary Use Permit in accordance with the Jefferson County Land Development Code (LDC) for each individual event (total number of events within any given calendar year shall be strictly limited as

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provided in Land Development Code Section 50-9.14.3.)". Further, the undersigned fully understand that both the permittee(s) and the owner(s) are responsible for conducting the event in full compliance with the Jefferson County Land Development Code and with any special conditions of the temporary use permit, and that failure to conduct a compliant event may result in the imposition of penalties as provided pursuant to Code of Ordinances section 1-8 and F.S. § 125.69, and/or Code of Ordinances chapter 21.

- (d) The fee for the permit application is listed in the general fee schedule adopted by the BOCC.
- (e) *Sales tax follow up.* Within 60 days of an event, the applicant/permittee shall provide to the county proof of payment of all applicable sales taxes. Failure to comply with the requirement shall result in denial of future temporary use permits for a period of six months.
- (f) *Hours of operation.* Hours of operation for events shall be from 8:00 a.m. to 30 minutes after sunset, unless special exception approval for a nighttime event is provided by the board of county commissioners, in which case all amplified sound shall cease no later than 10:00 p.m.
- (g) *Noise level.*
  - (1) Noise levels are to be measured at the property line of where the event is being held closest to the nearest public or private road right-of-way, provided however, that in the event of a complaint, noise level shall be measured at the property line closest to the property of the complaining party.
  - (2) No noise over 65 decibels dB(A) measured as required herein shall be allowed at any time.
  - (3) Control of noise generated by performers, patrons or attendees shall be the responsibility of the event permit holder and the owner.
- (h) *Violations and penalties.*
  - (1) Violations of this chapter shall be enforced through the special magistrate or civil citation procedures and penalties, as staff may deem appropriate, as provided in Code of Ordinances chapter 21, or in the alternative, may be enforced as provided in Code of Ordinances section 1-8, or in a court of competent jurisdiction. Both the property owner and the event permittee shall be liable for violations hereunder. Anyone knowingly holding or allowing to be held on his or her property, an event requiring a temporary use permit without first obtaining a such permit authorization as provided in this section, shall be subject to enforcement as provided in Code of Ordinances section 1-8 and F.S. § 125.69, or under such circumstances, the county may seek enforcement by any other lawful method as provided herein above.
  - (2) Three or more documented violations of the noise restrictions established herein above at any given single event shall result in the event permittee, owner and event parcel being suspended from eligibility for another temporary use permit for a period of six months. The county shall provide written notice of a determination of suspension hereunder within 14 calendar days following the event and the suspended individual or entity may appeal the determination to the board of county commissioner within 14 days of receipt of the written notice. Appeals hereunder shall be heard by the board at the next regular meeting.

(Ord. No. 2021-0819-21-01, § 3, 8-19-2021)

### **Sec. 50-9.15.0. Special exceptions.**

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### **Sec. 50-9.15.1. Designation of special exceptions.**

The specific uses allowable upon special exception approval within each land use district are identified in section 50-2.2.0 of this Code.

(Ord. No. 2023-06, § 7, 10-5-2023)

### **Sec. 50-9.15.2. Pre-application conference.**

Prior to submittal of an application for special exception approval, the owner(s) or designated representative involved in the preparation of the application shall meet with the planning official and/or staff to discuss the proposed use and the application review and approval process. Applicants are also encouraged to meet with neighboring property owners as early as possible in the process to discuss pertinent issues that may affect the project. No person may rely upon any comment concerning a proposed special exception, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.

(Ord. No. 2023-06, § 7, 10-5-2023)

### **Sec. 50-9.15.3. Application and submittals.**

- (a) *Application.* Applications for special exception review shall be available at the planning department. A completed application shall be signed by all owners, or their agent(s), of the project subject to the proposal, and notarized. Signatures by other parties will be accepted only with notarized proof of authorization by owners. In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation, and embossed with the corporate seal.
- (b) *Submittals.* An application for special exception shall be submitted concurrently with a development plan and shall include all submittal requirements of this chapter, including the performance standards listed below.