

ORDINANCE NO. 1667

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATING TO PUBLIC SAFETY DURING HIGH IMPACT PERIODS; AMENDING CHAPTER 3, SECTION 3-5 CLARIFYING ENFORCEMENT PROCEDURES; CREATING CHAPTER 3 ARTICLE II ESTABLISHING HIGH IMPACT PERIOD REGULATIONS INCLUDING ALCOHOLIC-BEVERAGE ESTABLISHMENT AGE RESTRICTIONS, AND SECURITY, LIGHTING, AND RELATED OPERATIONAL MEASURES; AMENDING CHAPTER 4 TO CREATE SECTIONS 4-2 AND 4-3 PROVIDING FOR HIGH IMPACT PERIOD DESIGNATIONS AND TEMPORARY REGULATIONS INCLUDING A TEMPORARY JUVENILE CURFEW, PARENTAL RESPONSIBILITY, AND AMENDING SECTIONS 4-19, 4-20, AND 4-25 REGARDING SPONTANEOUS ASSEMBLIES, SPECIAL EVENT ZONES, EMERGENCY MEASURES, PERMITTING, AND LIMITATIONS ON SPECIAL EVENTS; CREATING SECTION 4-40 ESTABLISHING THE VOLUNTARY “CARES” BUSINESS CERTIFICATION PROGRAM AND AUTHORIZING FEE INCENTIVES; AMENDING CHAPTER 8, SECTION 8-183 TO ADD HIGH IMPACT PERIOD GUEST RESTRICTIONS AND SECURITY REQUIREMENTS FOR VACATION RENTALS; CREATING CHAPTER 22, SECTION 22-30 PROVIDING SPECIAL PARKING, AND TOWING REGULATIONS DURING HIGH IMPACT PERIODS; AMENDING CHAPTER 25, SECTION 25-1 AND CREATING SECTION 25-2 TO PROVIDE ENHANCED CIVIL PENALTIES DURING HIGH IMPACT PERIODS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, SCRIVENER’S ERRORS, LIBERAL CONSTRUCTION, MODIFICATIONS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Panama City Beach (“City”) is a world-renowned tourist destination, attracting millions of visitors annually to its unique geographical features, including its 27 miles of white sandy beaches on the Gulf of America, and significant commercial attractions such as Pier Park, and the City’s economy and the livelihood of many of its residents are intrinsically linked to a thriving and sustainable tourism industry; and

WHEREAS, the City Council finds that certain concentrated times of the year, including but not limited to the period of collegiate spring break, Memorial Day weekend, the Fourth of July, and Labor Day weekend, result in an extraordinary and rapid influx of visitors, which fundamentally alters the character of the City and creates conditions that this ordinance defines as “High Impact

Periods” (“HIPs”); and

WHEREAS, historical data and recent experience demonstrate that High Impact Periods place an unprecedented and unsustainable strain on municipal resources, including law enforcement, fire rescue, emergency medical services, sanitation, and public works. This strain manifests as critically high call volumes that can overwhelm dispatch systems, extended response times for emergency vehicles navigating gridlocked streets, and a significant increase in the potential for officer and first responder fatigue, thereby increasing risks to public health, safety, and welfare for residents and visitors alike; and

WHEREAS, in recent years, the City, the surrounding Bay County area, and other coastal communities in Florida have experienced a significant and alarming increase in unpermitted, large-scale gatherings, often referred to as “takeover parties” or “pop-up” events, which are promoted virally through social media platforms and draw massive, unmanageable crowds with little to no notice or logistical planning, with the clear intent of overwhelming local resources and defying lawful authority; and

WHEREAS, these unpermitted events have necessitated emergency administrative actions by the City Manager and Chief of Police to disperse dangerously large and unruly crowds that have converged on commercial properties, including Pier Park and the Hammerhead Fred’s entertainment venue, in order to prevent widespread civil disturbance and protect life and property; and

WHEREAS, during Spring Break 2025, the City experienced the rise of so-called “takeover parties,” loosely coordinated mass gatherings promoted virally through social media with little notice or centralized planning, that overwhelmed local resources, created severe public safety hazards, and led to violent incidents and lawless behavior; and

WHEREAS, on March 29, 2025, a takeover party gathered at Pier Park in Panama City Beach and shots were fired near the SkyWheel, injuring three people and resulting in the arrest of three teenagers from Alabama; and

WHEREAS, on April 3, 2025, Panama City Beach Police officers monitoring an all-ages event at Hammerhead Fred’s on Thomas Drive observed a massive crowd of teenagers fleeing in panic after rumors of a gun, and an 18-year-old suspect was arrested for firing multiple rounds into the air from a vehicle in the parking lot during the chaos; and

WHEREAS, in response to the Spring Break 2025 violence and credible threats of further unrest, the City was compelled to take emergency action, temporarily closing portions of the beach at night, setting up security checkpoints and bag searches in certain heavily trafficked commercial areas, and imposing a strict 8:00 P.M. to 5:00 A.M. curfew for unaccompanied minors in order to restore public safety; and

WHEREAS, local officials reported that Spring Break 2025 was marked by “hectic and violent” disturbances largely caused by underage visitors, who arrived unsupervised from neighboring states with the intent to engage in underage drinking and disorderly conduct that fueled juvenile violence; and

WHEREAS, by early April 2025, the Panama City Beach Police Department had made roughly 700 Spring Break-related arrests and citations, an unprecedented surge that underscores the chaos and lawlessness of the season, and police have emphasized that gun violence has gone “hand in hand” with recent Spring Break crowds; and

WHEREAS, Florida law explicitly authorizes municipalities to enact juvenile curfew ordinances to protect minors and the public, declaring it a compelling state interest to safeguard youth from harm and to reduce juvenile crime during late-night hours; under Sections 877.20–877.25, Florida Statutes, local governments may prohibit minors from being in public during designated hours, with violations enforced as civil infractions rather than criminal charges; and

WHEREAS, the Florida Supreme Court has affirmed that juvenile curfews can serve a compelling public safety interest; and

WHEREAS, the City’s public safety analysis of Spring Break 2025 incidents indicated that certain entertainment venues and vacation rentals became hotspots for dangerous behavior due to underage alcohol consumption, inadequate security, and overcrowding, necessitating targeted regulations for those contexts during High Impact Periods; and

WHEREAS, law enforcement officials advise that requiring licensed establishments to provide trained security personnel and proper lighting, and temporarily excluding underage persons from late-night 21-and-up venues, will deter underage drinking and violent incidents and help manage crowds; and

WHEREAS, the City Council is committed to enforcing this ordinance in a fair, objective, and nondiscriminatory manner, providing clear notice, specific factual findings, and reasonable opportunities for affected persons to be heard, thereby protecting civil liberties and due process while upholding public order; and

WHEREAS, the City, in partnership with the Panama City Beach Convention and Visitors Bureau (CVB), seeks to establish a voluntary Panama City Beach Secure And Family-Friendly Environment or “CARES” Certification program to encourage bars, restaurants, hotels, short-term rentals, and other tourism establishments to adopt enhanced safety measures, especially during High Impact Periods. Businesses that meet rigorous standards will earn CARES-certified status and public recognition for providing a safer, family-friendly environment; and

WHEREAS, the City Council finds that the foregoing incidents, data, and expert inputs establish a compelling factual basis for the High Impact Period ordinance’s enhanced public safety measures to protect the public health, safety and welfare.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. From and after the effective date of this ordinance, Chapter 3, Section 3-5 of the Panama City Beach Code of Ordinances is amended and Chapter 3, Article II is created,

to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 3-5. Possession or consumption of alcoholic beverages in commercial parking lots; civil penalties.

- (a) It shall be unlawful for any person to possess an open container of any alcoholic beverage or substance or to drink or otherwise consume any alcoholic beverage or substance within the confines of any commercial parking lot located within the City, unless the parking lot is properly permitted for such possession and consumption by ~~S~~state license or approved city special event permit. "*Commercial parking lot*" shall mean a parking lot or vehicular use area associated with a commercial activity or business use.
- (b) The City finds that a violation of this section presents a serious threat to the ~~public~~ health, safety and welfare which is irreparable and irreversible and of an itinerant or transient nature. The City hereby establishes and imposes the following civil infraction penalties. Each violation shall constitute a separate, civil infraction punishable by a civil penalty in the amount of five hundred dollars (\$500.00).

The financial penalty for violations shall be cumulative to any other penalty which may be provided by law.

A person who does not contest a violation may pay the civil penalty directly to the City Clerk.

Violations may be enforced by the issuance of a civil citation by a sworn police officer of the City who has reasonable cause to believe that a person has violated this section. All sworn police officers of the City shall be considered code enforcement officers for the purpose of enforcing this section. A citation issued under this section may be contested ~~in the County Court for Bay County, Florida~~ **pursuant to the procedures set forth in Chapter 25 of this Code.** ~~The civil citation shall contain the matters specified in § 162.21 Florida Statutes (2013), or subsequent, superseding legislation, in form approved by the Chief of Police.~~ Any person who willfully refuses to sign and accept a citation issued pursuant to this section shall be guilty of a misdemeanor of the second degree, punishable as provided in §§ 162.21(6), §775.082 and 775.083, Florida Statutes or subsequent superseding legislation.

The civil penalties established in this section shall always be cumulative and in addition to any other civil or criminal penalties available for a violation of this section of the Panama City Beach Code of Ordinances, including the general penalty and terms set forth in Section 1-12, and also cumulative and in addition to any requirements proscriptions and civil or criminal penalties under ~~S~~state law.

ARTICLE II: HIGH IMPACT PERIOD REGULATIONS

Sec. 3-6. General.

- (1) **Applicability. The provisions of this section shall apply to any business licensed to sell alcoholic beverages for on-premises consumption that is operating within a declared High Impact Period, as designated in Section 4-2 of this Code, and shall be enforced only during officially declared High Impact Periods.**

Sec. 3-7. Alcoholic Beverage Establishment Age Restrictions

- (1) **During a High Impact Period, the owner, operator, or person in charge of any premises licensed for the sale and on-premises consumption of alcoholic beverages shall not permit any person under the age of 18 to remain on the premises between the hours of 10:00 p.m. and 6:00 a.m. except as set forth in this section.**

- (2) During a HIP, it shall be unlawful for any person under the age of 18 to enter upon or remain between the hours of 10:00 p.m. and 6:00 a.m., at an establishment licensed for the sale and consumption of alcoholic beverages, except as set forth in this section.
- (3) Lawful Exceptions. Persons under the age of 18 shall not be deemed in violation of this section if they are:
- a. Accompanied by a parent, legal guardian, or a responsible adult (age 21 or older) who has the parent's written consent.
 - b. Engaged in lawful employment at the premises.
 - c. Attending a school-sponsored, civic, religious, or other event protected by the First Amendment.
- (4) Affirmative Defense – Proof of Age Verification. It is an affirmative defense to a violation of subsection (1) if the operator and staff of the establishment have implemented and diligently enforced an admission policy designed to prevent entry of persons under 18, including proof-of-age identification checks, and any underage person gained access by fraud or misrepresentation despite those measures. Upon discovery of an underage person, the establishment must promptly escort the person off-premises to claim the benefit of this defense.
- (5) Enforcement.
- a. Owner/Operator Violation (subsection 1): A violation of subsection (1) by an owner, operator, or responsible person shall constitute an uncorrectable violation within the meaning of Chapter 25 of this Code, presenting a serious threat to public health, safety, and welfare which is irreparable and irreversible in nature. Each such violation is punishable by a civil fine of one thousand dollars (\$1,000.00) for the first offense, two thousand dollars (\$2,000.00) for the second offense, and four thousand dollars (\$4,000.00) for the third and all subsequent offenses, unless a different amount is specifically provided by another section of this Code. The fine for a third or subsequent violation shall be cumulative to any other penalty provided by law. Each day, or each distinct High Impact Period night, on which a violation occurs or continues, shall be deemed a separate offense.
 - b. Underage Person Violation (subsection 2): A violation of subsection (2) by an underage person is a civil infraction punishable by a civil fine of five hundred dollars (\$500.00).
 - c. Enforcement Procedure: Violations may be enforced by any sworn police officer or code enforcement officer by issuance of a citation in accordance with Chapter 25 of this Code. The officer shall first make a reasonable inquiry as to any exception or affirmative defense that may apply. If a violation is found, the citing officer shall document the circumstances, and the recipient may contest the citation pursuant to the procedures in Chapter 25.
 - d. Refusal to Sign Citation: Any person who willfully refuses to sign and accept a citation under this section is guilty of a misdemeanor of the second degree, punishable as provided in Florida Statutes §§ 775.082 and 775.083.

Sec 3.8. Security, Lighting, Additional Measures

- (1) Security Personnel.** At a minimum, any business subject to this Article II shall be guarded by at least one (1) certified law enforcement officer, a licensed security guard under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards (each "Security Personnel") monitoring entrances and patron areas from 10:00 p.m. until close of business. All Security Personnel and staff at the establishment shall actively enforce the age restrictions and prevent loitering or unsafe behavior in and around the business.
- a. **For any establishment, the minimum number of Security Personnel required inside the premises shall be determined by its occupant capacity as follows: up to one hundred fifty (150) patrons shall be guarded by one (1) Security Personnel, with one (1) additional Security Personnel required for each one hundred fifty (150) additional patrons or fraction thereof.**
 - b. **For any establishment, the exterior parking areas and each entrance and exit (including any parking area within three hundred (300) feet of the establishment that is used by the establishment for shared parking) shall, during any declared High Impact Period, be guarded from 10:00 P.M. until close of business by Security Personnel in at least the following numbers: up to fifty (50) parking spaces – one (1) Security Personnel with one (1) additional Security Personnel required for each one hundred (100) parking spaces or any portion thereof; provided, however, that this requirement shall not apply to any parking area exclusively serving a business not subject to this Article II.**
 - c. **Notwithstanding the foregoing, the City Manager or the Chief of Police may approve, in writing, an alternative security staffing plan for a property subject to this section that is demonstrated to provide an equivalent level of safety and security. Upon such approval, the property owner may adhere to the approved plan in lieu of strict compliance with subsections (a) and (b) above.**
 - d. **The property owner or manager shall provide the Chief of Police with current contact information for the lead Security Personnel or other person responsible for security operations at the property during the High Impact Period.**
- (2) Illumination.** The premises subject to this section, including exterior parking areas and entrances, shall be continuously illuminated at a level sufficient for clear visibility (meeting or exceeding the security lighting standards in the City's Land Development Code) during all operating hours after dusk.
- (3) Additional Operational Measures:** The City Manager or designee may require businesses subject to this Article to implement reasonable site-specific measures during High Impact Periods to protect public safety, such as electronic ID scanning at entry or the cessation of outdoor music after certain hours. Any such requirement imposed by administrative order shall be documented in writing, including a statement of the public safety need addressed, and shall be narrowly tailored in scope and duration to meet that need. The City Manager shall report any such measure to the City Council at the next regular meeting.
- (4) Penalties.** A violation of this section shall constitute a separate uncorrectable violation within the meaning of Chapter 25 of this Code, presenting a serious threat to the public health, safety and welfare which is irreparable and irreversible and of an itinerant or transient nature, punishable by

a civil penalty in the amount specified below unless a different amount is specified in the section violated.

- a. First violation: \$5,000.
- b. Second violation: \$7,500.
- c. Third and all subsequent violations: \$10,000, and as otherwise provided by law. The financial penalty for the third and all subsequent violations shall be cumulative to any other penalty which may be provided by law.

SECTION 2. From and after the effective date of this ordinance, Chapter 4, Sections 4-2, 4-3, and 4-40 of the Panama City Beach Code of Ordinances are created and Chapter 4, Sections 4-19, 4-20, and 4-25 are amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

ARTICLE II. - SPECIAL EVENTS

Section 4-2 – High Impact Period Designations

(1) Definition. “High Impact Period” (“HIP”) means a period of time during which the City Council has determined that, based upon a reasonable expectation, extraordinary crowds or special events pose a significant impact on the City’s resources and ability to protect public safety and welfare.

(2) Declaration.

a. The City Council may, by resolution, designate a HIP whenever anticipated crowd size, historical data, or special event schedules indicate substantially increased risk to public health, welfare, and safety. The resolution shall specify the duration of the HIP, the boundaries of the HIP area, and shall be based on objective criteria such as school spring break calendars, tourism forecasts, or prior crowd incidents. The resolution shall include specific factual findings that support the need for the HIP and reference the objective criteria applied. The City Council may also extend, shorten, or terminate any HIP by subsequent resolution if warranted by conditions.

b. A High Impact Period declaration shall be limited to one or more specific geographic zones, and the location of such zone(s) shall be narrowly tailored to the objective criteria or conditions that gave rise to the HIP. Those areas shall be clearly marked with signage and public advisories to inform residents and visitors that enhanced rules and penalties are in effect. In addition, City staff shall post temporary signage at all major points of entry into the HIP at least 24 hours prior to enforcement commencing. Such signs shall be at least 3 feet by 2 feet in dimension, be clearly legible, and shall prominently state that a “High Impact Period is in effect” and that special rules apply, including “All fines doubled – Vehicles subject to impoundment” or similar language to impart the substance of the restrictions. Failure to erect the described signage shall not invalidate the HIP, but substantial compliance with this notice requirement is expected.

c. Immediate Designation. In the event that, based on the objective factors set forth in this

section, conditions pose an immediate risk to public health, safety, and welfare, the City Manager may, by administrative order, declare a HIP lasting no greater than seventy (72) hours, which may be terminated, extended, or modified by subsequent action of the City Council.

- (3) Notice. Upon declaring a HIP, the City shall, as promptly as practicable, file a copy of the declaration in the office of the City Clerk, deliver it to appropriate news media for publication, post it on the City’s website, provide public notice via the City’s official social media platforms and any City-operated digital bulletin boards, send email, text message, and any other alerts to all subscribers of the City’s official alert or emergency notification system, and, if feasible, directly notify all licensed businesses and vacation rental certificate holders located within the declared HIP zone using available contact information from City records.
- (4) Application of Regulations. During a declared HIP, all ordinances and regulations designated as applicable “during High Impact Periods” shall automatically take effect and be enforced within the stated area and timeframe, without further action; provided, however, that no such ordinance or regulation shall become effective until seventy-two (72) hours after the HIP declaration is issued, unless the HIP declaration is made as part of or concurrently with an emergency declaration under Chapter 29 of the City’s Code of Ordinances.
- (5) Annual Review. On or before November 1 of each year, the City Manager shall deliver a written report to the City Council summarizing all High Impact Periods (HIPs) declared in the previous calendar year. The report must include:

 - a. a description of each HIP declaration, including the dates, location, and basis for the declaration;
 - b. the specific regulations and enforcement measures enacted during each HIP;
 - c. any enforcement statistics or actions taken during each HIP;
 - d. relevant crime statistics, calls for service, and code violations associated with each HIP period;
 - e. any legal or administrative challenges made in response to the HIP or its enforcement;
 - f. the number and type of calls for service to the City’s Police and Fire Departments within each declared HIP; and
 - g. any other information deemed relevant to Council oversight or public accountability.

The report shall be presented by the City Manager at a public City Council meeting, provided to the City Council in writing, and made publicly available via the City’s website or other appropriate channel.

Sec. 4-3. Temporary Regulations during High Impact Periods.

Upon the effective date and within the area of a declared High Impact Period, the following special rules and restrictions shall automatically apply, and it shall be unlawful to violate any provision of this section. These regulations are in addition to all other generally applicable ordinances:

- (1) Public Access Restrictions. Public recreational areas, including any portion of the sandy Gulf beach, may be temporarily closed or their hours curtailed by the City Manager to prevent dangerous

overcrowding or other conditions threatening public safety. The City Manager is authorized to cordon off or restrict access to public rights-of-way, beach access points, parks, or parking areas within the HIP zone as necessary to maintain public safety. Any such area closure or restriction shall be no broader and no longer in duration than reasonably necessary to mitigate the identified public safety risk. Appropriate notice of such area closures shall be given pursuant to Section 4-2(c). Nothing in this subsection shall prevent residents, business owners, emergency responders, or other authorized persons from entering a closed area as necessary, consistent with the intent to protect public safety.

(2) Additional measures. The City may impose additional site-specific requirements by resolution or administrative order, such as mandatory identification scanning at entry to certain venues, limitations on outdoor music or entertainment after specified hours, temporary traffic diversion and crowd-control measures, or similar actions reasonably necessary to protect public safety. Any additional measure enacted by administrative order under this subsection shall be documented in writing with the reasons therefor and shall expire no later than the end of the HIP (unless sooner terminated by the City Manager or City Council).

(3) Temporary Juvenile Curfew.

a. Authority and scope. When necessary to protect public safety during a declared High Impact Period, the City Manager may, by written administrative order, impose a temporary nighttime curfew that applies to unaccompanied minors (persons under eighteen (18) years of age) within either (i) the entire City limits or (ii) the geographic HIP zone identified in the declaration. The order shall specify the curfew hours—presumptively 8:00 p.m. to 5:00 a.m. and shall not extend beyond the termination of the High Impact Period.

b. Notice. The City Manager shall publish the curfew order on the City’s website, distribute it to local media, post conspicuous signage at major ingress points to the HIP zone, and file a copy with the City Clerk on or before the hour it takes effect.

c. Exceptions. A minor is not in violation of the curfew if the minor is:

i. Accompanied by a parent, legal guardian, or a responsible adult (age 21 or older and limited to accompany two (2) minors) who has the parent’s consent.

ii. Traveling directly to or from lawful employment or is lawfully employed during the curfew hours.

iii. Attending, or traveling directly to or from, an official school, religious, civic, or other government-permitted activity.

iv. Responding to, or seeking, bona-fide medical assistance or any other emergency.

v. Exercising First-Amendment rights (speech, assembly, or worship) under adult supervision or traveling directly to or from such activity.

vi. On the sidewalk or outdoor area immediately adjacent to the minor’s residence, or that of an adjacent neighbor, with the neighbor’s consent.

vii. An emancipated minor, or otherwise within an exemption mandated by Florida Statutes §§ 877.20–877.25.

d. Enforcement.

i. Warning and safe transport. An officer who reasonably believes a minor is violating the curfew shall first inquire into any applicable exceptions and, when practicable, may transport or escort the minor to a safe location or into the custody of a parent or guardian.

ii. Citation. Citation: If a minor refuses to comply with a lawful order to return home or has been previously warned under this curfew during the same High Impact

Period, the continued or repeat violation constitutes an uncorrectable civil violation within the meaning of Chapter 25 of this Code. Such an infraction is punishable by a civil fine of up to five hundred dollars (\$500.00) for the minor. Additionally, any parent or guardian who knowingly permits or, by insufficient control, allows the minor's violation shall be subject to enforcement under subsection (4) below. Citations shall be issued in accordance with Chapter 25 of this Code. The citation shall clearly state that it is issued for a curfew violation during a High Impact Period. The minor or parent may contest the citation as provided by law.

- iii. Criminal penalty. A knowing, willful violation may also be prosecuted as a second-degree misdemeanor under F.S. § 877.22(2), punishable as provided in F.S. §§ 775.082 and 775.083. Any law enforcement officer retains discretion to instead utilize the warning and civil citation process provided herein in lieu of criminal charges.
- iv. Safeguards and sunset. The curfew order shall be narrowly tailored to the compelling interest of protecting juveniles and public safety during the High Impact Period, shall contain the exceptions set forth in subsection (c), and shall automatically expire at the earlier of (i) the end of the High Impact Period or (ii) the revocation or modification of the order by the City Manager or City Council.

(4) Parental Responsibility for Curfew Violations

- a. Offense. It shall be unlawful for any parent or legal guardian of a minor (under 18 years of age) to knowingly allow, permit, or by insufficient supervision fail to prevent that minor from violating section 3-7 or this section 4-3 of the City's Code of Ordinances. For purposes of this section, "knowingly" means that the parent or guardian is aware (or reasonably should be aware) that the minor is present in a prohibited place during curfew hours in violation of law.
- b. Actual Knowledge and Failure to Intervene. If a parent or legal guardian has actual knowledge that their minor child is violating the curfew and the parent or guardian fails to take immediate, reasonable steps to intervene or to prevent the minor from continuing to violate the curfew, such knowing failure constitutes a violation of this section. In such cases, the parent or guardian shall be deemed to have knowingly allowed or permitted the curfew violation under section 3-7, subsection (2), and section 4-3, subsection 2 of the City's Code of Ordinances. A parent who has been notified by law enforcement that their unaccompanied minor was found violating the curfew (or alcohol restrictions) shall, from that point, be presumed to have knowledge if the minor is later found in violation, absent reasonable efforts by the parent to prevent recurrence.
- c. Penalties. A parent or guardian who violates this section commits a civil infraction and a misdemeanor. Violators are subject to a civil fine not to exceed five hundred dollars (\$500) for each offense. Enforcement may be accomplished by issuance of a citation, summons or notice to appear, and nothing herein shall preclude the City from seeking criminal prosecution when appropriate. Each instance of continued violation by the parent or guardian may be cited as a separate offense.
- d. Relation to State Law. The requirements of this section are supplemental to State law. A knowing or willful failure to exercise reasonable supervision and control of a minor in violation of the City's curfew during a High Impact Period may also constitute an offense under Florida Statutes § 827.04 or § 856.015. Violation of this section may be prosecuted in addition to, or in lieu of, other remedies available under State law, as deemed

appropriate by the authorities.

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Sec. 4-19. Spontaneous unpermitted assembly, Special Event Zones, Emergency Measures (pop-up events).

The City has found and determined that some special events occur spontaneously, without a permit, especially if attendance is promoted through instantaneous, social media.

- (1) If an assembly develops into a special event spontaneously (and therefore without a permit) in either a commercial or non-commercial venue, it shall become the duty of all persons or entities owning or able to control the event venue or who are providing entertainment encouraging the assembly, to take reasonable, diligent and constant measures to reduce the activity or circumstances which caused the assembly to become a special event - that is for example but not limited to:
 - a. Reducing occupancy to the permitted capacity of the venue or providing transportation to eliminate unpermitted off-site parking or vehicular or pedestrian congestion; or
 - b. Providing the additional municipal type services needed to regulate event traffic, maintain the peace, and protect the public health and safety;
- (2) The failure of any such person or entity to immediately after notice from the Ccity make a reasonable, diligent and constant effort to reduce the event below the applicable criteria threshold shall be a violation of this law punishable by civil penalties specified in this Article and criminal penalties specified in City Code section 1-12.
- (3) The Chief of Police or his designee is authorized to approve actions to partially or slowly reduce the event below the applicable criteria threshold as compliance if he or she finds (i) that such person is acting expeditiously and reasonably to employ feasibly available resources to address the issues after notice that the assembly has become a special event, (ii) that full reduction to the criteria threshold will not be feasible and (iii) that it would be safer to taper down the event rather than to abruptly close the venue or stop the event.
- (4) Whether a spontaneous assembly has developed into a special event based upon attendance, vehicle congestion or a need for municipal services (as those services are defined in this Article), or any combination of those three (3), shall be determined by an objective and reasonable examination of the totality of the circumstances at hand, including but not limited to the following factors:
 - a. With respect to attendance and attempted attendance:
 - (i) The size of the venue.
 - (ii) Whether the attendance is ticketed.
 - (iii) Actual attendance at prior, similar events.
 - (iv) The extent of commercial promotion and advertisement of the event, especially promotion outside of Bay County, by traditional or digital means, but excluding spontaneous social media not initiated, encouraged or orchestrated by a commercial event producer or any

person acting on behalf of the event producer or any person with a financial or other personal interest in the event ("spontaneous social media").

- (v) The extent of spontaneous social media encouraging attendance at the assembly.
 - (vi) Whether the location and configuration of the venue, and the nature and presence (sight and sound) of the event, will be likely to draw attendees or observers from the public at large.
 - (vii) The number in attendance and attempting to attend shall be determined by the Chief of Police or his designee using recognized or previously established law enforcement estimating techniques.
- b. With respect to actual vehicle congestion, the number of vehicles parked shall be counted, and the number attempting to park shall be determined by the Chief of Police or his designee using recognized or previously established law enforcement estimating techniques.
- c. With respect to municipal services ~~actually~~ required:
- (i) Repeated pedestrian trespass.
 - (ii) Repeated vehicular trespass.
 - (iii) Illegal parking.
 - (iv) Traffic congestion.
 - (v) Apparent need for sanitation facilities as evidenced by public urination or other bodily functions.
 - (vi) Repeated and flagrant instances of illegal activity.
 - (vii) Repeated noise ordinance violations after notice, including differing offenders.
 - (viii) Unusual amount of trash being abandoned with no apparent resources available to clean up after the event.
 - (ix) Unusual or repeated need for medical assistance.
- (5) For any unpermitted special event, the City Manager is hereby authorized to designate a *Special Event Zone* and, for all areas within that zone, requiring additional traffic control and security measures including but not limited to:
- a. Require the placement of warning signs along each point of ingress/egress into or out of the *Special Event Zone*.
 - b. Subject the commission of traffic violations to the enhanced penalties as provided by F.S. § 316.1891.
 - c. Place and enforce occupancy limits on private and public property in a *Special Event Zone*.
 - d. Assess a reasonable fee for all relevant costs and fees associated with designating and enforcing the *special event zone*, including, but not limited to, costs and fees for the provision of supplemental law enforcement, firefighter, emergency medical technician or paramedic, and sanitation services.
 - e. For any special event which takes places in more than one (1) event venue, the City Manager shall be required to establish a *Special Event Zone* for all contiguous areas between the event venues reasonably necessary to ensure ~~the~~ public health, safety, and welfare.

(6) Emergency measures for crowd control and public safety.

a. Authority to impose immediate restrictions. The City Manager, upon the Chief of Police's determination that a spontaneous gathering, civil disturbance, or other crowd-related emergency (whether or not it meets the definition of a special event) poses an imminent threat to public safety or order, is authorized to implement any of the following temporary measures to protect the public:

(i) Curfew and access restrictions – Establish a temporary curfew applicable to all persons (or to specified groups, such as minors) within a defined area and timeframe, and/or restrict or close access to certain public streets, rights-of-way, or properties. The curfew or closure shall be narrowly tailored in area and duration to mitigate the emergency.

(ii) Dispersal and shutdown orders – Order the immediate dispersal of the assembly and, if the gathering is associated with a business or event venue, direct the host establishment to temporarily cease operations (close to the public) until the hazard has abated. The Chief of Police or his or her designee may issue lawful commands to clear public areas, and it shall be unlawful to refuse to obey such orders.

(iii) Duration and oversight. Any emergency measures under this section shall be effective only for the minimum period necessary to restore public safety. The official invoking the measures shall notify the City Council as soon as feasible and provide a report of the circumstances including the restrictions invoked.

b. Offenses and penalties During any declared emergency action under this section, all individuals present in the affected area are required to comply with any lawful curfew, zone restriction, dispersal order, or other directive issued by police or City officials. A willful violation of such an emergency order is a misdemeanor offense and/or a municipal civil infraction, punishable by a fine of up to five thousand dollars (\$5,000.00). Additionally, any person who organizes or incites an unpermitted crowd event that necessitates the use of emergency measures under this section may be subject to civil fines, liability for response costs, or other legal action as allowed by law. These penalties are in addition to any State law charges that may apply.

Sec. 4-20. Application for permit.

...

(2) All applications for a permit under this Article must contain:

- a. The name and address of the applicant and if not a natural person the names and addresses of all persons controlling or owning greater than a five (5) percent interest in the applicant or a parent company of the applicant.**
- b. The dates and times of the event.**
- c. A list of the names and addresses of all vendors, independent contractors or other persons or firms which will be engaged by or associated with the applicant to offer goods or services during**

the special event, including a description of the goods and services offered by each and the name and address of the person who will have on-site responsibility, if different. The names and addresses of such persons shall be used only for the purposes of (i) identifying the source of goods or services after the event, if necessary, (ii) allowing the City to collect all business license taxes due, and (iii) contacting such persons or firms as necessary in the normal course of City business. The information may not be used to grant or deny a permit. Should such a list not be available at the time application is made, applicant shall give a written statement to that effect and agreeing to furnish such a list no later than thirty-six (36) hours before the event and acknowledging that failure to timely provide such a list will result in termination of the special event permit.

- d. The names and addresses of all entertainers. This information shall be used for the sole purpose of the City, first, investigating whether sufficient adverse secondary effects have accompanied the entertainer's performance(s) at past performances to raise an objective and reasonable concern that a performance at the event could require planning for and provision of extraordinary municipal services and precautions due to a special or enhanced danger to public health, safety or welfare, and then, second, to allow the City to contact such entertainers as necessary in the normal course of City business.
- e. Whether (i) patrons will be permitted to bring alcoholic beverages into the event (herein a "coolers event"), or (ii) patrons will not be permitted to bring alcoholic beverages into the event but patrons will be offered alcoholic beverages within the event (herein an "alcohol sales event"), or (iii) alcoholic beverages will be prohibited within the event (herein a "no alcohol event").
- f. An estimate of the largest number of persons anticipated to be in attendance in the event venue at any point in time, a statement as to how such attendance was estimated (i.e., such as historical events, ticket sales, etc.), and a plan for: (i) determining the actual number of persons in attendance at the event venue as the event progresses; (ii) keeping the City informed in real time of that number; and (iii) a plan to manage and control or disburse the persons desiring to enter the event after capacity is reached. The name, address, telephone number and a description of any prior experience in estimating attendance at previous events shall be included for all persons participating in the attendance estimation.
- g. A plan for sanitation facilities and sewage, garbage and litter collection and disposal (during and after the event) generated by the event or by its patrons (wherever such garbage or litter may be located), water supply and food service. A plan submitted under this section is presumptively a danger to public health and safety if it violates any rules promulgated by the Department of Health or other executive department pursuant to F.S. Ch. 381 (Public Health), F.S. Ch. 386 (Sanitary Nuisances), F.S. Ch. 509 (Food Service), or similar laws.
- h. A plan for flood-lighting the special event and parking areas if any activities are to be offered during darkness.
- i. A plan for parking facilities and plans for transporting or conducting patrons from said facilities to the special event venue.
- j. A plan for the provision of security, on site and off-site traffic control, communications, fire protection and emergency services, including ambulance service, and emergency vehicle access in and around the event venue, and the general background of the training and ability of the personnel to be used in implementing the plan.
 - (i) A traffic control plan submitted under this section is presumptively a danger to public health and safety if it does not provide for at least one (1) person professionally trained or

experienced in vehicular traffic control for every five hundred (500) anticipated, maximum attendees to actively guide traffic during the event. **Unless the event has been granted a complete permit prior to the declaration of a High Impact Period pursuant to section 4-2 of this Code, for any event that shall take place during a High Impact Period the traffic control personnel required by this section shall be increased by twenty percent (20%).**

- (ii) A security plan submitted under this section is presumptively a danger to public health and safety if it does not provide for the following on site security officers to work the event:
 - (a) ~~F~~for a "cooler event," at least five (5) persons on duty for every one thousand (1,000) attendees or portion thereof who shall be certified law enforcement officers, licensed security guards under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards;
 - (b) ~~F~~for an "alcohol sales event," at least three (3) persons on duty for every one thousand (1,000) attendees or portion thereof who shall be certified law enforcement officers, licensed security guards under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards;
 - (c) ~~F~~for a "no alcohol event" at least one (1) person for every one thousand (1,000) attendees or portion thereof who shall be a certified law enforcement officer, a licensed security guard under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards.

One certified law enforcement officer, licensed security guard, or in-house security person for each event must be designated as the commanding officer tasked with supervision of other security personnel and maintaining compliance with this section. The City Manager may approve a plan that does not meet this staffing criteria if it is reasonably shown that public health and safety can be secured through alternative means or that such staffing is not reasonably required for the proposed event, or alternatively the City Manager may require additional staffing reasonably shown to be required to secure the public health and safety during the proposed event.

A security plan submitted under this section is presumptively a danger to public health and safety if it does not prohibit security and traffic control personnel from working more than one (1) twelve-hour shift in any twenty-four-hour period.

Unless the event has been granted a complete permit prior to the declaration of a High Impact Period pursuant to section 4-2 of this Code, for any event that shall take place during a High Impact Period, the security personnel required by this section shall be increased by twenty percent (20%).

- k. A plan for medical services to be provided at the special event. A medical services plan submitted under this section is presumptively a danger to public health and safety if it does not prohibit medical personnel from working more than one (1) twelve-hour shift in any twenty-four-hour period. A medical services plan presumptively presents a danger to public safety or health if it does not provide for the following on site professionals to work the event. The event shall be staffed by sufficient Medical Aid Personnel as follows:

- (i) For a small event: none.
- (ii) For or a medium event: two (2) Medical Aid Personnel.
- (iii) For a large event: two (2) Medical Aid Personnel, plus an additional two (2) such persons for each eight thousand (8,000) anticipated maximum attendees, or portion thereof, over five thousand (5,000) anticipated maximum attendees.
- (iv) One Medical Aid Personnel for each medium and large event must be designated as the commanding officer tasked with supervision of other Medical Aid Personnel and maintaining compliance with this section.
- (v) For the purposes of this section "Medical Aid Personnel" means a person licensed by the State of Florida as an Emergency Medical Technician, paramedic, or other professional with equivalent (or higher) medical training.

The City Manager may approve a plan that does not meet this staffing criteria if it is reasonably shown that public health and safety can be secured through alternative means or that such staffing is not reasonably required for the proposed event.

- (vi) **Unless the event has been granted a complete permit prior to the declaration of a High Impact Period pursuant to section 4-2 of this Code, for any event that shall take place during a High Impact Period, the Medical Aid Personnel required by this section shall be increased by twenty percent (20%).**

The foregoing presumption is intended to address an event presenting a moderate hazard. The staffing guidelines set forth above may be decreased or increased as may be reasonably required to secure the public health and safety during the event depending upon whether the event objectively presents a lower or higher hazard. By way of illustration, the staffing guidelines set forth above are intended for moderate hazard events which include, but are not limited to, concerts, carnivals, and fairs. Similarly, low hazard events include, but are not limited to, car shows, flea markets, local festivals, craft shows, local sporting events, and organized sporting tournaments. High hazard events include, but are not limited to, an event with stunts or having the potential for special danger to participants or spectators, or the potential for sustained exposure to extreme ambient temperatures. A low or moderate event may present a higher hazard due to extreme temperatures. Higher hazard events may be required to provide an Advanced Life Support Unit with transport capability. Staffing shall be equipped with customary supplies necessary to treat injuries and illnesses commonly associated with outdoor activities or similar events.

- l. A plan for assuring that all stages, booths, tents, scaffoldings, or structures of any kind on, under, or within which persons may congregate, will conform to applicable building and construction codes in effect within the City, and that any entertainment stage erected on the sandy beach in connection with a special event will be guarded by a certified law enforcement officer, a licensed security guard under F.S. Ch. 493 (Class "D" or better), or in-house security professionally trained according to recognized standards and authorized and instructed to prevent unsafe, public use or activity on or about the stage twenty-four (24) hours a day, seven (7) days a week.
- m. A site plan showing the location and size of the event venue and all parking areas (including required handicap parking), and the location of all other features required by this section. For a sandy beach event, the site plan shall show a cleared east/west corridor on the sandy beach

outside the event venue adequate to permit the one-way passage of an emergency vehicle, and a cleared east/west pedestrian corridor at and above the wet sand at the water's edge at least twenty-five (25) feet wide.

- n. A plan to provide and control safe pedestrian access between parking area(s) and the event venue which will minimize adverse impacts upon surrounding properties and businesses. For a sandy beach event, a plan to keep the east/west emergency vehicle corridor and the waterfront pedestrian corridor open for traffic at all times must be provided.
- o. A plan to deal with persons congregating outside the event in public ~~right-of-ways~~ **rights-of-way** either seeking entry to the event or attracted to the event should the number of such persons call for municipal services to a degree above that which the City routinely provides ~~ed~~ under ordinary, everyday circumstances.
- p. A plan to enclose, restrict, or control access to all parking at the event venue and to limit the number of persons within the event venue to the maximum number anticipated, and a contingency plan to deal with persons ~~in excess of~~ **more than** that number to minimize adverse impacts upon surrounding properties and businesses.
- q. For a medium or large event held in any part on the sandy gulf beach, plans demonstrating that the event space on the sandy beach event venue will be enclosed on all sides by fences or other structures adequate to prevent access to the event at any point other than controlled access gates, and also demonstrating adequate egress facilities and routes to clear the event venue in case of an emergency. If any entertainment or activity is provided for the event which is reasonably likely to attract a crowd outside the event venue, the fences or other structures shall be opaque and a minimum of six (6) feet high so as to prevent persons standing on ground level outside the fence or event venue from viewing the entertainment; except that in lieu of a six (6) foot opaque fence on the gulf water side there may be substituted two (2) parallel fences each a minimum of four (4) feet high lying parallel to the gulf water's edge and no less than ten (10) feet apart.
- r. During sea turtle nesting season, a plan for the fences to be removed from the beach daily before 9:00 p.m. and not replaced until after the beach has been inspected for turtle nests the next morning.
- s. For a large ~~out-of-door~~ **outdoor** events, a plan to provide sufficient elevated viewing platforms to permit event security and, upon request, City police to oversee the crowd and be able to identify and respond to a disturbance or unusual activity before it escalates.
- t. A list of all live animals to be used in connection with the event, and a plan for the care and ~~safe-keeping~~ safekeeping of such animals.
- u. For medium events, a cash deposit in the amount of two thousand dollars (\$2,000.00) or one thousand dollars (\$1,000.00) per day, whichever is greater, but not to exceed five thousand dollars (\$5,000.00). For large events, a cash deposit in the amount of three thousand dollars (\$3,000.00) or one thousand five-hundred dollars (\$1,500.00) per day, whichever is greater, but not to exceed six thousand dollars (\$6,000.00). The return of such deposit, in whole or in part, shall be conditioned upon the applicant timely and completely performing all of the plans submitted with the application or reimbursing the City for all direct and indirect costs incurred to protect public or private health, safety, or welfare in the absence of such performance or to pay the City any rent due the City for the use of city facilities in the event. In the event any such

cost shall exceed the amount of the deposit, the applicant shall be liable to the City for such excess to the extent permitted by law.

- v. The plans required by this Article are designed to allow the City to evaluate and ~~assure~~ **ensure** that the proposed event will not pose an unreasonable danger to public health and safety and will not excessively burden municipal resources without adequate planning so as to create such a danger. Any plan submitted hereunder is presumptively a danger to public health and safety if it does not (i) include evidence that the applicant is reasonably qualified, experienced, and capable of executing the plan alone, or written commitments from one (1) or more qualified, experienced, and capable third parties promising to execute or assist the applicant in executing the plan and acknowledging that the commitment is being made to induce the City to issue a permit for the event, and (ii) demonstrate that it is reasonably capable of being executed through the equipment, personnel, and processes specified in it, and (iii) demonstrate that it will be reasonably effective to protect the public from the health or safety risks it is intended to address.
- w. The City Manager may waive any requirement herein if it is reasonably shown that public health and safety can be secured through alternative means or that such a plan is not reasonably required for the proposed event. (Ord. No. 1379, § 3, 1-5-2016; Ord. No. 1517, § 2, 3-12-2020)

...

Sec. 4-25. Limitation of *Special Events*.

- (1) Notwithstanding anything to the contrary herein, permits for large events occurring wholly or partially on the sandy beach shall be restricted to the following limits for any one (1) calendar day:
 - a. One (1) large event with deemed attendance ~~in excess of~~ **more than** ten thousand (10,000) persons; or b. Multiple large or medium events with aggregate deemed attendance of twelve thousand (12,000) persons where the deemed attendance of no single event is greater than five thousand (5,000) persons; or
 - c. Multiple large or medium events with aggregate deemed attendance of fifteen thousand (15,000) persons where the deemed attendance of no single event is greater than two thousand five hundred (2,500) persons; or
 - d. A total of six (6) large or medium events regardless of deemed attendance; or
 - e. Permits shall be issued in the order that substantially complete applications with the required fee are filed.
- (2) No *Special Event* shall be permitted to take place, in whole or in part, at Aaron Bessant Park on any Friday, Saturday, or before 12:00 p.m. and after 8:00 p.m. on Sunday between the last Monday in May ("Memorial Day") and the first Monday in September ("Labor Day") in any given year.
- (3) In the event that a *Special Event* permit has been issued for a large event (a "First Large Event"), any proposed large event on the same calendar day as a previously permitted large event (a "Second Large Event") shall be subject to conditional approval. Because two (2) large events on the same day may have greater impacts to the public, the City Council has discretion to impose conditions it determines necessary to satisfy the required finding in this section. If any additional conditions are imposed, they must be determined by the criteria set forth in Section 4-21(3) of this Code and the factors set forth

herein. A Second Large Event shall be permitted provided that the Council finds that, considering any conditions imposed:

- (a) The Second Large Event is to be located, designed, and operated so that the public health, safety, and welfare are protected.
 - (b) The Second Large Event, considering any resources necessary for the First Large Event, will be able to provide the resources necessary to mitigate the adverse effect and increased congestion on existing traffic patterns in the City.
 - (c) The Second Large Event, considering any resources necessary for the First Large Event, will be able to provide the medical aid resources necessary to mitigate the burden on the community's public health resources, including the capacity of the community's hospital services.
 - (d) The Second Large Event, considering any resources necessary for the First Large Event, will be able to provide adequate parking facilities and transportation services necessary to accommodate the anticipated attendance.
 - (e) The Second Large Event, considering any resources necessary for the First Large Event, will not unduly hinder telecommunication services necessary for public safety around the event, which may require the use of portable communication towers to enhance service on telecommunication devices.
- (4) The City Council shall conduct a quasi-judicial hearing to render its decision on whether to grant or deny conditional approval to a Second Large Event. The City Council's decision, including its reasons therefore, shall be announced at the conclusion of the hearing and entered ~~on~~ **into** the record, which shall constitute the Council's final order in any subsequent proceedings, and which may, but shall not be required to, express findings of fact and conclusions of law. Any person aggrieved by the City Council's decision is entitled to timely seek review of the decision by certiorari in the Circuit Court of Bay County, Florida.

(5) Unless an event was approved pursuant to this Section prior to the declaration a High Impact Period, no Second Large Event may take place during a High Impact Period declared pursuant to Section 4-2.

...

Sec. 4-40. Panama City Beach "CARES" business certification program.

- (1) Program established. The City hereby creates a voluntary safety certification initiative, in coordination with the Panama City Beach Convention and Visitors Bureau (the "CVB"), known as the "Panama City Beach CARES Certification" (Community Alliance for Responsible Entertainment and Safety). This program is designed to encourage local businesses, including short-term vacation rentals, hotels, restaurants, bars, and tourist attractions, to implement enhanced safety and family-friendly measures, particularly during High Impact Periods. Businesses that meet the program's standards will receive public recognition and promotional support as being "CARES-certified." Notwithstanding the above, implementation of the program shall be contingent upon the Bay County Board of County Commissioners adopting this or a substantially similar safety certification program and standards for businesses in the unincorporated areas of Bay County.**
- (2) Certification Standards. The CARES Certification standards shall be developed in consultation with**

the Board of Directors of the Convention and Visitors Bureau (CVB), whose role in this process is advisory only, and adopted by resolution of the City Council. All administration of the program, including review of applications, verification of compliance, certification, and revocation, shall be conducted entirely by the City. Participation criteria may include: maintaining on-site security or off-duty police during designated high-impact weeks; instituting rigorous ID checks to prevent underage alcohol sales/service; providing staff training in safe serving practices, crowd management and emergency response; installing and monitoring security cameras in public areas (including execution of an information sharing agreement with law enforcement agencies when lawfully requested); enforcing zero-tolerance policies for fighting, illegal drug activity, or other dangerous behavior on the premises; and otherwise promoting a family-friendly atmosphere. The City may establish tiers or levels of CARES Certification to reflect incremental levels of safety commitments.

- (3) Certification Process. A business may apply for CARES Certification by submitting a plan of compliance with the program standards to the City Manager or his or her designee. The City shall review applications, verify compliance (which may include site visits or checks with law enforcement records), and approve qualified businesses. Certification is voluntary and may be revoked by the City if a business fails to meet or uphold the required standards. Upon certification by the City, the CVB shall issue a certification to the applicant designating the business as an approved qualified business.
- (4) Marketing and incentives. The City and CVB will actively promote CARES-certified businesses as preferred partners in marketing campaigns and visitor information channels. The CVB is authorized to use the City seal to feature certified businesses in its official tourism materials, websites, and social media, identifying them with a special CARES program badge or logo. The City may also give public recognition (e.g., at Council meetings or on City websites) to businesses that attain and maintain certification. Participation in the CARES program may be considered as a positive factor for businesses seeking certain City approvals or participating in City-sponsored events, to the extent allowed by law (however, it does not exempt any business from complying with all City ordinances and regulations).
- (5) Fee incentives; administrative waiver.
 - a. Authority. To encourage widespread participation in the CARES Certification Program and thereby the s, the City Manager is hereby authorized to waive or reduce, in whole or in part, any municipal fee, license charge, or permit application fee imposed by this Code upon a business or property that is actively CARES certified.
 - b. Scope. A waiver or reduction may apply to fees associated with, but not limited to, special event permits, outdoor entertainment permits, vacation rental certificates, signage permits, alcohol service extension applications, or similar regulatory licenses. The City Manager may condition such incentives on the applicant's continued good standing in the CARES program and may limit the incentive to activities occurring during, or directly related to, High Impact Periods.

- c. Standards and limitations. No waiver shall be granted unless the City Manager determines in writing that (a) the waiver serves a valid public purpose consistent with Florida law, (b) the applicant is in full compliance with all CARES program requirements and City regulations, and (c) the waiver will not impair any bond covenant or dedicated-revenue pledge. Fee incentives shall not apply to local business taxes, impact fees, or any state-imposed fees.
- d. Recordkeeping. Each waiver or reduction and the justification therefor shall be documented and filed with the City Clerk and the Finance Department within ten (10) days of issuance, and a quarterly summary of such incentives shall be provided to the City Council for information and oversight.
- e. No vested right. Participation in the CARES program does not create a vested right to receive a fee waiver or reduction. Incentives are discretionary and may be amended or discontinued by ordinance or by resolution of the City Council at any time.

(6) Sunset. This Section shall automatically expire two (2) years after its effective date unless renewed or extended by the City Council.

SECTION 3. From and after the effective date of this ordinance, Chapter 8, Article IX, Section 8-183 of the Panama City Beach Code of Ordinances is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Chapter 8 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE IX. VACATION RENTALS

Sec. 8-183. Vacation rental requirements.

...

- (g) *Vacation Rental Requirements.* The property owner of any property used as a Vacation Rental shall comply with the following requirements:
 1. *Required posting of rental unit information.* On the back of or next to the main entrance door or on the refrigerator, the following information shall be provided:
 - a. The address of the rental unit in case of emergency.
 - b. The name and phone number of the ~~R~~rental ~~R~~esponsible ~~P~~arty.
 - c. The maximum occupancy of the unit as listed on the Vacation Rental Certificate which shall be set pursuant to. Chapter 509, Florida Statutes, the Florida Administrative Code, and the NFPA 101 Life Safety Code as follows:
 - i. For one- and two-family dwellings licensed as public lodging establishments: One hundred fifty (150) square feet gross floor area per person.
 - ii. All other Vacation Rentals: Two hundred (200) square feet gross floor area per person ~~for all other Vacation Rentals.~~ The maximum occupancy for all other Vacation Rentals

may be increased to one hundred fifty (150) square feet per person if the City Fire Inspector determines that the Vacation Rental otherwise meet the egress and travel requirements of the NFPA 101 Life Safety Code and is otherwise in full compliance with this Chapter.

- iii. Maximum occupancy calculations shall be rounded up to the nearest whole person.
 - d. Notification that failure to conform to local ordinances such as the noise, parking and occupancy requirements for the Vacation Rental is a violation of the City's Code and may result in tickets or citations.
 - e. The days of trash pickup along with instructions requiring all trash to be kept in provided containers.
 - f. The location of the nearest hospital with an emergency room and including a statement to call 911 in case of emergency.
 - g. Information describing leave no trace requirements, beach safety, specifically the flag notification system, and penalties for violation.
 - h. A legible copy of the building evacuation map, at a minimum size of eight and one-half (8.5) by eleven (11) inches.
2. If the rental unit includes three (3) or more occupied floors, on the third floor above ground level and higher floors, there shall be posted, next to the interior door of each bedroom, a legible copy of the building evacuation map, at a minimum size of eight and one-half (8.5) by eleven (11) inches.
 3. A building sign meeting the following requirements:
 - a. For all Vacation Rentals except condominiums and cooperatives, the sign must be prominently placed on the wall or property of the Vacation Rental so that the required content of the sign shall be legible as viewed from the public right-of-way; however, signage shall not be placed in the public right-of-way. Such signs must comply with size regulations set by the City's Land Development Code.
 - b. For condominiums and cooperatives, a visible sticker or decal must be placed on a door, window or wall to be visible from the exterior of the Vacation Rental unit.
 - c. The aforementioned sign, sticker or decal must indicate the name, and twenty-four (24) hours per day, seven (7) days a week, emergency contact phone number or the locally available responsible party clearly identified as such, and easily distinguishable from any rental related phone number if different and must state the Vacation Rental Certificate Number of the unit.
 - d. Safety Requirements. The property owner shall comply with all applicable codes regarding fire, building and safety, health and safety, parking, noise, solid waste, sea turtle nesting season, and other relevant laws, including, but not limited to, all fire safety requirements of State law, including those described in Rule 69A-43, Florida Administrative Code.
 4. *Advertisements.* No Vacation Rental owner shall hold or cause to be held out for advertisement statements made, published, or disseminated, in oral, written, or printed form or otherwise, to or before the public, or any portion thereof, which are known, or through the exercise of reasonable care or investigation could or might have been ascertained, to be untrue, deceptive, false, or

misleading in any respect, including, but not limited to, misrepresentations as to occupancy load, parking capacity, and restrictive covenants applicable to the rental.

6. *Posting of Certificate Number.* The property owner shall ensure that the Vacation Rental Certificate Number is displayed for each listing that appears on a hosting platform or any other advertisement for the rental. A hosting platform means an internet-enabled application, mobile application or any other digital platform that is used to connect guests with Vacation Rental providers for the purpose of renting a Vacation Rental, and includes without limitation AirBNB, VRBO, Booking.com, Expedia, Vacasa, and Homestay.com.
7. **High Impact Period guest restrictions and security: When a Vacation Rental property is located within an area and dates that have been designated as a High Impact Period pursuant to Sec. 4-2 of this Code, the property owner and Rental Responsible Party shall implement the following additional precautions for the duration of the HIP:**
 - a. **Minimum renter age.** The Vacation Rental shall not be rented or leased to any person who is under twenty-one (21) years of age. The owner/agent must verify the age of the primary renter by examining government-issued photo identification at the time of check-in.
 - b. **Guest identity verification.** The owner, property manager, or hosting platform must obtain and record the names and ages of all overnight guests. This shall be accomplished by obtaining a photocopy or electronic scan of valid government-issued IDs for each adult guest. Such records shall be maintained securely and made available to City law enforcement or Code Enforcement upon official request but shall not be disclosed or used for any other purpose except as required by law.
 - c. **Common area access control.** For Public Lodging Establishments located in multi-unit buildings or resorts with shared amenities (pools, decks, elevators, parking garages, etc.), access to all common areas and facilities shall be limited to registered guests of the rental who have complied with subsection (b) of this Section. The owner, condominium/cooperative association, or other person or entity in control of the shared amenities must take reasonable steps to prevent unauthorized individuals from accessing these areas, including, but not limited to, issuing wristbands, key cards, or guest lists at entrances. Unaccompanied minors (under 18) who are registered guests are not permitted in any shared amenity area after 10:00 p.m. without a parent or adult guardian present. Property rules reflecting these restrictions must be communicated to all guests in writing.
 - d. **Security personnel.** Security personnel. For any Vacation Rental property or complex with on-site amenities or more than 25 rental units, the property owner or association shall employ on-site security during High Impact Periods in accordance with the following standards:
 - i. **“Security Personnel” shall mean an individual who is either a certified law enforcement officer, a security guard licensed under Chapter 493, Florida Statutes (holding a Class “D” license or higher), or an in-house security employee who has been professionally trained according to recognized security industry standards.**
 - ii. **For the duration of any designated High Impact Period, at least one (1) Security Personnel shall be on duty for every one hundred (100) Vacation Rental dwelling units or guest rooms (or any fraction thereof) at the property, with one additional Security Personnel serving as the designated supervisor of security operations.**
 - iii. **For the duration of any designated High Impact Period, at least one (1) additional**

- Security Personnel shall be stationed at each accessible point of ingress or egress to the premises, including each guest-accessible gate or lobby entrance.
- iv. Security Personnel shall actively patrol and monitor the premises (with emphasis on entrance areas and common areas) from at least 6:00 P.M. until 2:00 A.M. each day during a High Impact Period, to ensure compliance with property rules, deter trespassers, and promptly report any unlawful activity.
 - v. Notwithstanding the foregoing, the City Manager or the Chief of Police may approve, in writing, an alternative security staffing plan for a Vacation Rental property that is demonstrated to provide an equivalent level of safety and security. Upon such approval, the property owner may adhere to the approved plan in lieu of strict compliance with subsections (ii)–(iv) above.
 - vi. The property owner or association shall provide the Chief of Police with current contact information for the lead Security Personnel or other person responsible for security operations at the property during the High Impact Period.
- e. Curfew and alcohol policy. For any Public Lodging Establishment which contains shared amenities licensed to sell alcoholic beverages for on-premises consumption, the provisions of Section 3-7 of this Code shall apply.
 - f. Reporting and response. The local Rental Responsible Party must be readily available to respond to complaints, City inquiries, or emergencies on a 24-hour basis during a HIP. The responsible party is expected to actively cooperate with law enforcement and code officers to resolve any issues related to the rental property or its occupants. This includes facilitating the eviction or removal of guests who refuse to comply with the law or rental rules.
 - h. Notice to guests of HIP and applicable regulations. For each reservation with an arrival occurring during and within the geographic boundaries of a HIP, and for any guests in residence when an HIP is declared, the property owner, manager, or Rental Responsible Party for any Public Lodging Establishment shall provide written notice to the primary renter and all adult guests of record that: (1) a High Impact Period has been declared; (2) the dates and geographic boundaries of the HIP; and (3) a concise summary of guest-applicable HIP rules, which shall include, as applicable: the juvenile curfew (if imposed under Sec. 4-3), the under-21 presence restriction in alcoholic-beverage establishments (Sec. 3-7), any posted beach/public area restrictions (Sec. 4-3), special parking/towing rules (Sec. 22-30), the unit’s quiet-hours and common-area alcohol policy under this subsection, and any other guest-facing HIP regulation. The notice shall include a link or reference to the City’s official HIP webpage or public notice for full details.
 - i. Timing and method. For new arrivals during an HIP, the notice shall be provided prior to or at check-in. For guests already in residence when an HIP is declared, the notice shall be provided promptly and in no event later than twenty-four (24) hours after the declaration. Written notice may be provided by any combination of email, text/SMS, in-platform/app messaging through the booking platform, or a hard-copy notice delivered to the unit and posted inside the unit in a conspicuous location.
 - ii. Proof of compliance. The property owner or Rental Responsible Party shall maintain proof of delivery (e.g., electronic transmission record, in-app message log, or a

signed/dated copy of the posted notice) for not less than twelve (12) months following the end of the HIP and shall make such proof available to the City upon request.

- g. Penalties: In addition to any standard penalties for violations of this section, a property owner or responsible party who fails to implement the required measures during a declared High Impact Period, or who permits violations of subsection (g)(7) to occur, shall be subject to an enhanced civil fine of up to one thousand dollars (\$1,000.00) per offense. Each day or night that a required measure is not provided (or each distinct violation, such as an underage rental) may be cited as a separate offense. Repeated or egregious violations may result in suspension or revocation of the Vacation Rental Certificate, following notice and hearing as provided in Chapter 25 of this Code.

SECTION 4. From and after the effective date of this ordinance, Chapter 22, Section 22-30 of the Panama City Beach Code of Ordinances is created to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Chapter 22 - TRAFFIC AND MOTOR VEHICLES

...

Sec. 22-30. Special parking and towing regulations during High Impact Periods.

- (a) Traffic Flow Modification. During any declared High Impact Period (as defined in Sec. 4-2) the City Manager, in consultation with the Chief of Police, may temporarily modify or restrict traffic flow on City streets within the HIP area. Such measures may include street closures, traffic diversions, pedestrian-only zones, and parking prohibitions on certain properties, as deemed necessary to protect public safety. Appropriate signage or barricades shall be placed to give notice of any temporary traffic control order, and it shall be unlawful for any person to violate such posted HIP traffic controls.
- (b) Increased public parking rates. All City-owned or City-operated public parking facilities located within a designated HIP area may charge enhanced parking fees for the duration of the HIP. Unless otherwise provided by resolution of the City Council, the parking fees in an HIP zone shall be double the rate normally charged for the specific lot or meter, or a flat surcharge not exceeding one hundred fifty dollars (\$150.00) per vehicle, whichever the City deems more effective for crowd management. The public shall be notified of any special HIP parking rate by clearly posted notices at each parking payment point. It shall be a violation of this Code to refuse to pay the posted HIP parking fee or to attempt to evade payment fraudulently.
- (c) Enhanced towing and impoundment fees. Notwithstanding the standard maximum towing rates set forth in Section 22-71 of this Code, any motor vehicle towed from a location within an HIP area during an active High Impact Period may be subject to a surcharge. An authorized wrecker operator towing a vehicle from the HIP, at the direction of law enforcement or the property owner, may impose a towing and storage fee up to twice the normal maximum rate allowed for that class of wrecker. The imposition of any such enhanced towing fee must be prominently disclosed on the posted notice required by Section 22-19(a)(4) (for private property tows) or on the HIP signage required by Sec. 4-2 (for public-right-of-way tows). In no event shall the total

charges exceed double the caps in Section 22-71, plus an administrative fee of thirty dollars (\$30.00), if applicable, for non-resident tows. All other conditions and consumer rights under Florida law and this Code remain in full force during an HIP.

- (d) Impoundment of vehicles for traffic violations. Pursuant to the authority of F.S. § 316.1891, a law enforcement officer is authorized to impound any vehicle used in the commitment of a traffic infraction or violation within a posted special event zone or High Impact Period zone, for a period not to exceed 72 hours. The owner of the vehicle shall be responsible for all towing and storage costs as outlined above. This remedy is in addition to any citation or arrest for the underlying offense.

SECTION 5. From and after the effective date of this ordinance, Chapter 25, Section 25-1 of the Panama City Beach Code of Ordinances is amended and Section 25-2 is created to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Chapter 25 – CODE ENFORCEMENT

ARTICLE I. - IN GENERAL

Sec. 25-1. Civil offenses and penalties; hearing officers.

The violation of any City ordinance shall constitute a civil offense punishable by a civil penalty in the amount prescribed in a schedule of fees adopted by resolution of the City Council, and as modified by Sections 25-31 **and 25-2** of this chapter. Accordingly, there is hereby created and established a code enforcement position to be filled by Hearing Officers to enforce the ordinances enacted pursuant to this Code.

Sec. 25-2. Enhanced penalties during High Impact Periods.

In recognition of the greater risks to public safety and burden on City services during designated High Impact Periods, violations of the Code of Ordinances committed during a HIP shall be subject to enhanced civil penalties. Notwithstanding any lesser fine amounts set by the general schedule of civil penalties, the following maximum penalties shall apply to offenses within the temporal and geographic scope of an HIP:

- a. **Double fines by default. Any civil infraction, municipal code violation, or civil citation issued for conduct occurring in an HIP zone shall carry a fine of up to double the amount ordinarily prescribed for such violation.**
- b. **Increased cap for repeat or serious violations. For violations that are repeated, continuous, or pose a serious threat to public safety during an HIP, the code enforcement hearing officer shall have authority to impose a fine up to a maximum of one thousand dollars (\$1,000.00) per violation for a first offense, and up to five thousand dollars (\$5,000.00) per violation for repeat violations by the same offender within the same HIP. These higher maximum penalties may only be imposed upon a finding that the violation was willful, egregious, or irreparable in nature, and provided that such fine is permitted by Florida law.**
- c. **Coordination with State law and other penalties. Where an offense is also a criminal violation under State law (such as a misdemeanor or felony), enforcement under this section shall be cumulative of any State criminal penalties. The enhanced civil fines authorized in this section are intended to supplement other enforcement tools. Nothing in this section shall be construed to**

limit the City's ability to seek injunctive relief or to enforce violations through the County court system as misdemeanors when provided by law.

- d. Notice of HIP status. Any citation or notice of violation issued during an HIP should clearly state that the offense occurred in a declared High Impact Period zone and that enhanced penalties may apply. However, failure to include such notation shall not preclude the increased fines provided by this section.**

SECTION 6. CONFLICT WITH OTHER ORDINANCES OR CODES. All Ordinances or parts of Ordinances of the Code of Ordinances of Panama City Beach, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. SEVERABILITY. If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, the other provisions of this Ordinance shall remain in full force and effect.

SECTION 8. SCRIVENER'S ERRORS. It is the intention of the City, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Panama City Beach, Florida, and to that end, the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section" or "article" or other appropriate designation. Additionally, corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Attorney without public hearing, by filing a corrected or recodified copy with the City Clerk.

SECTION 9. ORDINANCE TO BE LIBERALLY CONSTRUED. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 10. MODIFICATIONS. It is the intent of the City that the provisions of this ordinance may be modified as a result of considerations that may arise during a public hearing. Such modifications shall be incorporated into the final version of the ordinance adopted by the City.

SECTION 11. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code of Ordinances, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED, and ADOPTED in regular session this __ day of _____, 2025.

CITY OF PANAMA CITY BEACH

By: _____
Stuart Tettemer, Mayor

ATTEST:

Lynne Fasone, MMC, City Clerk

Posted on pcbfl.gov on the ____ day of _____, 2025.

Posted on publicnoticesbaycountyfl.gov on the ____ day of _____, 2025.

EXAMINED AND APPROVED by me this ____ day of _____, 2025.

Stuart Tettemer, Mayor