

**Title: Ordinance No. 2025-31 Relating to Parks and Outdoor Public Assemblies; Amending Chapter 3, Section 3.07; Amending Chapter 5, Section 5.19; Amending Chapter 18A, Sections 18A.01- 8A.02, 18A.04, 18A.08-1, 18A.09, 18A.09-1, and 18A.24; Repealing Chapter 18A, Sections 18A.10-18A.23-1; Enacting Chapter 18B, Sections 18B.01-18B.17; Amending Chapter 24, Section 24.13; Amending Chapter 33, Section 33.06; Amending Chapter 42, Sections 42.04 and 42.07; and amending Chapter 58, Section 58.720 (Transportation)**

**Meeting Date:** September 22, 2025

**Section:** Ordinances/1st Read

**Contact:** Annette Rodriguez, Jim Young

**District:** ALL

**Fiscal Impact:** No Fiscal Impact

**Summary:** Ordinance 2025-31 updates Chapter 18A (Parks and Outdoor Public Assemblies) of the Orlando City Code in the following areas:

1. In Section 18A.01, Definitions, the ordinance removes certain definitions, which are only relevant to outdoor public assemblies. These definitions are being moved to the newly created Section 18B.01.
2. In Sections 18A.04, 18.08-1, and 18A.09-1, the ordinance makes minor changes to improve clarity with deletions stricken and additions underlined.
3. In Section 18A.09, Prohibited Activities in Parks and Recreational Facilities Owned or Controlled by the City, the ordinance codifies a prohibition on possessing certain restricted captive wildlife in City parks. The ordinance also adds a provision, which allows violation of rules enacted by the Director of Parks and Recreation in accord with City policy to be punished as civil code citations. Currently, when people violate such rules, they can only be trespass-warned from the park and then arrested if they return. This change will allow fines to be imposed in lieu of banning people from the park or arresting them. Section 5.19 of the City Code is also being updated to make additions to the table of civil code infractions to set applicable civil fines for violations of the aforementioned park rules.

4. Sections 18A.10 – 18A.23-1 all relate to the conduct of outdoor public assemblies and are being stricken. Equivalent provisions of these sections are being enacted in the newly created Chapter 18B.
5. In Section 18.24, Penalties, the subsections, which are only relevant to public assembly permits, are being stricken. These same provisions are being moved to the newly created section 18B.17.

Ordinance 2025-31 makes minor modifications to Section 3.07, 24.13, 33.06, 42.06, 42.07, and 58.720 solely to correct references regarding outdoor public assemblies from Chapter 18A to the newly enacted Chapter 18B.

Ordinance 2025-31 enacts Chapter 18B to provide added clarity in Orlando City Code by moving provisions regarding the process for obtaining outdoor public assembly permits, expedited outdoor assembly permits for free speech events, and block party permits from Chapter 18A of the City Code to a newly created Chapter 18B of the City Code and to improve clarity regarding when permits must be obtained by amending existing definitions outdoor public assemblies and block parties.

The ordinance seeks to streamline the process of obtaining permits by moving the responsibility of issuing permits from the Police Department to the Special Events Office, a division of the City that is solely dedicated to reviewing and issuing permits for special events and expands the public's ability to apply for permits by increasing the length of time in advance of an event the applicant may apply for a permit from 180 days to a full year. The ordinance also seeks to ensure that permit applications are processed in a timely fashion by providing changing existing language in code, which provides that the decision to grant or deny a permit will be made no later than 72 hours prior to the event or 24 hours after receiving the application, whichever is later. The ordinance changes these provisions to provide a more specific timelines regarding when City officials must decide whether to issue permits than exists in current Code. The ordinance also seeks to provide increased clarity regarding criteria to be used for issuing, denying, and revoking permits.

The ordinance also seeks to provide greater clarity regarding when a block party permit can be obtained and to adopt provisions regarding maximum anticipated attendance, the permissible duration of a block party, the permissible frequency that block parties occur on the same block, and the permissible geographic footprint of a block party, which are consistent with the equivalent provision of the Orange County Code.

Further, the ordinance also seeks to provide greater flexibility for the City to update applicable permit application fees by removing codified permit application fees and instead set such fees in a schedule of fees adopted by resolution of the City Council. This change will make the setting of public assembly permit application fees more consistent with the manner in which other permit application fees are set in other provisions of the City Code.

Finally, the ordinance seeks provide for swift access to judicial review of any denial of public assembly permits consistent with Constitutional principles of Free Speech and Assembly by setting specific timelines under which appeals of the initial denial of a permit can be made to City officials and providing a mechanism by which court review of denial of permits can be obtained without any need to first appeal such decisions to the City Council.

**Recommended Action:** Approve Ordinance No. 2025-31 on first reading and request that the Mayor and City Clerk present the draft ordinance for second reading and public hearing at the City Council meeting set for October 20, 2025, subject to review and approval by the City Attorney's Office.

**AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA, RELATING TO PARKS AND OUTDOOR PUBLIC ASSEMBLIES; BY AMENDING CHAPTER 3, SECTION 3.07, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 5, SECTION 5.19, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 18A, SECTIONS 18A.01, 18A.02, 18A.04, 18A.08-1, 18A.09, 18A.09-1, and 18A.24, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; REPEALING CHAPTER 18A, SECTIONS 18A.10, 18A.11, 18A.12, 18A.12-1, 18A.13, 18A.14, 18A.15, 18A.16, 18A.17 18A.18, 18A.19A, 18A.21, 18A.22, 18A.23, and 18A.23-1; BY ENACTING CHAPTER 18B, SECTIONS 18B.01, 18B.02, 18B.03, 18B.04, 18B.05, 18B.06, 18B.07, 18B.08, 18B.09, 18B.10, 18B.11, 18B.12, 18B.13, 18B.14, 18B.15, 18B.16, and 18B.17, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 24, SECTION 24.13, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 33, SECTION 33.06, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 42, SECTIONS 42.04 and 42.07, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 58, SECTION 58.720, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; PROVIDING FOR SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 5, Section 5.19, of the Orlando City Code relates to the classes of violations and reduced civil penalties for violations of city codes and ordinances; and

**WHEREAS**, Chapter 18A, Code of the City of Orlando, Florida (the "Orlando City Code"), relates to the utilization and enjoyment of City of Orlando parks and rules and regulations regarding public assemblies; and

**WHEREAS**, the Orlando City Council wishes to allow for violations of certain codified rules relating to the use of City parks and recreational facilities and for rules promulgated and posted by the Director of Families, Parks and Recreation in accordance with City policy to be punished by civil citations; and

**WHEREAS**, the Orlando City Council believes that placing the rules and regulations regarding public assemblies into a dedicated Chapter of the Orlando City Code separate from the laws relating specifically to the utilization and enjoyment of City of Orlando parks would improve clarity; and

**WHEREAS**, the Orlando City Code currently requires outdoor public assembly permits and block party permits to be reviewed and issued by the Chief of Police; and

**WHEREAS**, the Orlando City Council believes that placing the responsibility of reviewing and issuing outdoor public assembly permits and block party permits with a division of the City dedicated to the intake, review, and processing outdoor public assembly, free speech, loudspeaker, fireworks, aeronautical, and block party permits will streamline and expedite the process of obtaining such permits; and

**WHEREAS**, the Orlando City Council wishes to provide added clarity in Orlando City Code regarding when outdoor public assembly permits must be obtained; and

**WHEREAS**, the Orlando City Council wishes to ensure that the processing of outdoor public assembly permits occurs in a timely manner and to provide greater specificity in Orlando City Code regarding when decisions as to whether to issue such permits must be made; and

**WHEREAS**, the Orlando City Council wishes to provide for swift access to judicial review of any denial of public assembly permits consistent with Constitutional principles of Free Speech and Assembly; and

**WHEREAS**, the Orlando City Council finds it reasonable and necessary to amend Chapters 3, 5, 18A, 24, 33, 42, and 58 of the Orlando City Code and to create Chapter 18B of the Orlando City Code as provided for herein; and

**WHEREAS**, the Orlando City Council finds and determines that this ordinance is in the best interest of public health, safety, and welfare.

**SECTION ONE. CHAPTER 3 AMENDED.** Chapter 3, Code of the City of Orlando, Florida, is hereby amended as follows:

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**Sec. 3.07. Exemption from Other City Code Requirements.**

(1) Once a production permit has been issued, and notwithstanding any other provisions of this Code to the contrary, no other City permits shall be required for any of the activities forming a part of the production.

(2) The provisions of Chapters 13, ~~18A~~18B, 24, 39, and 58 of this Code, insofar as certain acts are required or prohibited, may be suspended in connection with the conduct of a production pursuant to this Chapter.

(3) If some or all of a motion photography production is to take place on public or private property not at a studio and the production involves the erection of temporary structures or temporary modification of an existing structure or the introduction of an object or substance onto the property, the applicant for the production permit shall be required to restore the property to the condition existing prior to the production. In addition, the City may require that the applicant provide a performance bond, in an amount to be determined by the City, to insure such restoration.

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**SECTION TWO: CHAPTER 5 AMENDED. Chapter 5, Section 5.19 Code of the City of Orlando, Florida, is hereby amended as follows:**

**Sec. 5.19. Classes of Violations and Reduced Civil Penalties.**

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(2) Violations of City codes and ordinances which constitute civil infractions for which citations may be issued are as follows:

Code/Ordinance Chapter or Section	Description	Class
CH. 14, PROPERTY MAINTENANCE CODE		
****	****	****
<u>CH. 18A, PARKS AND OUTDOOR PUBLIC ASSEMBLIES</u>		
<u>Sec. 18A.09(2)</u>	<u>Violation of posted park rules</u>	<u>II</u>
CH. 24, FIRE PREVENTION CODE		
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**SECTION THREE. CHAPTER 18A AMENDED. Chapter 18A, Code of the City of Orlando, Florida, is hereby amended as follows:**

**Chapter 18A – Parks and Recreational Facilities ~~Outdoor Public Assemblies~~**

**Sec. 18A.01. Definitions.**

The following terms, when used in this Chapter shall have the meanings respectively ascribed to them in this section:

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(4) ~~Chief of Police is the Chief of Police of the City of Orlando, Florida, or his/her designee.~~

\*\*\*\*

(13) ~~Outdoor Public Assembly (also referred to herein as assembly) is any celebration, gathering, ceremony, show, exhibition, concert, pageant, rally, demonstration, or assembly of any kind, which is, (a) calculated to attract at any one time the physical attendance or attention of over one hundred (100) persons, and (b) is held in or on any street, sidewalk, or right-of-way, which impacts adjacent streets, sidewalks, or rights-of-way to the extent that closure is necessary in order to assure the safety of vehicular and/or pedestrian~~

movement in the area. In addition, any parade as defined herein shall be considered an outdoor public assembly.

~~(14)~~—*Outdoor Public Assembly Permit* (also referred to herein as permit) is a permit as required by this Chapter.

~~(15)~~—*Parade* is any procession, march or assembly wherein the participants travel by foot, vehicle or otherwise in or upon any street, sidewalk, public right-of-way, bicycle path, public property, or public parking facility within the City; provided, however, that "parade" shall not include a peaceful procession or peaceful picketing that is conducted off the street or roadway in conformance with all traffic laws, city ordinances and state statutes and not in a manner as to obstruct vehicular or pedestrian traffic.

~~(13)~~~~(16)~~ *Parks and Recreational Facilities* are those areas listed in Sections 18A.02 and 18A.07 and any other areas officially designated by City Council as a park and posted as such, including any related park facilities, park grounds, and hardscape.

~~(14)~~~~(17)~~ *Park Facilities* are any improvements or structures, either natural or artificial, including but not limited to the Lake Eola Park Amphitheater, and any other buildings, shelters, benches, tables, playground equipment, bird feeders, walls, fences, fountains, walkways, toilet facilities, and signs located in, upon or around a park.

~~(15)~~~~(18)~~ *Park Grounds* are the real property upon which parks are located and any and all trees, shrubbery, flowers, leaves, grasses, plants, fruit, mushrooms, toadstools, dirt and rocks located above, on or under said property.

~~(16)~~~~(19)~~ *Parks Official* is the Director of Families, Parks and Recreation or his/her designee.

~~(17)~~~~(20)~~ *Person* is any individual person, or any firm, partnership, association, corporation, company or organization of any kind, or any combination of such persons.

~~(18)~~~~(21)~~ *Public Use* is any lawful utilization of park grounds and facilities which is not prohibited by any applicable regulation, ordinance, or law and which does not in fact interfere with, or tend to interfere with or obstruct the use of the park grounds or facilities by the general public or by any other person or person previously authorized to utilize the same.

~~(19)~~~~(22)~~ *Sidewalk* is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.

~~(20)~~~~(23)~~ *Street* is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.

~~(21)~~~~(24)~~ *Sunrise* is the time of day designated as sunrise by the Nautical Almanac Office, United States Naval Observatory, Washington, D.C.

~~(22)~~~~(25)~~ *Sunset* is the time of day designated as sunset by the Nautical Almanac Office, United States Naval Observatory, Washington, D.C.

(23)(26) *Large Group Feeding* is defined as an event intended to attract, attracting, or likely to attract twenty-five (25) or more people, including distributors and servers, in a park or park facility owned or controlled by the City, including adjacent sidewalks and rights-of-way in the GDPD, for the delivery or service of food. Excluded from this definition are activities of City licensed or contracted concessionaires, lessees, or licensees.

(24) (27) *Greater Downtown Park District (GDPD)* is defined as an area within the limits of the City of Orlando, Florida, extending out a two (2) mile radius in all directions from City Hall and including all of the parks and park facilities owned or controlled by the City touched by that radius, in their entirety.

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#### **Sec. 18A.02. Parks and Facilities; Closing Hours; Presence After Closing Hours Prohibited.**

(1) The following City of Orlando Parks shall be open for public use between the hours of 6:00 a.m. until 11:00 p.m. of the same day and shall be closed to public use from 11:00 p.m. until 6:00 a.m. of the following day, unless otherwise approved or permitted and posted by the City Council or by the City's Director of Families, Parks and Recreation or the Chief of Police:

The following are City of Orlando Parks and Facilities to which closing hours set forth in this section apply:

\*\*\*\*

Eagle Nest Park;  
Emery Hamilton Sports Complex;  
Gaston Edwards Park;  
Gilbert McQueen Park;  
Grand Avenue Park;  
Harbor Park;

\*\*\*\*

(2) The following City of Orlando Parks shall be open for public use between the hours of sunrise until sunset of the same day and shall be closed to public use from sunset until sunrise of the following day, unless otherwise approved or permitted and posted by the City Council or by the City's Director of Families, Parks and Recreation or the Chief of Police:

\*\*\*\*

East Park Playground;  
~~Emery Hamilton Sports Complex;~~  
Englewood Park;  
Frankee Hellinger Playground;  
~~Grand Avenue Park;~~  
Greenwood Urban Wetland Park;

\*\*\*\*



189 **Sec. 18A.04. Special Conditions; Emergencies.**

190 The Director of Families, Parks and Recreation or his designee is authorized to:

191 \*\*\*\*\*

192 (3) Make temporary rules regulating the use of listed parks or facilities if such  
193 measures are deemed by the Director to be in the best interest of the public health,  
194 safety and welfare. Such temporary rules shall not remain in effect for more than  
195 ninety (90) days without approval by City Council, nor shall any such rule be  
196 binding upon the public unless indicated by appropriate signs that are in compliance  
197 with the requirements of Section 18A.08.

198 \*\*\*\*\*

199 **Sec. 18A.08-1. Being in a Park or Recreation Facility After Hours.**

200 \*\*\*\*\*

201 (3) It is an affirmative defense to prosecution for a violation of Section 18A.08-1(1)  
202 18A.02(3)(a) that, at the time of the commission of the acts constituting the offense, a valid  
203 permit specifically authorizing the acts constituting the offense had been issued in  
204 accordance with Chapter 18 of this Code.

205 **Sec. 18A.09. Prohibited Activities in Parks and Recreational Facilities Owned or Controlled**  
206 **by the City.**

207 (1) Except for activities of a governmental agency within the scope of its governmental  
208 authority, or unless specifically permitted to do so by a permit or approval issued pursuant  
209 to this Chapter, it shall be unlawful for any person to do any one or more of the following  
210 in a park or recreational facility owned or controlled by the City:

211 \*\*\*\*\*

212 (w) To fail to remove any excreta deposited upon public property including City  
213 parks, recreational facilities, sidewalks, and rights-of-ways by any animal within  
214 the care, custody, ownership, or control of such person.

215 (x) To possess any venomous animal, or any wildlife classified as Class I, Class  
216 II, Class III, Conditional, Prohibited, or Endangered and Threatened in rules  
217 promulgated the Florida Fish and Wildlife Conservation Commission pursuant to  
218 sections 379.1055 and 379.303 of the Florida Statutes.

219 (2) Except for activities of a governmental agency within the scope of its governmental  
220 authority, or unless specifically permitted to do so by a permit or approval issued pursuant  
221 to this Chapter, it shall be unlawful for any person to violate rules and regulations  
222 prescribing the use of parks and recreational facilities that are enacted by the Director of  
223 Families, Parks and Recreation in accordance with City policy. No such rules and  
224 regulations shall be binding upon the public unless indicated by appropriate signs that are  
225 in compliance with the requirements of Section 18A.08. Persons who violate rules enacted

and posted by the Director of Families, Parks and Recreation shall be subject to a civil penalty as provided in Section 5.19 of this Code.

**Sec. 18A.09-1. "Alcoholic Beverages" Defined: Rules of Evidence in Prosecutions for Violations of Section 18A.09(1)(o).**

(1) For purposes of Section 18A.09(1)(o), "Alcoholic beverage" means all beverages containing more than one percent (1%) of alcohol by weight and shall include those beverages deemed intoxicating as provided in Section 33.15 of this Code.

(2) In all prosecutions for violations of Section 18A.09(1)(o), manufacturer's label on the beverage container shall be prima facie evidence that the substance in such container was and is an alcoholic beverage as defined in this section.

(3) Any person or persons who by experience in the past in the handling or use of alcoholic beverages, or who by taste, smell, or the drinking of such beverages has knowledge as to the alcoholic nature thereof, may testify as to his opinion whether such beverage is or is not alcoholic, and a verdict based upon such testimony shall be valid.

(4) It is an affirmative defense prosecution for a violation of Section 18A.09(1)(o) that, at the time of the commission of the acts constituting the offense, a valid permit specifically authorizing the acts constituting the offense had been issued in accordance with Chapter 33 of this Code. The defendant has the burden of proving this defense by clear and convincing evidence. It shall be a defense, if properly plead and proved by the defendant, to prosecution for a violation of Section 18A.09(1)(o) that a valid permit issued in accordance with Chapter 33 of this Code, was in effect at the time of arrest which permit specifically authorized the conduct for which the arrest was made.

**Sec. 18A.10, Code of the City of Orlando, Florida is hereby repealed and reserved for future use.**

**Sec. 18A.11, Code of the City of Orlando, Florida is hereby repealed and reserved for future use.**

**Sec. 18A.12, Code of the City of Orlando, Florida is hereby repealed and reserved for future use.**

**Sec. 18A.12-1, Code of the City of Orlando, Florida is hereby repealed and reserved for future use.**

**Sec. 18A.13, Code of the City of Orlando, Florida is hereby repealed and reserved for future use.**

**Sec. 18A.14, Code of the City of Orlando, Florida is hereby repealed and reserved for future use.**

**Sec. 18A.15, Code of the City of Orlando, Florida is hereby repealed and reserved for future use.**

262 **Sec. 18A.16, Code of the City of Orlando, Florida is hereby repealed and reserved for future**  
263 **use.**

264 **Sec. 18A.17, Code of the City of Orlando, Florida is hereby repealed and reserved for future**  
265 **use.**

266 **Sec. 18A.18, Code of the City of Orlando, Florida is hereby repealed and reserved for future**  
267 **use.**

268 **Sec. 18A.19A, Code of the City of Orlando, Florida is hereby repealed and reserved for**  
269 **future use.**

270 **Sec. 18A.20, Code of the City of Orlando, Florida is hereby repealed and reserved for future**  
271 **use.**

272 **Sec. 18A.21, Code of the City of Orlando, Florida is hereby repealed and reserved for future**  
273 **use.**

274 **Sec. 18A.22, Code of the City of Orlando, Florida is hereby repealed and reserved for future**  
275 **use.**

276 **Sec. 18A.23, Code of the City of Orlando, Florida is hereby repealed and reserved for future**  
277 **use.**

278 **Sec. 18A.23-1, Code of the City of Orlando, Florida is hereby repealed and reserved for**  
279 **future use.**

280 **Sec. 18A.24. Penalties.**

281 ~~(1) — It shall be unlawful for any person to stage, present, or conduct any assembly or~~  
282 ~~block party without first having obtained permits therefor as herein provided.~~

283 ~~(2) — It shall be unlawful for any person knowingly to participate in an assembly or block~~  
284 ~~party for which permits have not been granted.~~

285 ~~(3) — It shall be unlawful for any person in charge of or responsible for the conduct of a~~  
286 ~~duly licensed assembly or block party knowingly to fail to comply with any condition of a~~  
287 ~~permit.~~

288 ~~(1)~~ (4) Any person violating the provisions of any section of this chapter shall be subject  
289 to arrest and punishment as provided in Section 1.08 of this Code.

290 **SECTION FOUR. CHAPTER 18B CREATED. Chapter 18B, Code of the City of**  
291 **Orlando, Florida, is hereby created to read as follows:**

292 **Chapter 18B – Public Assemblies**

293 **Sec. 18B.01. Definitions.**

CODING: Words stricken are deletions; words underlined are additions; \*\*\*\* denote omitted text.

The following terms, when used in this Chapter shall have the meanings respectively ascribed to them in this section:

(1) *Advertise* is the act of publicly announcing or calling public attention to a person, thing, place or event and shall include, but not be limited to, the distribution of handbills or mass mailings, the use of outdoor advertising and announcements by radio, television, ~~or~~ newspaper, internet, or social media.

(2) *Attendance* shall mean the number of persons present at an outdoor public assembly.

(3) *Block party* shall mean a neighborhood social event intended to, and actually, taking place in whole or in part on a road in a residential area, and which obstructs vehicular traffic in a manner described in F.S. § 316.2045(1), as further described in section 18B.16 of this Chapter.

(4) *Block Party Permit* is a permit issued in accordance with section 18B.16 of this Chapter.

(5) *Chief of Police* is the Chief of Police of the City of Orlando, Florida, or his/her designee.

(6) *Director of Families, Parks and Recreation* is the Director of the Families, Parks and Recreation Department of the City of Orlando, Florida, or his/her designee.

(7) *Fire Chief* is the Chief of Fire Department of the City of Orlando, Florida, or his/her designee.

(8) *Fireworks Permit* is a permit to use fireworks or pyrotechnics issued in accordance with Chapter 24 of the City Code.

(9) *Free Speech Permit* is a public assembly or special event permit applied for and issued in accordance with section 18B.03(1)(c) of this Chapter.

(10) *Manager of the Special Events Office* is the Special Events Office Division manager of the City of Orlando, Florida, or his/her designee.

(11) *Onsite Contact* is the person who serves as the primary point of contact during the conduct of any outdoor public assembly or block party. The onsite contact must be present and available during all phases of the outdoor public assembly or block party, including setup, event hours, and teardown.

(12) *Outdoor Loudspeaker Permit* is a permit as required by the provisions of Chapter 42 of the City Code.

(13) *Outdoor Public Assembly* (also referred to herein as assembly or event) is any celebration, gathering, ceremony, show, exhibition, concert, pageant, rally, demonstration, or assembly of any kind, which is, (a) calculated to attract, during the course of the event, the physical attendance of one hundred (100) persons or more, and is held in or on any outdoor public property, including but not limited to any park, street, sidewalk, or right-of-way, or (b) which is to be held in or on outdoor private property and is reasonably likely to substantially impede, obstruct, impair, or interfere with the use of any public property

including but not limited to streets, sidewalks, or right-of-way. In addition, any parade as defined herein shall be considered an outdoor public assembly.

(14) *Outdoor Public Assembly Permit or Special Event Permit* (also referred to herein as permit) is a permit as required by this Chapter.

(15) *Parade* is any procession, march or assembly wherein the participants travel by foot, vehicle or otherwise in or upon any street, sidewalk, public right-of-way, bicycle path, public property, or public parking facility within the City; provided, however, that "parade" shall not include a peaceful procession or peaceful picketing that is conducted off the street or roadway in conformance with all traffic laws, city ordinances and state statutes and not in a manner as to obstruct vehicular or pedestrian traffic.

(16) *Person* is any individual person, or any firm, partnership, association, corporation, company or organization of any kind, or any combination of such persons.

(17) *Sidewalk* is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.

(18) *Special Events Office* is defined as the division with the City that includes the management and staff who intake, review, and process outdoor public assembly and block party permits.

(19) *Street* is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.

(20) *Temporary Event Structure* is any temporary ground supported structure, platform, stage, stage scaffolding or rigging, canopy, tower supporting audio or visual effects equipment, or similar structures not regulated with the scope of the Florida Building Code.

## **Sec. 18B.02. Permits and Authorizations Required.**

(1) No person shall engage in, participate in, aid, form or start any outdoor public assembly unless an outdoor public assembly permit shall first have been obtained from the City of Orlando.

(2) The issuance of an outdoor public assembly permit from the Special Events Office shall not relieve any person from the duty to secure other permits or approvals as may be required by the City Code to include, but not be limited to, a tent permit (under City Code Chapter 18), an business tax receipt (under City Code Chapter 36), street, lane or sidewalk use/closure authorization (under City Code Chapter 39), a permit for loudspeaker or other sound amplification device (under City Code Chapter 42), and City Council approval for sale of items on public property (under City Code Chapter 54).

(3) *Exceptions.* This section shall not apply to, nor shall a permit be required for funeral processions or for events authorized within the legal boundaries of the City-owned and operated Event Venues located at 1610 West Church Street, 287 South Tampa Avenue, 400 West Church Street, and 1920 North Forest Avenue; unless such activity includes the use of additional public property outside of the boundaries of the venue. Additionally, City Council may specifically exempt persons, organizations or assemblies from the

requirements of this section, provided that alternate procedures providing for the protections addressed by this Chapter are included in a separate agreement approved by City Council.

**Sec. 18B.03. Application for Outdoor Public Assembly Permit.**

Any person seeking the issuance of an outdoor public assembly permit shall file an application with the Special Events Office of the City.

(1) Filing Period.

(a) For single, non-recurring outdoor public assemblies an application for a permit shall be filed with the Special Events Office not more than one calendar year before, and not less than sixty (60) calendar days before, the date and time at which such assembly is proposed to commence; provided, however, that the Manager of the Special Events Office shall waive the minimum sixty (60) day filing period and accept an application filed within a shorter period if after due consideration of the date, time, place, and nature of the assembly, the anticipated number of participants, and the necessity for an amount of City services which will be required in connection therewith, the Manager of the Special Events Office, in conjunction with the Orlando Police and Fire Departments, determines that such waiver will not present a hazard to the public safety because of the reduced amount of time available within which to fully process the application, and provide appropriate City services required for the event. The application shall be signed by the applicant under oath subject to the provisions of section 837.06 of the Florida Statutes.

(b) For outdoor public assemblies which are to be held on a regular or recurring basis at the same location, and under the same site plan and conditions, during a consecutive ninety (90) day period, an application for a permit covering all such assemblies during that ninety (90) day period may be filed with the Special Events Office not more than one calendar year before, and not less than sixty (60) days before, the date and time at which it is proposed to commence the first such assembly; provided, however, that the Manager of the Special Events Office may waive the minimum sixty-day period after due consideration of the factors specified in (1)(a) above. An event to be considered regular or recurring shall have no substantial changes from the original permit application. The application shall be signed by the applicant under oath subject to the provisions of section 837.06 of the Florida Statutes.

(c) The Manager of the Special Events Office shall waive the minimum sixty (60) day filing period for single, non-recurring outdoor public assemblies set forth in Section 18B.03(1)(a) if the following criteria are satisfied:

(i) The assembly will be about or concern public issue speech on a topic or events coming into public knowledge recently.

(ii) The assembly will not involve the sale of food or the sale, distribution, or consumption of alcohol.

413 (iii) No admission fee to the assembly will be charged or solicited.

414 (iv) No commercial activity of any kind will be conducted at the  
415 assembly.

416 (v) No tents, tables, or structures will be set up or erected at the  
417 assembly.

418 (vi) The assembly will not involve the closure of any public streets or  
419 roads.

420 (vii) The application does not seek exclusive use of the location of the  
421 assembly.

422 (2) Contents. The application for a permit shall set forth the following information, and  
423 such other information as may from time to time reasonably be required:

424 (a) The name, place of residence or business, mailing address and telephone  
425 number of the person seeking to conduct the assembly.

426 (b) If the assembly is proposed to be conducted for, on behalf of, or by an  
427 organization, the name, address and telephone number of the headquarters of the  
428 organization and of the authorized and responsible heads of such organization.

429 (c) The name, place of residence, mailing address, and telephone number of the  
430 individual person who will be the assembly chairperson and who will be  
431 responsible for the conduct of the assembly.

432 (d) The date when the assembly is to be conducted.

433 (e) Type of assembly including a description of the activities which will occur  
434 during the event.

435 (f) The hours when such assembly will start and terminate.

436 (g) A description of any and all banners, signs, balloons, inflatables, or other  
437 attention-getting devices proposed to be utilized in accordance with Chapter 64 of  
438 the City Code in connection with the assembly.

439 (h) The approximate number of participants, not including spectators, who will  
440 participate in the assembly.

441 (i) The approximate number of spectators who will be present at or near the  
442 assembly.

443 (j) If the assembly is designed to be held by, and on behalf of or for, any person  
444 other than the applicant, the applicant for such permit shall file with the Special  
445 Events Office a communication in writing from the person proposing to hold the  
446 assembly, authorizing the applicant to apply for the permit on his or her behalf.

447 (k) The exact location of the assembly and if the assembly is a parade, the  
448 location by streets of any marshaling area or areas for such parade.

449 (l) A designation of any public facilities or equipment proposed to be utilized.

(m) If the application is for a parade, it also shall set forth the following information:

1. The time at which units of the parade will begin to arrive at the marshaling area or areas, and the times at which all such units will be disbursed therefrom.

2. The route to be traveled, including the starting point and the termination point as well as directional traffic arrows and street names.

3. The approximate number of persons who, and animals and vehicles which, will constitute such parade, the type of animals and description of the vehicles.

4. A Maintenance of Traffic Plan (MOT) plan, that meets or exceeds the requirements of Florida Department of Transportation (FDOT) design and safety standards.

(n) Whether alcoholic beverages will be sold, served, or consumed at the assembly. Alcohol sold, served, or consumed, requires an appropriate valid liquor license to be attached to the application.

(o) A site plan that includes all event elements, including but not limited to vendors, food trucks (and or cooking areas) tents, fence line, barricades, entrance/exit points, stages, parking, emergency access lanes, and alcohol sales, service consumption areas, and any other requirements reasonably requested by the City to promote the safety, health, or welfare of the public.

(p) Whether an admission fee will be charged to attend the assembly.

(q) Whether the applicant intends to use fireworks or pyrotechnics at the assembly and seek a permit in accordance with Chapter 24 of the City Code.

(r) Whether the applicant intends to use tents or other temporary structures at the assembly in accordance with Chapter 18 of the City Code and seek a tent permit under Chapter 18 if required by the terms thereof.

(s) Whether the applicant intends to sell within the City's streets, sidewalks or other rights-of-way in compliance with the terms of Chapter 54 of the City Code and obtain any necessary approvals therefor.

(t) Whether the applicant intends to use recording equipment, a loudspeaker or sound amplification devices of any type and seek a permit under Chapter 42 of the City Code if required by the terms thereof.

(u) Whether the applicant intends to have a parachutist or use a helicopter in accordance with Chapter 8 of the City Code as part of the assembly.

(v) If the application is for a road race, a map of the proposed route, including the starting point and termination point.

(3) Fees and deposit.



(a) A non-refundable fee to cover the administrative costs of processing the permit shall be paid to the City of Orlando by the person applying for the permit at the time of filing of the application. The permit fee and other fees related to the assembly shall be set forth in a schedule of fees adopted by resolution of City Council.

(b) If the application is for the use of any City property or if any City services shall be required for the assembly, the applicant shall pay, prior to the issuance of a permit, the charges therefor in accordance with a schedule of fees approved by City Council by resolution.

(c) The permit fees shall be waived by the Chief Administrative Officer (CAO) if the activity proposed by the applicant involves (1) expressive speech protected by the First Amendment to the United States Constitution, (2) will occur in a public forum, (3) the fees would be so financially burdensome that it would preclude the applicant from exercising First Amendment rights, and (4) adequate alternate channels of expression are not available. Within five (5) calendar days of a written request from the applicant to waive the fees, the CAO shall render a written decision on whether the fees shall be waived and shall set forth the reasons for the decision. An applicant wishing to appeal the decision of the CAO may file a request for immediate judicial review with a court having jurisdiction thereof, or in the alternative, may file an appeal to City Council within five (5) days after receipt of the notice of denial by filing a written notice with the CAO, with a copy delivered to the City Clerk, and such appeal shall be considered at the next regularly scheduled City Council meeting. An applicant wishing to appeal the decision of City Council may file a request for immediate judicial review with a court having jurisdiction thereof.

#### **Sec. 18B.04. Public Safety Protection.**

(1) The Chief of Police shall determine whether and to what extent additional police protection, and the Fire Chief shall determine whether and to what extent additional fire and medical services reasonably will be necessary for the assembly for purposes of traffic control and public safety. The Chief of Police and the Fire Chief shall base these decisions on the size, location, duration, time and date of the event, the expected sale or service of alcoholic beverages, the number of streets and intersections to be blocked and the need to detour or preempt ordinary citizen travel and use of the streets and sidewalks. Such decisions may take into consideration historical data from previous similar events. The content of the speech or event or of any anticipated counterprotest will not be a factor in determining the amount of police protection necessary. If possible without disruption of ordinary police, fire, or emergency medical services or compromise to public safety, the event will be policed by regularly scheduled on-duty personnel. If additional police, fire, or medical services for the assembly are deemed necessary by the Chief of Police or the Fire Chief, Special Events Office shall so inform the applicant for the permit. The applicant then shall have the duty to secure the police, fire, or medical services deemed necessary by the Chief of Police and Fire Chief at the sole expense of the applicant who shall prepay the

530 expenses of such protection. Failure to pay such expenses in advance of the assembly shall  
531 be grounds for denial of permits.

532 (2) Persons exercising their first amendment rights by engaging in events, parades,  
533 assemblies or demonstrations conducted for the sole or primary purpose of public issue  
534 speech shall not be required to pay the costs of any police, fire, or medical services provided  
535 by the City at the assembly.

536 **Sec. 18B.05. Standards for Issuance of Permit.**

537 (1) The Manager of the Special Events Office, or his/her designee, shall issue a permit  
538 as provided for hereunder when, from a consideration of the application and from other  
539 information as may otherwise be obtained, if it appears that:

540 (a) The conduct of the assembly will not interrupt substantially the safe and  
541 orderly movement of other pedestrian or vehicular traffic in or contiguous to the  
542 route or location of the assembly.

543 (b) The concentration of persons, animals and/or vehicles at the assembly will  
544 not interfere unduly with proper fire and police protection of, or ambulance service  
545 to, areas in or contiguous to the assembly area or other areas of the City.

546 (c) Adequate sanitation and other required health facilities are or will be made  
547 available in or adjacent to the assembly area.

548 (d) There are sufficient parking places near to the site of the assembly to  
549 accommodate the approximate number of automobiles reasonably expected to be  
550 driven to the assembly.

551 (e) The applicant has secured the police, fire, or medical services, if any,  
552 required under section 18B.04.

553 (f) If the assembly is a parade, such parade is not to be held for the primary  
554 purpose of advertising any product, goods or event, which is primarily for private  
555 profit, and the assembly itself is not primarily for profit; provided, however, the  
556 prohibition against advertising any product, goods or event shall not apply to signs  
557 identifying organizations or sponsors furnishing or sponsoring exhibits or  
558 structures used in the conduct of the assembly.

559 (g) The assembly will not unreasonably burden surrounding private properties  
560 and will not deprive owners, lessees, or the patrons of such owners or lessees, of  
561 reasonable access to or use of such properties unless the written consent of such  
562 owners or lessees has been obtained prior to the assembly.

563 (h) The assembly is not reasonably likely to substantially interrupt the safe and  
564 orderly movement of vehicular and pedestrian traffic in the area of the assembly or  
565 cause an unresolvable conflict with construction or development in the area of the  
566 assembly.

- 567           (i) The specifications for the proposed assembly do not create significant  
568           public safety or health concerns. Such public safety or health concerns shall not be  
569           based on the content of any speech or anticipated counterprotest.
- 570           (2) Notwithstanding the provisions of subsection (1), an assembly permit may be  
571           denied if:
- 572               (a) The applicant is legally incompetent to contract.
- 573               (b) The application contains a material falsehood or misrepresentation.
- 574               (c) The applicant has on prior occasions made material misrepresentations  
575               regarding the nature and scope of an assembly previously permitted or has violated  
576               the terms of prior permits issued to or on behalf of the applicant.
- 577               (d) The applicant or entity on whose behalf the application was made has on  
578               prior occasions damaged City property and has not paid in full for such damage, or  
579               has other outstanding and unpaid debts to the City that are past due.
- 580               (e) The use or any activity intended by the applicant is prohibited by federal,  
581               state, or local law.
- 582               (f) A prior application for a different assembly or event which will take place  
583               at the general time and location has been or will be granted.
- 584               (g) The proposed assembly, when considered either on its own or, if applicable,  
585               in conjunction with any other assembly for which a permit or permits are being  
586               processed or have been previously granted or in conjunction with scheduled events  
587               at Orlando Venues, will unduly burden available City resources such that the  
588               resulting deployment of City services would have an adverse effect upon the  
589               welfare and safety of persons and property.
- 590               (h) The proposed assembly is to occur on private property unless the applicant  
591               has obtained the express written permission of the property owner or lessee.
- 592               (i) The proposed assembly is to occur on private property which has been  
593               utilized on two or more prior occasions in the previous twelve months to conduct  
594               outdoor public assemblies unless such recurring use has been approved through the  
595               appropriate City officials as determined by City planning or permitting services.
- 596               (j) The proposed assembly will require the closure of streets during peak  
597               commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. or between 4:00 p.m.  
598               to 6:00 p.m.
- 599           (3) Any event which will involve the erection or placement of any structure, whether  
600           permanent or temporary, on a City street, sidewalk, or right-of-way must be approved  
601           through the appropriate City officials as determined by City planning or permitting  
602           services.
- 603           (4) No permit shall be issued unless all other permits and requirements have been met  
604           to include, if applicable, but not limited to any required park facility use contract, alcohol

license, temporary use permits, storm water compliance, building permits, and all approvals from each City department represented reviewing the application.

(4) If a permit application for an outdoor public assembly permit that is being made in connection with one or more applications for loudspeakers or sound amplification devices under Chapter 42 of the City Code is denied, the Manager of the Special Events Office, or his/her designee may also deny the associated application for a loudspeaker or sound amplification device permit notwithstanding the provisions of Chapter 42 of the City Code.

#### **Sec. 18B.06. Issuance of Permit; Conditional Approval; Notice of Rejection of Application for Permit.**

(1) Within fifteen (15) business days of receiving a completed application for a permit under this Chapter and all items and information required by Manager of the Special Events Office, or his/her designee, the Manager of the Special Events Office shall decide whether to conditionally approve the application and issue a permit. The applicant must provide the items required by Section 18B.15 within ten (10) business days of being provided conditional approval by the Office of Special Events. If the applicant fails to provide those items within the allotted period, the application shall be deemed incomplete and disapproved. If those items are provided within that time, the application shall be deemed approved as of the date the applicant submits the last of the required items.

(2) Upon receipt of an incomplete application for a permit under this Chapter, the Office of Special Events shall act promptly to notify the applicant that the application is incomplete and what additional information is required to complete the application.

(3) If an application for a permit under this Chapter is denied, the Office of Special Events shall provide the applicant with notice and written reasons for denial within five (5) business days of the denial by U.S. First Class mail, electronic mail or fax machine, to the name and address set forth on the application for the permit.

#### **Sec. 18B.07. Appeal Procedure.**

If an application for a permit under this Chapter is denied, the applicant, within five (5) business days of receipt of the notice of denial, may appeal the denial to the Chief Administrative Officer (CAO), or his/her designee, by filing a written notice with the Office of Special Events with a copy to the City Clerk. The CAO shall consider the appeal and shall render final decision in writing based upon the documents and circumstances presented within five (5) business days of receiving the appeal. Judicial review of any such final decision may be obtained by a writ of common law certiorari in the Circuit Court of the Ninth Judicial Circuit, filed within five (5) days of rendition of the final decision.

#### **Sec. 18B.08. Alternative Permit.**

The Manager of the Office of Special Events or his/her designee, in denying an application for a permit may, in the interest of traffic control and public safety, authorize the conduct of the assembly on a date, at a time, over a route or in a location different from that named by the applicant. An applicant desiring to accept an alternative permit shall, within five (5) days after notice of the action of the Manager of the Office of Special Events

or his/her designee, file a written notice of acceptance with the Office of Special Events.  
An alternative permit shall conform to the requirements of, and shall have the effect of, a permit under this chapter.

**Sec. 18B.09. Notice to City Officials.**

Immediately upon the issuance of a permit, the Special Events Office shall send a copy thereof to the following:

- (1) Mayor;
- (2) City Clerk;
- (3) Transportation Engineer;
- (4) Fire Chief;
- (5) Chief of Police;
- (6) Code Enforcement Division Manager;
- (7) Any other city official that the Special Events Office deems appropriate.

**Sec. 18B.10. Contents of Permit.**

Each permit shall state, at minimum, the following information:

- (1) Nature of the assembly.
- (2) Date of the assembly.
- (3) Starting time and termination time of the assembly.
- (4) The location of the assembly or the portions of the streets, parks or other public facilities to be traversed or occupied by the assembly.
- (5) The approximate number of persons, animals and/or motor vehicles that will participate in the assembly.
- (6) The approximate number of spectators who will be present at or near the assembly.
- (7) The restriction that the assembly be conducted in manner consistent with what was described in the approved permit application.
- (8) Such other restrictions as the Manager of the Special Events Office shall find reasonably necessary or appropriate for the security of life or health, provided however that that such additional restrictions shall not relate to or be based on the content of any speech.

**Sec. 18B.11. Duties of Permittee.**

- (1) A permittee hereunder shall comply with all permit directions and conditions, and with all applicable laws and ordinances.
- (2) Each event must have an onsite contact who shall be present and available during all phases of the event, including setup, event hours, and teardown. The onsite contact shall

identify themselves as such to any City employee while such City employee is conducting their official or assigned duties.

(3) The onsite contact shall carry the permit upon his or her person, or have it available electronically, during the conduct of the assembly and shall display the permit upon demand to any City employee while they are conducting their official or assigned duties.

(4) A permittee hereunder shall clean the public assembly area, including all closed streets, sidewalks, rights of way, hardscape and landscape areas, within four (4) hours of the end of the event, unless approved by the Manager of the Special Events Office. Cleaning shall be conducted in accordance with the City's guidelines. Failure to clean appropriately, or repair any damage to City property caused during the event, and any costs associated will be the full responsibility of the permittee. Failure to pay for damage or clean-up will result in denial of future permits until such fee is paid.

(5) The permittee shall not dump or allow the dumping of grease from vendor carts or other food service equipment on any street, sidewalk, right-of-way, streetscape, or landscape area, including storm drains.

#### **Sec. 18B.12. Public Conduct During Assemblies.**

(1) *Interference.* No person shall unreasonably hamper, obstruct or impede, or interfere with any duly licensed assembly, or with any person, vehicle, or animal participating or used in such assembly.

(2) *Driving Through Parades.* No driver of any vehicle, unless specifically permitted by a law enforcement officer, traffic control specialist, or city traffic control personnel working the event in their official capacity, shall drive between the vehicles of persons comprising a duly licensed parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(3) *Parking on Parade Route or in Area Near Assembly.* The City shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade or an area needed for the safe and efficient flow of traffic to or from an assembly. The City shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

#### **Sec. 18B.13. Revocation of Permit.**

The Manager of the Special Events Office or the Chief of Police shall have the authority to revoke a permit issued hereunder instantly upon violation of any one or more of the conditions or standards for issuance as herein set forth or when a public emergency arises where the City or emergency resources required for that emergency are so great that deployment of such services for the assembly would have an immediate and adverse effect upon the welfare and safety of persons or property.

The Manager of the Special Events Office shall also have the authority to revoke a permit issued hereunder prior to the assembly with notice to the permittee if a change in circumstances has arisen since the permit was issued which, in conjunction with the

conduct of the permitted assembly, is reasonably likely to substantially interrupt the safe and orderly movement of vehicular and pedestrian traffic in the area of the assembly or cause an unresolvable conflict with construction or development in the area of the assembly.

#### **Sec. 18B.14. Unlawful Discrimination Prohibited.**

It shall be unlawful for any permittee, or any agent or employee of the permittee, either directly or indirectly:

(1) To unlawfully discriminate against any natural person by refusing, withholding, or denying to such person any of the services, advantages, facilities or privileges offered or available to any other person attending the assembly, or by setting different rates or charges therefor, or by placing or attempting to place any such natural person in a separate and segregated section or area at the assembly.

(2) To publish, circulate, display, post or mail any written or printed communication or notice to the effect that any of the services, advantages, facilities or privileges of the assembly will be refused, withheld or denied to any natural person on account of the person's race, color, religion, national origin, ancestry, or sex, or that the person's attendance and presence at the assembly is unwelcome or objectionable, or that the person will be prohibited from mingling with other persons at the assembly because of the person's race, color, religion, national original, ancestry or sex.

(3) To aid, abet, incite or coerce the doing of any act declared herein to be unlawful, or to prevent or attempt to prevent any person from complying with the provisions of this section.

#### **Sec. 18B.15. Indemnification and Insurance.**

(1) *Indemnification.* The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made, by filing a permit application shall represent, stipulate, contract and agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to, or death of persons arising out of or resulting from the issuance of the permit or the conduct of the assembly or any of its participants. No such indemnification agreement shall require that the applicant indemnify the City for damage, injury, or deaths that are caused the reactions of third parties to applicant's speech or expressive conduct or that of participants in the assembly unless said speech or expressive conduct constitutes either an incitement to imminent lawless action or fighting words. Nor shall any such indemnification agreement require that the applicant indemnify the City against meritorious claims stemming from a deprivation of the constitutional rights of any person by any City employee acting in their official capacity.

(2) *Insurance.* Except for applicants who are City employees applying for permits for City-sponsored events, all applicants shall provide proof of insurance in the minimal coverage per City policy, and which also provides confirmation indemnifying the City

758 against liability as provided in section 18B.14(1) of this Code. Events with alcohol must  
759 provide host or liquor liability insurance based upon sale, service, or consumption.

760 (3) Waiver of insurance requirement; appeal. The insurance requirement shall be  
761 waived by the Manager of the Special Events Office, or his/her designee, if the activity  
762 proposed by the applicant involves (1) expressive speech protected by the First  
763 Amendment to the United States Constitution, (2) will occur in a public forum, (3) does  
764 not include liability of property damage risk factors beyond those typically associated with  
765 the ordinary public use of the property, (4) the insurance requirement would be so  
766 financially burdensome that it would preclude the applicant from exercising First  
767 Amendment rights, and (5) adequate alternate channels of expression are not available.  
768 Within five (5) business days of receiving a request, the Manager of the Special Events  
769 Office, or his/her designee, shall render a written decision on whether the insurance  
770 requirement shall be waived and shall set forth the reasons for the decision. An applicant  
771 wishing to appeal the decision of the Manager of the Special Events Office may appeal the  
772 denial within five (5) business days of receipt of the notice of denial to the Chief  
773 Administrative Officer (CAO), or his/her designee, by filing a written notice with the  
774 Office of Special Events with a copy to the City Clerk. The CAO shall consider the appeal  
775 and shall render final decision in writing based upon the documents and circumstances  
776 presented within five (5) business days of receiving the appeal. Judicial review of any such  
777 final decision may be obtained by a writ of common law certiorari in the Circuit Court of  
778 the Ninth Judicial Circuit, filed within five (5) days of rendition of the final decision.

#### 779 **Sec. 18B.16. Block Parties.**

780 (1) The Office of Special Events may issue a block party permit, at a fee established  
781 by Resolution of City Council, for a neighborhood block party when all of the following  
782 conditions are met:

783 (a) A written application for a block party permit is received by the Office of  
784 Special Events not less than fourteen (14) calendar days and not more than one  
785 calendar year prior to the event. All applications for block party permits shall be  
786 signed by the applicant under oath subject to the provisions of section 837.06 of the  
787 Florida Statutes.

788 (b) The event is closed to the general public.

789 (c) No commercial activity, sales, vending, or advertising of any kind is to be  
790 conducted on the public street, sidewalk or other right-of-way while the block party  
791 is in progress.

792 (d) No sound amplification equipment or devices are to be used without a  
793 separate permit issued pursuant to Chapter 42 of this Code.

794 (e) No admission fee is charged or solicited.

795 (f) No alcohol is permitted, served or consumed on the street, sidewalk, or other  
796 right of way.



(g) The street is classified as a local street by the City Transportation Engineer, the closing of which would not be detrimental to the safety of vehicular and/or pedestrian movement as determined by the City Transportation Engineer.

(h) The anticipated attendance of the block party shall not equal or exceed one hundred persons at any point in time.

(i) The block party shall begin no earlier than 10:00 a.m. and shall end no later than 10:00 p.m. the same day; except that a block party that begins on December 31 shall end no later than 1:00 a.m. on January 1.

(i) If the neighborhood where the block party is planned is governed by a mandatory homeowners association, the applicant for the permit may be the association, acting through its representative board of directors, or one (1) or more neighborhood residents. If the neighborhood is not governed by a mandatory homeowners association, the applicant shall be one (1) or more neighborhood residents. All applications shall be accompanied by a petition of nonobjection to the block party that has been signed by at least a majority of the persons residing in the homes on the local street where the block party is planned to take place.

(j) Notice is provided to persons residing within the impacted neighborhood. In determining whether to issue a block party permit, the Office of Special Events may take into consideration any objections to the block party raised by residents of the impacted neighborhood.

(2) A block party shall be limited to an area which does not exceed one city block and must be conducted in fashion which allows for the ingress and egress to the impacted neighborhood by residents, visitors, and emergency services. The permittee shall control the parking of motor vehicles so as not to create a hazard or an unsafe condition adjacent to or near the location of the block party, shall place cones, a movable barricade or the like at the site of the local street where the block party takes place, and shall ensure that no motor vehicles, inflatables, tents, canopies, banners, stages, and/or fixed barriers obstruct access to the street for a width of at least fourteen (14) feet, and a vertical distance of at least thirteen and one-half (13½) feet.

(3) Block party permits shall not be issued for a particular road more than four times per calendar year.

(4) Block party permits shall only be issued for neighborhood block parties occurring in areas zoned as residential codes R-1, R-1N, R-1A, R-1AA, R-2A, R-2B, R-3A, R-3B, R-3C and R-3D.

(5) The Manager of the Special Events Office or the Chief of Police shall have the authority to suspend or revoke a block party permit issued hereunder instantly upon violation of any one or more of the conditions or standards for issuance as herein set forth.

#### **Sec. 18B.17. Penalties.**

(1) It shall be unlawful for any person to stage, present, or conduct any assembly or block party without first having obtained permits therefor as herein provided.

(2) It shall be unlawful for any person to knowingly participate in an assembly or block party for which permits have not been granted.

(3) It shall be unlawful for any person in charge of or responsible for the conduct of a duly licensed assembly or block party to knowingly fail to comply with any condition of a permit.

(4) Any person violating the provisions of any section of this chapter shall be subject to arrest and punishment as provided in Section 1.08 of this Code.

**SECTION FIVE. CHAPTER 24 AMENDED. Chapter 24, Code of the City of Orlando, Florida, is hereby amended as follows:**

\*\*\*\*

**Sec. 24.13. Permits and Approvals.**

\*\*\*\*

(i) From the list authorized under NFPA 1, Table 1.12.8(a), the City of Orlando Fire Department requires a Permit for all items listed in (1) through (15) below. In accordance with the detailed requirements of this Code, a permit shall be obtained for the following materials listed below:

\*\*\*\*

(15) For Special Outdoor Events, Carnivals, Fairs, Festivals. A permit is issued by the Special Events Office ~~Orlando Police Department~~ as indicated in City Code, Chapter ~~18A~~18B. Before issuance, the permit application is approved by Orlando Fire Department after applicant shows compliance with fire code requirements.

\*\*\*\*

**SECTION SIX. CHAPTER 33 AMENDED. Chapter 33, Code of the City of Orlando, Florida, is hereby amended as follows:**

\*\*\*\*

**Sec. 33.06. Open Containers of Alcohol on Public Property Prohibited; Exceptions.**

\*\*\*\*

(b) The following locations are exempt from the prohibitions of subsection (a) above:

\*\*\*\*

6. The sale, consumption, and possession of alcoholic beverages is authorized on any public street, sidewalk, alley, or right-of-way under any of the following circumstances:

A. When authorized by a sidewalk café permit issued pursuant to section 54.28 of this Code, and in compliance with the Beverage Laws.

B. When authorized by an outdoor public assembly permit issued pursuant to Chapter ~~18A~~18B of this Code, and in compliance with the Beverage Laws.

C. When specifically authorized by the Chief of Police, or designee, under such terms as the Chief of Police, or designee, may impose for the protection of the health, safety, and welfare of the public, and in compliance with the Beverage Laws.

\*\*\*\*

**SECTION SEVEN. CHAPTER 42 AMENDED. Chapter 42, Code of the City of Orlando, Florida, is hereby amended as follows:**

\*\*\*\*

**Sec. 42.04. Prohibited Acts.**

(1) No person shall produce, cause to be produced, or allow to be produced, by any means, any noise which exceeds the applicable sound level limits as set forth in Chart 1 and section 42.03(2) within any private property when measured at or beyond the real property line of the property generating said noise, except when authorized by City Council, pursuant to a permit issued under City Code Chapter ~~18A~~18B or other valid agreement.

(2) No person shall produce, cause to be produced, or allow to be produced, by any means, any noise which exceeds the applicable sound level limits as set forth in Chart 1 and section 42.03(2) within any public property, when measured at or beyond the real property line of the property generating said noise, or for noises created out of doors, at or beyond 50 feet from the source of the noise, except when authorized by City Council, pursuant to a permit issued under City Code Chapter ~~18A~~18B or other valid agreement.

\*\*\*\*

**Sec. 42.07. Use of Mechanical Loudspeakers or Amplifiers Out of Doors.**

\*\*\*\*

(4) Each permit application shall include the name, address, and telephone number of the permit applicant. The applicant shall submit a plan showing the proposed location and orientation of the loudspeaker(s) or sound amplification device(s) to be used, the street address and specific location at that address for the proposed use, the hours of operation of the loudspeaker(s) or sound amplification device(s), a description of the loudspeaker(s) or sound amplification device(s) including its decibel level, and such other information pursuant to City Code section 62.506, as applicable. The applicant shall certify that such speaker(s) and device(s) will be monitored to ensure that it is operated within the decibel levels prescribed in Chart 1 set forth in section 42.03 herein.

If the loudspeaker(s) or sound amplification device(s) is being used out of doors temporarily for a special event, the permit application must be submitted to the Special

Events Office ~~Chief of Police~~ at least three business days, excluding holidays, in advance of the installation of the equipment and must be accompanied by a permit fee set by resolution of the City Council. Such usage must comply with this Chapter. If the use of such speaker or device out of doors will be continual, the permit application must be submitted to the Planning Official pursuant to City Code section 62.506 prior to the installation of the equipment.

(5) The Special Events Office ~~Chief of Police~~ or Planning Official shall approve a permit application provided that the proposed use and speaker or device:

\*\*\*\*

(b) Will not interfere with any governmental function or with any event previously permitted pursuant to Chapter ~~18A~~18B, Orlando City Code, or with any event scheduled through the Families, Parks and Recreation Department if the proposed use of the speaker or device is temporary for a special event; and

\*\*\*\*

(6) For the purpose of providing an exemption from the prohibitions contained in subsections (2), and (3) above, there is hereby created a Downtown Entertainment Area which is described in Figure 1. Within said Area, loudspeakers or other sound amplification devices for non-continual use may be used out of doors, upon obtaining a permit pursuant to subsection (5) above, between 7:00 a.m. and 10:00 p.m. on weekdays and 7:00 a.m. and 12:00 a.m. (midnight) on weekends and without regard to the other prohibitions set forth in subsections (2) and (3) above. However, sections 42.02 through 42.05 set forth herein shall still apply. The Special Events Office ~~Chief of Police~~ is authorized to extend the loudspeaker use by two additional hours for the following five holidays and special occasions: St. Patrick's Day, Cinco de Mayo, Fourth of July, Halloween, and New Year's Eve.

\*\*\*\*

**SECTION EIGHT. CHAPTER 58 AMENDED. Chapter 58, Code of the City of Orlando, Florida, is hereby amended as follows:**

\*\*\*\*

**Sec. 58.720. General Requirements for Mobile Vendors.**

All Mobile Vendors must comply with the following conditions:

\*\*\*\*

(b) *Hours of Operation.* A Mobile Vendor may only be open during the hours of operation of the principal use on site, and as further restricted below:

\*\*\*\*

2. Within the DEA, a Mobile Vendor may not operate between the hours of 3:00 a.m. and 6:00 a.m. daily, even if the principal use on site is open for additional hours.

Alternative hours for a one-time Mobile Vending Event may be approved via a permit issued pursuant to Chapter ~~48A~~18B, Code of the City of Orlando and as described in Section 58.723 below.

\*\*\*\*

(h) *Alcohol*. No alcohol shall be sold from a Mobile Vendor or consumed on the site of a Mobile Vendor, unless authorized by City Council via a permit issued pursuant to Chapter ~~48A~~18B, Code of the City of Orlando.

\*\*\*\*

**SECTION NINE. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION TEN. CODIFICATION.** The City Clerk and the City Attorney shall cause the Code of the City of Orlando, Florida, to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

**SECTION ELEVEN. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

**SECTION TWELVE. EFFECTIVE DATE.** This ordinance takes effect immediately upon final passage.

ADVERTISED on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

READ FIRST TIME on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

READ SECOND TIME AND ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

CITY OF ORLANDO, FLORIDA

\_\_\_\_\_  
Buddy Dyer, Mayor

983  
984 ATTEST:  
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988 Stephanie Herdocia, City Clerk  
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992 APPROVED AS TO FORM AND LEGALITY  
993 For the use and reliance of the  
994 City of Orlando, Florida, only.  
995

996 \_\_\_\_\_, \_\_\_\_\_.  
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999 \_\_\_\_\_  
1000 City Attorney/Assistant City Attorney  
1001 Orlando, Florida  
1002

1003 \_\_\_\_\_  
1004 Print Name

CODING: Words stricken are deletions; words underlined are additions; \*\*\*\* denote omitted text.

## **Business Impact Estimate**

*This form is being included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference: **ORDINANCE No. 2025-31**

AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA, RELATING TO PARKS AND OUTDOOR PUBLIC ASSEMBLIES; BY AMENDING CHAPTER 3, SECTION 3.07, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 5, SECTION 5.19, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 18A, SECTIONS 18A.01, 18A.04, 18A.08-1, 18A.09, 18A.09-1, and 18A.24, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; REPEALING CHAPTER 18A, SECTIONS 18A.10, 18A.11, 18A.12, 18A.12-1, 18A.13, 18A.14, 18A.15, 18A.16, 18A.18, 18A.19A, 18A.21, 18A.22, 18A.23, and 18A.23-1; BY ENACTING CHAPTER 18B, SECTIONS 18B.01, 18B.02, 18B.03, 18B.04, 18B.05, 18B.06, 18B.07, 18B.08, 18B.09, 18B.10, 18B.11, 18B.12, 18B.13, 18B.14, 18B.15, 18B.16, and 18B.17, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 24, SECTION 24.13, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 33, SECTION 33.06, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 42, SECTIONS 42.04 and 42.07, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; AMENDING CHAPTER 58, SECTION 58.720, OF THE CODE OF THE CITY OF ORLANDO, FLORIDA; PROVIDING FOR SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, the City of Orlando hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Ordinance 2025-31 serves the best interest of public health, safety, and welfare by providing added clarity in Orlando City Code by moving provisions regarding the process for obtaining outdoor public assembly permits, expedited outdoor assembly permits for free speech events, and block party permits from Chapter 18A of the City Code to a newly created Chapter 18B of the City Code and to improve clarity regarding when permits must be obtained by amending existing definitions outdoor public assemblies and block parties.

The Ordinance also seeks to streamline the process of obtaining permits by moving the responsibility of issuing permits from the Police Department to the Special Events Office, a division of the City that is solely dedicated to reviewing and issuing permits for special events. The Ordinance also seeks to expand the public's ability to apply for permits by increasing the length of time in advance of an event the applicant may apply for a permit from 180 days to a full year and seeks to ensure that permit applications are processed in a timely fashion by providing more specific timelines regarding when City officials must decide whether to issue permits than exists in current Code. The Ordinance also seeks provide increased clarity regarding criteria to be used for issuing, denying, and revoking permits.

Further, the Ordinance also seeks to provide greater flexibility for the City to update applicable permit application fees by removing codified permit application fees and instead set such fees in a schedule of fees adopted by resolution of the City Council.

Finally, the Ordinance seeks provide for swift access to judicial review of any denial of public assembly permits consistent with Constitutional principles of Free Speech and Assembly by setting specific timelines under which appeals of the initial denial of a permit can be made to City officials and providing a mechanism by which court review of denial of permits can be obtained without any need to first appeal such decisions to the City Council.



2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Orlando, if any:
- (a) An estimate of direct compliance costs that businesses may reasonably incur;
  - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
  - (c) An estimate of the City of Orlando's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

*No direct economic impact is expected.*

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

*No businesses are expected to be impacted by the ordinance.*

4. Additional information the governing body deems useful (if any): N/A