

5 **ORDINANCE NO. 2006- _____**
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8 **AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA,**
9 **AMENDING THE CITY OF TAMPA CODE OF**
10 **ORDINANCES, CHAPTER 25, THE CITY OF TAMPA**
11 **TRANSPORTATION ORDINANCE, ARTICLE I,**
12 **ADMINISTRATIVE PROVISIONS, DIVISION III,**
13 **SECTION 25-48, FEE AUTHORITY AND TYPES;**
14 **PERMITS; INSPECTIONS; ESTABLISHING AUTHORITY**
15 **AND CONDITIONS FOR ISSUANCE OF A PERMIT TO**
16 **INSTALL AND ADMINISTER CROWD MANAGEMENT**
17 **QUEUING LINES ON PUBLIC RIGHT OF WAY IN THE**
18 **YBOR CITY HISTORIC DISTRICT; AUTHORIZING THE**
19 **ESTABLISHMENT OF FEES, FORMS AND PROCEDURES**
20 **FOR THE PETITION OF A QUEUING LINE PERMIT AND**
21 **RENEWAL IN THE MANNER SET FORTH IN THE CITY**
22 **OF TAMPA CODE OF ORDINANCES, CHAPTER 25;**
23 **PROVIDING CONDITIONS THAT PROTECT AND**
24 **PRESERVE PEDESTRIAN FRIENDLY DESIGN**
25 **PRINCIPLES AND COMPLIANCE WITH THE**
26 **AMERICANS WITH DISABILITIES ACT OF 1990 (PUB. L.**
27 **101-336) (ADA), AS AMENDED, PUBLISHED IN VOLUME**
28 **42 OF THE UNITED STATES CODE, BEGINNING AT**
29 **SECTION 12101; PROVIDING FOR REPEAL OF ALL**
30 **ORDINANCES IN CONFLICT; PROVIDING FOR**
31 **SEVERABILITY; AND PROVIDING AN EFFECTIVE**
32 **DATE.**
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37 **RECITALS**
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39 **A. WHEREAS,** the City desires to establish site plan, insurance, operations and
40 materials criteria for the permitting and administration of crowd management queuing
41 lines upon public right of way in the Ybor City Historic District; and
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43 **B. WHEREAS,** any person or organization in good standing that complies with the
44 site plan, insurance, operations and administrative requirements set forth in this Code
45 shall be entitled to petition for and obtain a permit to maintain queuing lines over the
46 public right of way; and
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1 C. WHEREAS, on August 14, 2006 the Hillsborough County City-County Planning
2 Commission conducted a public hearing on this Ordinance, and made a finding that it
3 was consistent with the Tampa Comprehensive Plan; and
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5 D. WHEREAS, duly noticed public hearings as required by law were held by the
6 City Council of the City of Tampa, Florida; and
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8 E. WHEREAS, all parties in interest and citizens were afforded notice and an
9 opportunity to be heard at said hearings; and
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11 F. WHEREAS, the City Council finds that the requirements of law have been met
12 and it is in the best interest of the City to hereby take the following action.
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14 NOW, THEREFORE,
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16 BE IT ORDAINED BY THE CITY COUNCIL
17 OF THE CITY OF TAMPA, FLORIDA:
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19 Section 1. Recitals. That the recitals set forth above are hereby incorporated
20 as if fully set forth herein.
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22 Section 2. Amendment of Chapter 25-194. That City of Tampa Code of
23 Ordinance, Chapter 25, Article I, Division 3, Fee Authority and Types; Permits;
24 Inspections, Section 25-48 is hereby amended as follows (strike throughs are deletions
25 and underlined text are additions):
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27 Sec. 25-48. Permit types.

28 (a) Temporary street closures.

29 (1) Required. When a planned event will cause or require one (1) or more of
30 the following:

31 a. Temporary obstruction of or redirection of normal traffic flow on public
32 right-of-way or traffic control during abnormally high traffic caused by an event;

33 b. City staff involvement before, during or after the event, such as, but not
34 limited to:

35 1. Planning or consultation;

36 2. Police officers;

37 3. Traffic control technicians.

38 (2) May be issued to. Any person.

39 (3) Scope of work. The desired event is permitted after city review and
40 approval of street closures, traffic-control plan approval and payment of all costs
41 anticipated to be incurred by the city.

42 (b) Parade permit.

43 (1) Required. When a planned event will cause or require one (1) or more of
44 the following:

45 a. Temporary obstruction of or redirection of normal traffic flow on public
46 right-of-way or traffic control during abnormally high traffic caused by an event;

1 b. City staff involvement before, during or after the event, such as, but not
2 limited to:

- 3 1. Planning or consultation;
- 4 2. Police officers;
- 5 3. Traffic control technicians.

6 (2) May be issued to. Any person.

7 (3) Scope of work. The desired event is permitted after city review and
8 approval of street closures, traffic-control plan approval and payment of all costs
9 anticipated to be incurred by the city.

10 (c) Nonmotorized vehicle permit.

11 (1) Required. When a nonmotorized vehicle operates upon the public streets
12 of the city, city staff involvement is required before or after the event, such as, but
13 not limited to:

- 14 a. Planning or consultation;
- 15 b. Police officers;
- 16 c. Zoning.

17 (2) May be issued to. Any person with a valid and current occupational
18 license.

19 (3) Scope of work. The nonmotorized vehicle is permitted after city review
20 and approval of the proposed route.

21 (d) Queuing on Sidewalk Permit in Ybor City Historic District

22 (1) Required. When an event on abutting private property in the Ybor City
23 Historic District will require the use and management of queuing lines on public right-of-
24 way, provided, however, that the public right-of-way where the queuing line will be
25 operated is no less than eight (8) feet in width.

26 (2) Eligible Permittee. May be issued to any person or organization in the
27 Ybor City Historic District in good standing with the State of Florida that satisfies the
28 requirements below.

29 (3) Duration of Permit. Each permit shall be valid for one year, unless a
30 shorter period of time is requested by the applicant. Any permit issued hereunder may be
31 revoked or suspended as provided herein.

32 (4) Application Requirements. Each applicant shall present: a) evidence of
33 commercial general liability insurance in the amount of one million dollars
34 (\$1,000,000.00) combined single limit each occurrence. All insurance shall remain in
35 effect during the term of the permit, be from companies duly authorized to do business in
36 the State of Florida, provide that the city is an additional named insured as to the
37 operation of the queuing line, permittee shall be responsible for payment of any and all
38 deductibles and shall contain a severability of interest provision. Thirty (30) days' written
39 notice must be given the city of any cancellation or reduction in the policy coverages. b)
40 A Queuing Line Plan that identifies:

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- 42 i) a graphic depiction of the permittees property in relation to the
- 43 adjacent right of way that shows the permittee's property
- 44 boundary, points of entry and exit, and location of all existing
- 45 public improvements, including, but not limited to, benches, fire

1 hydrants, and landscaping. The depiction shall include the
2 distance (in feet) between objects and property boundary; and,
3 ii) removable queuing line stanchion materials approved by the
4 city; and,
5 iii) the proposed queuing line plan and pedestrian circulation
6 pattern reserving and depicting a minimum 1.2 meter (4.0 ft)
7 unobstructed pedestrian path and clearance over the right of way,
8 excluding the curb and queuing line area, for non-queuing
9 pedestrian traffic traveling over the right of way; and,
10 iv) compliance with applicable fire code clearance requirement at
11 building entry and exit points for the safe and unobstructed ingress
12 and egress from the building; and,
13 v) if applicable, that the queuing line plan preserves an
14 uninterrupted flow of pedestrian traffic with any other queuing line
15 on adjacent rights of way areas; and,
16 vi) the hours of operation, provided that the queuing line may not
17 be in use for more than eight (8) hours in any 24 hour period.

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19 (5) Queuing Line Equipment. All queuing line equipment and stanchions
20 must be removable, not cause an obstruction in the right of way when removed and stored
21 off the right-of-way when not in use.

22 (6) Permit. The official shall issue a queuing line permit to each applicant that
23 satisfies the application standards and operation requirements herein.

24 (7) Permit Renewal. Any person or organization to whom a queuing line
25 permit has been issued under the provisions of this article shall be entitled to renew such
26 permit from year to year; provided, however, that such person or organization be and
27 remain in compliance with the provisions of this article and such other applicable
28 ordinances, rules and regulations as shall be enacted or adopted from time to time by the
29 city and shall pay the appropriate renewal fee and apply for the renewal no later than
30 thirty (30) days prior to the expiration of the permit for which renewal is sought.

31 (8) Permit Suspension; Revocation. Each permit shall be subject to the
32 following conditions: a) all permits shall be automatically temporarily suspended and the
33 queuing line removed by the permittee upon declaration of a state of emergency, upon the
34 issuance of a tropical storm or hurricane warning or warning of severe inclement weather
35 by the county and shall stay in effect until the state of emergency is lifted or the severe
36 weather event is over; b) subject to reasonable notice, a permit may be temporarily
37 suspended by the city for a permitted special event that will include the right-of-way
38 permitted for the queuing line. Said notice shall, at minimum, identify the date, time and
39 location of the special event as well as the period of temporary suspension of the permit,
40 which shall not exceed the period of the special event.

41 The official may revoke a permit if: the permit was issued by mistake of law or
42 fact; the permit was issued upon a false statement or misrepresentation by the applicant;
43 the queuing line is not operated in accordance with the approved queuing line plan or
44 requirements of this chapter; or, payment of the permit fee or renewal fee was not
45 effected due to insufficient funds or similar reason.

