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To: Honorable Mayor and Village Council

Date: January 4, 2016

From: Edward Silva, Village Manager

Re: Freeboard Standard Ordinance –  
1<sup>st</sup> Reading

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**AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SECTION 30-100.6, FLOODPLAIN MANAGEMENT REGULATIONS; ESTABLISHING A FREEBOARD STANDARD ABOVE THE ESTABLISHED FLOOD ELEVATION; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

**BACKGROUND:**

The Village is nearing completion of its Federal Emergency Management Agency (FEMA) Community Rating Service (CRS) application, which when approved, will qualify its residents for discounts to their flood insurance premiums. The proposed ordinance is in furtherance of that goal. To participate in the program, a base CRS score of 500 must be achieved at which point a 5% reduction of the flood insurance premiums applies. Every 500 points thereafter reduces the premium by another 5% not to exceed a maximum 45% discount. Each foot of freeboard, as measured from the base flood elevation, equals to 100 points.

The minimum FEMA requirement is to ensure zoning and building codes comply with base flood elevations. The “freeboard” requirement compensates for the many unknown factors, such as wave action, blockage of bridge or culvert openings, and hydrological effect of urbanization of the watershed, which could contribute to flood heights greater than the heights calculated for a selected frequency flood and floodway conditions. The ordinance proposes the finished first floor be a minimum of two (2) feet above the floodplain elevation. The ordinance would apply to new construction, repairs to damages in excess of 50% of the market value of the structure, and additions to existing construction that exceed 50% of the market value of the building being improved.

**ANALYSIS:**

The following is a review of the request pursuant to the zoning amendment criteria found at Section 30-30.7(b) of the Land Development Code. The background section of this report is hereby incorporated by reference into this analysis.

**Criteria (1):** Whether the proposal is consistent with the comprehensive plan, including the adopted infrastructure minimum levels of service standards and the Village’s concurrency Management Program.

Objective 4C.1     Maintain Adopted Level-of-Service Standards  
Coordinate with the Federal Emergency Management Agency (FEMA), South Florida Water Management District (SFWMD), and Miami-Dade County to ensure the Village's storm water management system meets or exceeds adopted LOS design standards over the planning period.

Policy 4C.1.4     All structures shall be constructed at or above the minimum floor elevations specified in the most recent edition of the Florida Building Code (FBC) or Chapter 11-C of the Code of Miami-Dade County.

Analysis:         The Comprehensive Plan and the Village's concurrency management plan seek to ensure future development does not have a dilatory impact on the community and conforms with FEMA guidelines. The revisions are consistent with FEMA requirements and the Florida Building Code.

**Finding:**         Consistent.

**Criteria (2):**     Whether the proposal is in conformance with all applicable requirements of Chapter 30.

Analysis:         See Background Section. The proposed amendment is consistent with Chapter 30 of the Land Development Regulations in that it seeks additional protections against potential flooding as applied to qualified new construction, repairs, and additions.

Findings:         Consistent.

**Criteria (3)**     Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether the changes support or work against the proposed change in land use policy.

Analysis:         There are no particular changes to development conditions relative to this request, however adoption of the ordinance has the effect of potentially lowering flood insurance premium to property owners within the Village.

Findings:         Consistent.

**Criteria (4)**     Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and locations of uses involved, the impact on the adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land uses.

**Analysis:** See Criteria 3. The ordinance does not change the list of permitted uses within zoning districts.

**Finding:** Consistent.

**Criteria (5)** Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and service; would exceed the capacity of the facilities and services, existing or programmed, including: transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services.

**Analysis:** See Criteria 3. The proposed ordinance does not change the list of permitted uses within the Village's zoning districts thus it does not affect the capacity of existing facilities or services as described above. It does affect construction and ensures enhanced compliance with federal law (FEMA) and the Florida Building Code.

**Finding:** Consistent.

**Criteria (6)** Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of groundwater aquifer wildlife habitats, and vegetative communities.

**Analysis:** See Criteria 3. The proposed ordinance does not change the list of permitted uses within the Village's zoning districts and it does not affect the natural environment as described above. It does ensure enhanced compliance with FEMA requirements for areas within a floodplain.

**Finding:** Consistent.

**Criteria (7)** Whether, and to the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.

**Analysis:** See Background Section and Criteria 2 and 3.

**Findings:** Consistent.

**Criteria (8)** Whether the proposal would result in an orderly and compatible land use pattern, Any positive and negative effects on land use patten shall be identified.

**Analysis:** The revisions ensures enhanced compliance with federal and state laws and only seeks to prevent flooding conditions.

**Findings:** Consistent.

**Criteria (9)** Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose of Chapter 30.

Analysis: See Criteria 2.

Findings: Consistent.

**Criteria (10)** Other matters which the local planning agency or Village Council in its legislative discretion may deem appropriate.

Analysis: Discretion of Village Council.

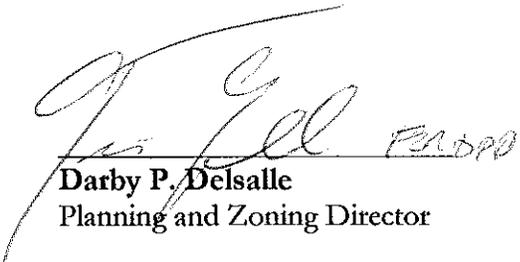
Finding: As determined by the Village Council.

**FISCAL/BUDGETARY IMPACT:**

A potential reduction in flood insurance premiums.

**RECOMMENDATION:**

Approval is recommended.



**Darby P. Delsalle**  
Planning and Zoning Director

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SECTION 30-100.6, FLOODPLAIN MANAGEMENT REGULATIONS; ESTABLISHING A FREEBOARD STANDARD ABOVE THE ESTABLISHED FLOOD ELEVATION; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and Village Council of the Village of Palmetto Bay are concerned with the health, safety, and welfare of its residents; and,

WHEREAS, on November 10, 2010, the Village Council updated Division 30-110, Floodplain Management Regulations, to be reflective of state and federal requirements regarding floodplain management; and,

WHEREAS, the Village is completing the FEMA Community Rating Service (CRS) in order to qualify its residents for discounts to their flood insurance premiums; and,

WHEREAS, in requiring a freeboard of two feet above flood elevation, the Village's overall CRS rating improves and flood insurance premium discounts increase; and,

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt and amend regulations designed to promote the public health, safety, and general welfare of its citizenry; and,

WHEREAS, on \_\_\_\_\_, 2016, the Local Planning Agency approved the proposed amendment; and,

WHEREAS, the Mayor and Village Council of the Village of Palmetto Bay desire to amend Section 30-100.6 to include a freeboard requirement.

BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Compliance with Code Section 30-30.7(b). The Mayor and Village Council find the amendment to be consistent with Code Section 30-30.7(b) of the Code of Ordinances.

Section 2. Section 30-100.6 of the Villages Land Development Code is amended to read as follows:

DIVISION 30-100. ENVIRONMENTAL REGULATIONS

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Sec. 30-100.6. - Floodplain management regulations.

\* \* \*

(r) *Site plans and construction documents—Information for development in flood hazard areas.* The site plan or construction documents for any development subject to the requirements of this section shall be drawn to scale and shall include, as applicable to the proposed development:

\* \* \*

(10) All new construction, repairs of substantial damage, and substantial improvements shall provide a freeboard of two (2) feet above the flood plain elevation.

\* \* \*

(y) *Definitions—Generally.*

\* \* \*

(4) *Definitions.*

\* \* \*

Freeboard. The additional height, usually expressed as a factor of safety in feet, above the flood level, at or above which the finished first floor must be constructed, for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors, such as wave action, blockage of bridge or culvert openings, and hydrological effect of urbanization of the watershed, which could contribute to flood heights greater than the heights calculated for a selected frequency flood and floodway conditions.

**Section 3. Codification.** It is the intention of the Village Council and it is hereby ordained the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 4. Conflicting Provisions.** The provisions of the Code of Ordinances of the Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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2       **Section 5. Severability.** The provisions of this Ordinance are declared to be  
3 severable, and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be  
4 held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining  
5 sentences, sections, clauses or phrases of the Ordinance, but they shall remain in effect. It is the  
6 legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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8       **Section 6. Effective Date.** This Ordinance shall take effect immediately upon  
9 enactment.

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12 **PASSED and ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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15 First Reading: \_\_\_\_\_

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17 Second Reading: \_\_\_\_\_

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21 Attest: \_\_\_\_\_

22       Meighan Alexander  
23       Village Clerk

\_\_\_\_\_ Eugene Flinn  
Mayor

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25 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
26 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

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30 \_\_\_\_\_  
31 Dexter W. Lehtinen  
32 Village Attorney

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35 FINAL VOTE AT ADOPTION:

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37 Council Member Karyn Cunningham \_\_\_\_\_

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39 Council Member Tim Schaffer \_\_\_\_\_

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41 Council Member Larissa Siegel Lara \_\_\_\_\_

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43 Vice-Mayor John DuBois \_\_\_\_\_

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45 Mayor Eugene Flinn \_\_\_\_\_

ORDINANCE NO: \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; AMENDING CHAPTER 20, ARTICLE 1, OF THE VILLAGE'S CODE OF ORDINANCE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Sponsored by Councilwoman Karyn Cunningham.)

WHEREAS, the Village Council of the Village of Palmetto Bay is desirous of amending Chapter 20, Article 1, in order to provide modifications to the uniform fee schedule; and

BE IT ENACTED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Chapter 20, Article 1, is hereby modified as follows:

**Chapter 20 - PARKS AND RECREATION**

**ARTICLE I. - IN GENERAL**

Sec. 20-1. - Applicability.

This chapter shall be applicable to all park users including leagues, youth organizations, school groups, private groups, party rentals, picnic rentals, pavilion/gazebo rentals, and field rentals. Each user shall complete a park rental agreement form that includes all rules and regulations.

Sec. 20-2. - Fees.

Fees shall include area of park being utilized, time of use, dates of use, equipment/materials needed, and/or number of participants in group:

<b>Field Rental Reservations</b>				
Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
2 (no prep)	<del>\$40.00</del> <u>35.00</u>	<del>\$2.80</del> <u>2.45</u>	\$30.00	<del>\$72.80</del> <u>67.45</u>
2 w/lights (no prep)	<del>\$60.00</del> <u>45.00</u>	<del>\$4.20</del> <u>3.15</u>	\$30.00	<del>\$94.20</del> <u>78.15</u>
Each additional hour add	\$25.00	\$1.75	N/A	\$26.75
<u>Each additional hour with lights</u>	<u>\$30.00</u>	<u>\$2.10</u>	<u>N/A</u>	<u>\$32.10</u>
Field Rental w/Prep add - flat rate	\$20.00	\$1.40	N/A	\$21.40

<b>Open Field Rental Reservations (does not include field prep: no lines)</b>				
Total Hours	Rental Fee	Tax	Clean-up	Total Fee

			Deposit	
2	<del>\$40.00</del>	<del>\$2.80</del>	N/A	<del>\$42.80</del>

**Weekday (Non-Camp) Hourly Recreation Room Rental**

Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
4	<del>\$35.00</del>	<del>\$2.45</del>	N/A	<del>\$37.45</del>

**Recreation Building Rental Reservations**

Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
Weekday (non-Camp) Hourly 1	<del>\$35.00-30.00</del>	<del>\$2.45-2.10</del>	\$100.00	<del>\$137.45-132.10</del>
Minimum 3 hrs:	\$110.00	\$7.70	\$100.00	\$217.70
2	<u>\$80.00</u>	<u>\$5.60</u>	\$100.00	<u>\$185.60</u>
3	<u>\$120.00</u>	<u>\$8.40</u>	\$100.00	<u>\$228.40</u>
4	<u>\$160.00</u>	<u>\$11.20</u>	\$100.00	<u>\$271.20</u>
5	<u>\$200.00</u>	<u>\$14.00</u>	\$100.00	<u>\$314.00</u>
6	<u>\$240.00</u>	<u>\$16.80</u>	\$100.00	<u>\$356.80</u>
Each additional hour	<del>\$60.00</del>	<del>\$4.20</del>	N/A	<del>\$64.20</del>
Tables (6 – 6ft tables) and Chairs (50)	\$30.00	\$2.10	N/A	\$32.10

**Open Picnic Area Reservations (Hourly rates are not available)**

Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
9:00 am – 5:00 pm	<del>\$150.00-105.00</del>	<del>\$10.50 7.35</del>	\$100.00	<del>\$260.50 212.35</del>

**Bandshell/Gazebo/Pavilions Reservations**

Total Hours	Rental Fee	Tax	Clean-up Deposit	Total Fee
4 <u>5</u> hours	\$185.00	\$12.95	\$100.00	\$297.95
Each additional hour	<del>\$60.00</del> <u>30.00</u>	<del>\$4.20</del> <u>2.10</u>	N/A	<del>\$64.20</del> <u>32.10</u>

**Basketball Court Rental  
Palmetto Bay Park**

Total Hours	Rental Fee	Tax	Deposit	Total Fee
2 hours	\$40.00	\$2.80	\$30.00	\$72.80
Each additional hour	<u>\$25.00</u>	<u>\$1.76</u>	N/A	<u>\$26.75</u>
Lights—Add to rental amount	<u>\$30.00</u>	<u>\$2.10</u>	N/A/	<u>\$32.10</u>

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Summer Camp Program			
Description	Weekly Fee	Tax	Total Fee
Weekly	\$135.00	\$9.45	\$144.45

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Tennis and Racquetball Court Rental/Programs			
Description	Fee	Tax	Total Fee
Before 5pm- per hour/per person	<del>\$5.00</del> <u>2.50</u>	<del>\$.35</del> <u>.18</u>	<del>\$5.35</del> <u>2.68</u>
After 5pm- per hour/per person	<del>\$8.00</del> <u>3.50</u>	<del>\$.56</del> <u>.25</u>	<del>\$8.56</del> <u>3.75</u>
Tennis Private Lessons One (1) Hour	\$60.00	\$4.20	\$64.20
Tennis Private Lesson Half (1/2) Hour	\$35.00	\$2.45	\$37.45
Tennis Group Lesson One (1) Hour	\$20.00	\$1.40	\$21.40
Tennis Group Lesson One and a Half (1 1/2) Hours	\$30.00	\$2.10	\$32.10

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Tennis Summer Camp Program			
Description	Weekly Fee	Tax	Total Fee
Half Day 9:00am to 12Noon	\$115.00	\$8.05	\$123.05
Full Day 9:00am to 3:00pm	\$175.00	\$12.25	\$187.25
Extended Day 9:00am to 6:00pm	\$225.00	\$15.75	\$240.75

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**League or Club Fee**  
 A fee of \$17.50 per registered participant per season and official registration documents from each league/club organization will be required, as well as the signed user agreement will be required prior to initial use of the park. A "league" or "club" shall be defined as an organized group, whether for profit or a non-for-profit organization that performs or conducts specific programming from a Palmetto Bay Park. All league users shall execute a village park user agreement.

**Field Rental Fee**  
 All groups, that are not defined as a "league" or a club, whether a church, school, or other organization, will be charged an hourly, field rental fee, based on the adopted fee schedule, based upon the amount of hours and space needed. All field rental users shall execute a field rental agreement.

**Tournaments**  
 All Village of Palmetto Bay tournament fees will be established by the village manager on an individual basis in accordance with operating costs. (e.g. insurance, softballs, umpires, etc.) All

1 tournament vendors participating in Palmetto Bay tournaments must be pre-approved by the village  
 2 and vendors will be required to pay a daily fee of \$75.00. No items competing with village  
 3 concessions will be sold.

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 5 **Film Location Fee**

Video/Commercials/Movies/Film	\$450.00+ tax
Commercial Photography/Photo Shoot	\$250.00+ tax
Personal Photography/Photo Shoot	\$80.00+ tax

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 7 **Palmetto Bay Skate Pavilion**

Skating Per Session Admissions Fee	Weekdays 4:00 pm to 9:00 pm Saturday 10:00 am to 2:30 pm Saturday 3:30 pm to 8:00 pm Sunday 12:00 pm to 6:00 pm	\$5.00 including tax
Helmet	Sale	\$15.00 + tax
Elbow, knee, wrist pads	Sale	\$15.00 + tax
Drinks	Sale	\$1.50 + tax
Weekly pass	7 sessions	\$20.00, including tax
Monthly pass	40 sessions	\$100.00, including tax

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 9 Users of the skate park may purchase per the "per session" admission fee, or alternatively may  
 10 purchase either a weekly or monthly pass to the skate park. The weekly pass shall entitle unlimited  
 11 use, during the designated hours listed above, to the holder of the pass, for a seven session period.  
 12 The monthly pass shall entitle the holder unlimited use, during the designated hours listed above,  
 13 during a 30 session period.

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 15 **Edward and Arlene Feller Community Room and**  
 16 **Amphitheater at Ludovici Park Fees**

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 18 **Community Room:**

Accommodates up to 50 people; includes use of light-food/beverage prep area. All community room rentals are subject to prior written approval from village manager.	
Weekdays 8:00 a.m. to 5:00 p.m.	\$75.00 per hour, with a minimum three-hour rental requirement
Daily rate: 8:00 a.m. to 5:00 p.m.	\$375.00
Nights 5:00 p.m. to 11:00 p.m. weekends/holidays 8:00 a.m. to 11:00 p.m.	\$100.00 per hour, with a minimum three-hour rental
Daily rate weekends/holidays	\$500.00
*AV equipment (set-up/break down by village personnel only)	
*\$500.00 refundable damage/clean-up deposit for any of the above rentals.	

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 20 **Amphitheater:**

Weekdays:	\$75.00 per hour, with a four-hour minimum
Daily rate:	\$450.00
Weekends/holidays:	\$100.00 per hour; four-hour minimum

Daily rate:	\$600.00
Sound equipment (set up/break down by village personnel):	\$100.00 per hour
Daily rate:	\$600.00

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Gazebo

Weekdays:	\$50.00 per hour, with a three-hour minimum
Daily rate:	\$300.00
Gazebo with use of event/grass area:	\$75.00 per hour, with a three-hour minimum
Daily rate:	\$450.00
Weekends/Holidays:	\$75.00 per hour, with a three-hour minimum
Daily rate:	\$450.00
Gazebo with use of event/grass area:	\$100.00 per hour; three-hour minimum
Daily rate:	\$600.00
*Sound system fees and related needs same as noted under Amphitheatre.	

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Amphitheater/Gazebo/Event area:

Weekdays:	\$100.00 per hour, with a four-hour minimum
Daily rate:	\$600.00
Weekends/Holidays:	\$150.00 per hour
Daily rate:	\$900.00

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- \$500.00 refundable damage/clean-up deposit for any of the above rentals.
- A minimum of one security officer is required for all events. Permittee is to utilize the security services of the village's authorized vendor, who is under contract to provide security services. Additional security, beyond minimum security requirements may be required at the discretion of the village manager, in consultation with the village's police department. If valet service is required, permittee must obtain valet service through company currently under contract to provide such service for the Village of Palmetto Bay. Permittee is required to utilize tents, tables and chairs through company currently under contract to provide such service for the Village of Palmetto Bay.
- All fees are subject to applicable sales tax.
- Weekends include Friday, Saturday Sunday and all village recognized holidays.
- Permittee acknowledges that fees are subject to change.

Administrative Waiver of Rental Fee:

1. The village manager is authorized to provide an administrative waiver of user rental fees for any Village Park Community Room (Coral Reef Park, Palmetto Bay Park, and the Edward and Arlene Feller Community Rooms), for nonprofit charitable organizations (registered with IRS) and community groups. A request for waiver of the rental fees must issue at least ten days prior to the requested day of use. Each community room can only be used for up to ten hours a week by community groups or nonprofits.
2. The village manager shall review the request for administrative waiver of rental fees for use of the community rooms and determine if the request by the nonprofit organization or community group is accompanied by appropriate documentation to support the request. The

1 administrative waiver applies solely to the rental fee, the refundable damage/clean-up  
2 deposit amount shall be required prior to use of the facilities.

- 3 3. Use of the community rooms is limited to once per week by nonprofit organizations and  
4 community groups who are seeking use through administrative waiver of rental fees. Use of  
5 the facilities may be more frequent; however, the nonprofit organization or community  
6 group will be required to pay the full rental amount if the room(s) are required more than  
7 once per week.
- 8 4. Should the nonprofit organization or community group requesting and/or receiving an  
9 administrative waiver of the rental fees conduct a fund raising activity in the community  
10 rooms, the organization or group will be required to pay the full rental amount.
- 11 5. Village use of the community room(s) has priority over any nonprofit organization or  
12 community group, and the organization or group will be required to move their meeting to  
13 another time or date to accommodate the village's use of the rooms.
- 14 6. Any community or nonprofit group utilizing an administrative waiver will have to complete  
15 the community room facility use agreement.

16 Thalatta Park Fees

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18 All rentals are subject to prior written approval from the director of parks and recreation and/or  
19 village manager.  
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Weekday Rates:		Weekend Rates:	
Garden Lawn:	\$750.00	Garden Lawn:	\$1,250.00
Outdoor Terrace:	\$1,250.00	Outdoor Terrace:	\$2,250.00
Ceremony Gazebo:	\$175.00	Ceremony Gazebo:	\$550.00
Covered Terrace:	\$500.00	Covered Terrace:	\$1,000.00
Bride/Groom Suite:	\$250.00	Bride/Groom Suite:	\$550.00
String Lights:	\$350.00	String Lights:	\$550.00
Education Room:	\$150.00	Education Room:	\$350.00
Package Rate:	\$2,500.00	Package Rate:	\$4,000.00

- 21
- 22 • \$1,000.00 refundable damage/clean-up deposit for any of the above rentals required 30 days  
23 prior to event date.
  - 24 • Package rate includes the entire facility except for the string lights.
  - 25 • Saturday rentals are restricted to package rate only! Exceptions can be made at the  
26 discretion of the Village Manager and/or designee 30 days prior to event date.
  - 27 • Events exceeding 200 guests will require prior written approval from the village and may be  
28 subject to additional fees.
  - 29 • Valet parking is required on all events over 50 guests. Permittee must obtain valet service  
30 through company currently under contract to provide such service for the Village of  
31 Palmetto Bay.  
32 Permittee is required to utilize tents, tables and chairs through company currently under  
33 contract to provide such service for the Village of Palmetto Bay.
  - 34 • All caterers are required to obtain a catering permit prior to the day of the event at a rate of  
35 \$2.00 per guest. A copy of all state catering ,county licensing and certificate of insurance  
36 naming the Village of Palmetto Bay/Thalatta Estate as additional insured must be provided  
37 to the village 30 days prior to event date..

- 1 • A minimum of two security officers are required for all events over 50 guests. Permittee is to
- 2 utilize the security services of the village's authorized vendor, who is under contract to
- 3 provide security services. Additional security, beyond minimum security requirements may
- 4 be required at the discretion of the village manager, in consultation with the village's police
- 5 department.
- 6 • Weekends include Friday, Saturday, Sunday and all Village recognized holidays.
- 7 • All fees are subject to applicable sales tax.
- 8 • Permittee acknowledges that fees are subject to change.

9  
 10 Use fees provided herein may be reduced or waived by the village manager for non-profit  
 11 organization and community groups. Such action by the village manager shall be publicly announced  
 12 by the manager at a council meeting. The non-profit or community group shall be required to  
 13 indemnify the village and provide adequate insurance.

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 15 Secs. 20-3 – 20-50. - Reserved

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 18 **Section 2. Conflicting Provisions.** The provisions of the Code of Ordinances of the  
 19 Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the  
 20 provisions of this ordinance are hereby repealed.

21  
 22 **Section 3. Severability.** The provisions of this Ordinance are declared to be severable,  
 23 and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be  
 24 invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences,  
 25 sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative  
 26 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

27  
 28 **Section 4. Codification.** It is the intention of the Village Council and it is hereby  
 29 ordained the provisions of this Ordinance shall become and be made part of the Code of  
 30 Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be  
 31 renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be  
 32 changed to "Section" or other appropriate word.

33  
 34 **Section 5. Effective Date.** This ordinance shall take effect immediately upon  
 35 enactment.

36  
 37 **PASSED and ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

38  
 39 First Reading: \_\_\_\_\_  
 40 Second Reading: \_\_\_\_\_

41  
 42  
 43  
 44 Attest: \_\_\_\_\_  
 45 Meighan Alexander  
 46 Village Clerk  
 47  
 \_\_\_\_\_  
 Eugene Flinn  
 Mayor

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

\_\_\_\_\_  
Dexter W. Lehtinen  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Karyn Cunningham \_\_\_\_\_  
Council Member Tim Schaffer \_\_\_\_\_  
Council Member Larissa Siegel Lara \_\_\_\_\_  
Vice-Mayor John DuBois \_\_\_\_\_  
Mayor Eugene Flinn \_\_\_\_\_