

# EVENT PERMIT

Ordinance 14-15

## KIWANIS MEDIEVAL FAIRE

**PERMIT NUMBER:** TMP2016-00315

**Date(s) of Event:** January 7, 8, 14, and 15, 2017 from 9:00am until 6:00pm

**Property Owner:** LEE COUNTY

**Applicant:** KIWANIS CLUB OF RIVERDALE  
239-839-8036

**Contact:** TERRY SHORT

**Description:** Medieval Faire, Fundraiser that consists of numerous stages with performers including jugglers, musicians, vocalists, comedy acts, acrobatic acts. Faire also has three Jousting shows per day, two live chess matches per day on chess board. Period food and adult beverages available.

**Location of event:** 7330 GLADIOLUS DR FORT MYERS 33908  
LAKES REGIONAL PARK/\*\*\*239-839-8036

Will the event be attended by 1000 or more people ? Yes

Will the event be held on County Owned Property ? Yes

Will there be alcohol consumed or sold at the event ? Yes

Will a bond be posted for this event ? No

**Permit Conditions:**

- \* Applicant must meet all event application requirements, including requirements of the sign-off agencies.
- \* The premises is to be left in the same condition as it was prior to the event.
- \* The permit is to be readily available for inspection during the entire event.
- \* If this approval includes the sale or consumption of alcoholic beverages, no alcoholic beverages may be consumed 1 1/2 hours prior to the conclusion of the event and vacating the facility/property.

Board of County Commissioners  
Lee County, Florida

  
County Manager      Date 11-7-16



**Lee County**  
*Southwest Florida*

# Event Application

Special Event

Use of  
County  
Property

Alcohol  
within Lee  
County  
Facilities

Film, Video  
&  
Photography

## Lee County Event Permit Application



### Event Application

*Check the appropriate box(es) below:*

- ☒ SPECIAL EVENT PERMIT  
☒ USE OF COUNTY PROPERTY PERMIT  
☒ PERMIT TO SELL AND CONSUME ALCHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES  
☐ FILM PERMIT

Section I - GENERAL INFORMATION (All Permit Types)	
<b>Title of Event / Name of Production</b>	Kiwanis Medieval Faire
<b>Date(s) of Event / Production:</b>	January 7th 8th 14h 15th 2017
<b>Location(s) of Event:</b>	Lakes Regional Park 7330 Gladiolus Drive Fort Myers
<b>Name of Applicant:</b>	Kiwanis Club of Riverdale by Terry Short
<b>Applicant Address:</b>	PO Box 50376 Tice Florida 33905, Business: Terry Short 2207 Santiago Ave Fort Myers 33905
<b>Applicant Phone Number:</b>	239 839 8036
<b>Contact Person:</b> (If different from applicant)	Terry Short
<b>Contact Phone Number:</b> (If different from applicant)	239 839 8036
<b>Email Address:</b>	vongraph@comcast.net
<b>Estimated Attendance:</b>	14000
<b>Event Description:</b> Include each activity, when activities take place, etc.	Medieval Faire: Fund raiser that consists of numerous stages with performers entertaining the attendees, Entertainers include jugglers, musicians, vocalists, comedy acts, acrobatic acts, entertainment acts appear all day long on the stages, Faire also has three Jousting shows a day on special field, two live chess matches a day on chess board. Period food is served at food court area, adult beverages are avail to consume at the tavern area,
<b>Hours of Operation:</b>	9 AM to 6 PM all four days
<b>STRAP # of Parcel:</b>	Lakes Park
<b>Owner of Premises*:</b>	Lee County

\*Notarized statement from the property owner specifically consenting to the proposed use required.

## Lee County Event Permit Application



### Fill out the following questions for all permit types:

What is the Zoning Classification of the premises? Regional Park

Are any temporary structures to be installed for the event? ☒ Yes ☐ No Type: pavillions

Do you have the appropriate permits for the temporary structures? ☒ Yes ☐ No

\* For a 'Special Event' and 'Use of County Property' permit, submit a site plan with all proposed facilities and activities identified, including all parking areas.

Insurance Company Insuring the Event: Hylant Group (see attached)

Note: Certificate of Insurance must be submitted at time of application

Surety Company Bonding this Event (Name and Address): Kiwanis International Inc

Will Vehicles be Used as Part of This Event?

☐ Yes ☒ No

If yes, automobile coverage must be included on the certificate of insurance.

Will Food be Available at this Event?

☒ Yes ☐ No

If yes, products liability coverage must be included on the certificate of insurance.

Will Alcoholic Beverages be served/consumed at this Event?

☒ Yes ☐ No

If yes, liquor liability coverage must be included on the certificate of insurance.

Name & Address of Organization Providing Food:

Rado Concessions (see attached insurance)

Type of Food being Served: Turkey legs, sausage, shepards pie, humus, other period foods

### Section II - USE OF COUNTY PROPERTY PERMIT

Organization Sponsoring the Event: Kiwanis Club of Riverdale

#### Fill out this portion for applications for Solicitation in the County Rights-of-Way:

Name of Charity: Riverdale Kiwanis Foundation

Address of Charity: 2207 Santaigo Ave Fort Myers FL 33905

Phone Number: 239 839 8036

Non-profit certificate/registration number: \_\_\_\_\_

(Proof of registration with the Dept. of Agriculture & Consumer Services §496.405 or proof the organization is exempt from this requirement. §316.2045)

### Section III - SALE/CONSUMPTION OF ALCHOLIC BEVERAGES PERMIT

Is alcohol being sold/consumed on County Property?

☒ Yes ☐ No

If Yes, then a "Lee County Alcohol Permit" is required. Only non-profit organizations can sell alcohol on County Property.

Non-profit certificate/registration number: 650300371 N36763

(Required if alcohol is to be **SOLD** at the event)

**Please note:** A permit from the State of Florida Division of Alcoholic Beverages and Tobacco may also be required; please call (239) 344-0885 for further details



## Section IV - FILM / VIDEO / PHOTOGRAPHY PERMIT

Type of Production (choose all that apply):

<input type="checkbox"/> TV Movie or Special	<input type="checkbox"/> TV Series / Pilot	<input type="checkbox"/> TV Commercial	<input type="checkbox"/> Still Photos
<input type="checkbox"/> Public Service Announcement	<input type="checkbox"/> Industrial / Documentary	<input type="checkbox"/> Other: _____	

Will any of the following be needed or included\*?

Street Closure	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Traffic / Crowd Control	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Fire or Burning	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Explosives or Pyrotechnics	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Animals, Large or Small	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Construction of Any Kind	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Large and/or Numerous Vehicles	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Helicopters, Boats, etc.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Stunts	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Other	<input type="checkbox"/> Yes	<input type="checkbox"/> No

\* For any marked Yes, provide further details below:

Special Parking Requirements:

City or County Services Required: (Personnel, equipment, facilities, etc.)

The following information is required for local and state records on production in Florida to track the economic impact of the industry. If exact figures are not available, please estimate as closely as possible.

Number in Cast: _____	Number in Crew: _____	Number of locals hired: _____
Total budget: _____	Estimate amount spent in Lee County: _____	
Hotel room nights: _____ <small>number of rooms x number of nights</small>	Number of shooting days: _____	



**SECTION V - AGREEMENT**

The Applicant agrees that Lee County can, at its sole discretion, terminate and cancel its permit to use Lee County property at any time without prejudice. Applicant further agrees to waive, release, save and hold harmless Lee County from any and all claims, demands or cause of actions based upon Lee County's cancellation or termination of said permit.

The Applicant agrees that the Lee County permit does not provide Applicant with any property rights in the County property in question or in the permit itself.

The applicant does acknowledge and hereby affirms that any and all information is accurate to the best of his/her knowledge.

Terry Short  
Signature of Applicant

TERRY SHORT, CHAIRMAN  
Print Name of Applicant and Title

OCT 27, 16  
Date

Dennis Wheeler  
Witness

DENNIS WHEELER  
Print Name of Witness

OCT 27, 16  
Date

Lee County Event Permit Application



**EMERGENCY MEDICAL SERVICES / PUBLIC SAFETY**  
**14752 SIX MILE CYPRESS PARKWAY**  
**FORT MYERS, FL 33912**  
**(239) 533-3911**

*Check the appropriate box(es) below:*

- ☒ SPECIAL EVENT PERMIT  
☒ USE OF COUNTY PROPERTY PERMIT  
☐ FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Treatment Facilities: None necessary.

Medical Personnel: None necessary.

Medical Supplies /  
Equipment: None necessary.

Safety Requirements: No additional precautions necessary.

Fee for Services: Not applicable.

Special Arrangements: We would strongly encourage you to have special event coverage on site through EMS or STFD.  
Please call 911 in the event of an emergency. To arrange special event coverage, contact our office at 239 533-3911.

Print Name: Benjamin Abes

Signature: Benjamin Abes

Digitally signed by Benjamin Abes  
Date: 2016.11.02 20:53:23 -04'00'

Title: Chief

Date: 11/02/16

Lee County Event Permit Application



**EMERGENCY MEDICAL SERVICES / PUBLIC SAFETY**  
**14752 SIX MILE CYPRESS PARKWAY**  
**FORT MYERS, FL 33912**  
**(239) 533-3911**

*Check the appropriate box(es) below:*

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AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Treatment Facilities:	None necessary.
Medical Personnel:	None necessary.
Medical Supplies / Equipment:	None necessary.
Safety Requirements:	No additional precautions necessary.
Fee for Services	Not applicable.
Special Arrangements:	We would strongly encourage you to have special event coverage on site through EMS or STFD.  Please call 911 in the event of an emergency. To arrange special event coverage, contact our office at 239 533-3911.

Print Name: Benjamin Abes

Signature: Benjamin Abes

Digitally signed by Benjamin Abes  
Date: 2016.11.02 20:53:23 -04'00'

Title: Chief

Date: 11/02/16

Lee County Event Permit Application



**LEE COUNTY PARKS AND RECREATION**  
**3410 PALM BEACH BOULEVARD**  
**FORT MYERS, FLORIDA 33916**  
**(239) 533-7275**

*Check the appropriate box(es) below:*

- ☒ SPECIAL EVENT PERMIT  
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☒ PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES  
☐ FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Illumination:

event closes at dark

Parking Areas:

use of county parking as per contract with Lee County Parks and Rec Dept.

Special Arrangements:

see contract.

Print Name: Jesse Lavender

Signature: Jesse Lavender

Digitally signed by Jesse Lavender  
Date: 2016.10.27 09:00:15 -04'00'

Title: Acting Deputy Director

Date: Oct 27, 2016

Lee County Event Permit Application



LEE COUNTY SHERIFF'S DEPARTMENT  
14750 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33912  
(239) 477-1199

Check the appropriate box(es) below:

- ☒ SPECIAL EVENT PERMIT  
☒ USE OF COUNTY PROPERTY PERMIT  
☒ PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES  
☐ FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Parking:

Onsite parking at Lakes Park. Areas used for overflow parking will require written permission from property owner.

Deputies (How Many?):

Two Deputies will be on Faire Grounds from 9 AM to 7 PM

Fee for Services:

\$40/hr security rate per deputy

Special Arrangements:

None

Print Name: Capt. Scott Lucia

Signature:

Capt. Scott Lucia

Digitally signed by Capt. Scott Lucia  
Date: 2016.11.01 10:42:10 -04'00'

Title:

Special Events, Permits and Details

Date:

1 November 2016

May 18, 2015

Page 2

LCSO Details Main Phone Number: 239-477-1199			
Vendor Information			
Business Name: <u>Kiwanis Club of Riverdale</u>			
Street: <u>PO Box 50376</u>			
City: <u>Tice</u>		State: <u>FL</u> Zip Code: <u>33905</u>	
Business Contact: <u>Terry Short</u>		Phone: <u>239-839-8036</u>	
Email Address: <u>vongraph@comcast.net</u>			
Event Information			
Detail Location: <u>Lakes Regional Park</u>			
Street: <u>7330 Gladiolus Drive</u>			
City: <u>Fort Myers</u>		State: <u>FL</u> Zip Code: _____	
Contact During Event: <u>Terry Short</u>		Phone: <u>239-839-8036</u>	
Event Date: <u>Jan 7th &amp; 8th   Jan 14th &amp; 15th</u>		Event Time: <u>0900-1900</u>	
Anticipated Crowd Size : <u>14000</u>		Type of Event: <u>Medieval Faire</u>	
Additional Security Working Detail: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, how many? _____			
Permits Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Alcohol Served: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Detail Information			
Security	<input checked="" type="checkbox"/>	Traffic	<input type="checkbox"/>
Escort	<input type="checkbox"/>	Holiday	<input type="checkbox"/>
Last Minute	<input type="checkbox"/>	Stand-by	<input type="checkbox"/>
Marked Vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unmarked Vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Uniformed Deputy	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Plain Clothes Deputy	<input type="checkbox"/> Yes <input type="checkbox"/> No
Prisoner Transport <input type="checkbox"/>			
Funeral Escort <input type="checkbox"/>			
Detail Description: 2 uniformed deputies for security and presence. Deputies will be out of their vehicles actively patrolling the event and patrolling the parking lots as needed.			



14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000

Lee County Event Permit Application



LEE COUNTY RISK MANAGEMENT  
COUNTY ADMINISTRATION BUILDING - 4<sup>TH</sup> FLOOR  
2115 SECOND STREET  
FORT MYERS, FLORIDA 33901  
(239) 533-2221

Check the appropriate box(es) below:

- ☒ SPECIAL EVENT PERMIT  
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☒ PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES  
☐ FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Insurance Requirements:

Commercial general liability insurance with minimum limits of One Million Dollars (\$1,000,000) per occurrence to protect against bodily injury and/or property damage relative to applicants use of aforementioned event within Lee County.

In addition, Host Liquor Liability insurance will be required with minimum limits of One Million Dollars (\$1,000,000) per occurrence. Should Host Liquor Liability coverage be afforded under the Commercial General Liability policy, minimum acceptable limits will be Two Million Dollars (\$2,000,000) aggregate.

Special Arrangements:

A Certificate of Insurance shall be submitted as evidence of the required coverage listing Lee County Board of County Commissioners, P.O. Box 398, Fort Myers, FL 33902 as the certificate holder and as an additional insured.

Subject to proof of insurance.

Print Name: Mike Figueroa

Signature:

Title:

Risk Program Manager

Date:

October 27, 2016

Lee County Event Permit Application



DEPARTMENT OF TRANSPORTATION  
1500 MONROE STREET  
FORT MYERS, FL 33901  
(239) 533-8580

Check the appropriate box(es) below:

- ☒ SPECIAL EVENT PERMIT  
☒ USE OF COUNTY PROPERTY PERMIT  
☒ PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES  
☐ FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Parking:

No event parking on Lee County maintained road rights-of-way.

Ingress and Egress:

Use all established means of ingress and egress.

Special Arrangements:

Use Lee County Sheriff's Office for assistance with traffic control as needed.

Print Name: Bryan Miller

Signature: Bryan D. Miller

Digitally signed by Bryan D. Miller  
Date: 2016.10.27 14:21:38 -04'00'

Title: Senior Project Manager

Date: October 27, 2016

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

### **SCHEDULE**

**Name of Person or Organization:**

Lee County Board of County Commissioners  
2115 2nd Street  
Ft. Myers FL 33901

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule as an insured but only with respect to liability arising out of your operations or premises owned by or rented to you.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/17/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Hylant - Indianapolis 10401 North Meridian St, Ste 200 Indianapolis IN 46290	<b>CONTACT NAME:</b> Lisa Christenson		
	<b>PHONE (A/C, No, Ext):</b> 317-817-5172	<b>FAX (A/C, No):</b> 317-817-5151	
	<b>E-MAIL ADDRESS:</b> kiwaniscert@hylant.com		
<b>INSURED</b> KIWAN03 Kiwanis International, All Clubs and Their Members 3636 Woodview Trace Indianapolis IN 46268	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	INSURER A: Lexington Insurance Company		19437
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

## COVERAGES

CERTIFICATE NUMBER: 1642262783

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		013136005	11/1/2016	11/1/2017	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 Liquor Liability \$1,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			013136005	11/1/2016	11/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Aggregate \$3,000,000
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Self-Insured Retention			013136005	11/1/2016	11/1/2017	All Claims \$75,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is named as Additional Insured as respects to General Liability only regarding the following Kiwanis event (setup, take down & rain date(s) during the policy term are included):  
January 8 & 9, 2017 and January 14 & 15, 2017 or any future date(s) during the policy term.  
Sponsored medieval fair  
Kiwanis Club of Riverdale

OK MF 10/27/2016

## CERTIFICATE HOLDER

## CANCELLATION

Lee County Board of County Commissioners 2115 2nd Street Ft. Myers FL 33901	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Judy K. Wilson

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POLICY NUMBER: 013136005

COMMERCIAL GENERAL LIABILITY

## Business Name (D/B/A) or Name of Event

Turf Grass Field Lakes Park  
7330 Chadwicks Drive

AGREEMENT BETWEEN  
LEE COUNTY PARKS AND RECREATION  
AND  
KIWANIS CLUB OF RIVERDALE- LEE COUNTY INC.  
MEDIEVAL FAIRE AT LAKES REGIONAL PARK

This Agreement is entered into by and between Lee County, a political subdivision of the State of Florida whose mailing address is Post Office Box 398, Fort Myers, Florida 33902, by and through Lee County Parks and Recreation (County); and Kiwanis Club of Riverdale – Lee County, Inc., a Florida not-for-profit corporation whose mailing address is Post Office Box 50376, Fort Myers, Florida 33905 (Kiwanis) who agree as follows:

The County and the Kiwanis agree to permit a Medieval Faire at Lakes Regional Park for two consecutive weekends, which are January 7, 8, 14, and 15, 2017 pending the approval of the Use of County Property Special Events permit to be submitted by the Kiwanis. The Kiwanis must obtain an approved Permit to Sell and Consume Alcoholic Beverages Permit if beer and wine are to be allowed. A copy of the fully executed and approved permits must be given to Parks and Recreation a minimum of one week prior to the event (ie. no later than December 27, 2016). Failure to provide the approved permits will result in cancellation of the event.

1. **Concept.** The County agrees that the Lee County Medieval Faire (Faire) is a product and concept of the Kiwanis of Riverdale (aka Kiwanis Club of Riverdale-Lee County, Inc.). The event in no way gives the County rights to produce, or use its concept, except in conjunction with the Kiwanis.

2. **Set up and Breakdown dates.** The Kiwanis will set up the Faire beginning on Tuesday, January 3, 2017. The Kiwanis, because of the event running through two weekends, will take down and remove all easily damaged props during the weekdays between the event weekends. All large items such as the main ticket booth, castle wall, primary stages, etc. will be left intact, onsite, but may not block any paths, trails, roads, etc. The County will assist where possible. The Kiwanis will completely vacate and return in good condition the property used during the Faire no later than Wednesday, January 18, 2017 at 12:00 noon.

3. **Park Walkthroughs.** A thorough walk through of the park site **must** be made one week before the event with the site Supervisor to photo document the condition of the facility. All documentation of the condition of the park must be signed off by the County and User Event Coordinator. A Kiwanis representative **must** be available immediately the next day after closing to image document the condition of the facility and again when all features/equipment have been removed. Any damages caused as a result of the Kiwanis' event will be the responsibility of the Kiwanis to repair or replace at the Kiwanis' expense. Failure to compensate the County for any damages may result in future use of the facility being denied.

4. **Event Area; Parking.** The Faire will close an agreed upon portion of Lakes Regional Park to all vehicular traffic and pedestrian traffic except for Medieval Faire participants, vendors (which the Kiwanis will monitor) and the Kiwanis will be responsible to direct and control onsite parking at Lakes Regional Park during the Faire times from 5:00 PM, Friday, January 6, 2017 through 11:00 PM, Sunday, January 8<sup>th</sup> and again at 5:00 PM, Friday, January 13, 2017 through 11:00 PM, Sunday, January 15, 2017. Kiwanis will provide all necessary temporary fencing and barriers to close the Faire area as well as staff to control and direct parking within Lakes Park. The County will provide any available County owned temporary fencing and the Kiwanis will be responsible for the remaining temporary fencing.

5. **Signage.** The Kiwanis will provide all signage necessary pertaining to the Faire within Lakes Park. The County will provide directional parking signs, if available, on the public roadways.

6. **Security.** The Kiwanis will provide Event security, on Faire grounds and traffic control, beginning within the park entrance and all areas within Lakes Park comprising the Faire site and areas designated for vendor overnight use. This would include a minimum of two Lee County Sheriff's Deputies (or the number of deputies required by the Sheriff's Department on the Special Events Permit) with the assistance of a maximum of three County Rangers (if available), on Faire grounds, during the operational hours of the Faire to make sure that all parts of County Ordinance #06-26 are enforced. No swimming in the Lake.

7. **Campsite.** The Kiwanis will provide for setup and security of a pre-determined County designated campsite for Kiwanis staff. Security for these areas will be required for all nights the campsite is in use and is in addition to security for the vendor areas, which will remain set up Friday and Saturday nights during the event. (This would also include Sundays, if applicable). The campsite area will have tent only areas as well as areas for trailers and RVs. (Camping will only be permitted in the designated camping areas.) Use of County electricity by campers is prohibited unless specifically permitted in writing by the County. No dumping of gray water or waste. No swimming in the lake and no ground fires except in County provided fire ring, conditions permitting. NO ALCOHOLIC BEVERAGES. The County will not be held responsible or liable for damage, destruction, vandalism, etc. for any Faire props, decorations, etc. at Lakes Park from set up to tear down. The Kiwanis will provide cleanup of camping areas at the end of the event. The designated camping area is off limits to anyone else, the Deputies and Lee County Rangers will assist in enforcing this. Excepting certified service animals acting in a working capacity, NO DOGS OR PETS ARE PERMITTED IN THE PARK OR COMPSITE.. It will be the responsibility of the Kiwanis to first inform all vendors and campers of this policy. KIWANIS WILL BE REQUIRED TO IMMEDIATELY HAVE PETS REMOVED FROM THE PREMISES.

8. **Decorations and Site Preparation.** The Kiwanis will provide all decorating and site preparation as needed for the Faire including, but not limited to, marking of the vendor spaces, food and drink locations and amphitheater.

9. **Disabled parking.** Parking spaces for the disabled will be provided by the Kiwanis at Lakes Park.

10. **Ticket Sales.** The Kiwanis will provide ticket sales and collections at Lakes Park for persons attending the Faire. The County will provide a money count room and a bill counter for the Kiwanis, if requested by Kiwanis.

11. **Dumpster; Trash and Portable Restroom Facilities.** The County will provide up to three personnel per event day and one dumpster receptacle for garbage pick up at the Faire grounds and personnel services as needed to provide standard services at the Park area. The Kiwanis will provide a minimum of 100 disposable type trash cans for the two event weekends (50 per weekend).

The Kiwanis will provide additional portable toilet facilities with service during the Faire. Standard County services will include cleaning fixed restrooms as needed, picking up ground litter as needed and emptying trash cans as needed.

The Kiwanis will be responsible for bagging and disposing in a provided dumpster any waste located within the Faire grounds and vendor overnight areas a minimum of once daily.

12. **Bleacher.** The County will provide as many bleachers as readily available.

13. **Media Materials.** The Kiwanis will be responsible for their own printing services for all Faire related posters, programs, fliers, etc.

14. **Event Promotion.** The County will provide assistance with advertising and promotion where possible.

15. **Event Coordination.** The Kiwanis will contact, contract with, and provide miscellaneous vendors, (including food and drink), entertainment acts, etc. for the Faire. The Kiwanis will be responsible for putting the Faire together completely with all the trappings and be responsible for scheduling, appearances and timing of the entertainment. Alcoholic beverage sales will be allowed if approved in accordance with applicable State and local regulations (i.e. FS s. 561.422; Special Events Permit provisions, LCO 06-26, s. 4.3; and, temporary alcohol permit requirements, LDC 34-1264).

16. **Entertainer Safety.** The Kiwanis will provide and insure that all acts (animal and human) are safe and properly secured from danger or injury to Faire patrons, park visitors and staff.

17. **Invitees.** The Kiwanis will invite those persons whom they feel will enhance the Faire and reserve the right to refuse entrance or appearance to any person who they feel will distract from the Faire or its purpose.

18. **Community Service.** The Kiwanis will coordinate with the Lakes Park Enrichment Foundation to provide volunteer, community service and fund raising opportunities in accord with applicable regulations.

19. **Animal Acts.** The County will allow jousting, petting zoo, animal acts and other displays at the Faire as agreed upon with the County prior to the Faire.

20. **Fees.** The County will receive, from the Kiwanis, a flat fee of \$9,000.00 for the use of the Lakes Park for the Faire (\$9,000.00 fee must be paid in full within 10 days after the closing date of the Faire). There will be a \$25.00 per day late fee charged for non-payment of the entire \$9,000 fee, for each day the fee remains unpaid past the 10 day payment deadline. The County will hold an additional \$1,500.00 refundable deposit for damages. Payment of the damage deposit must be made prior to the event set up and will be refunded all or in part after the event vacates the park and a damage walk through is completed by County staff with Faire staff. Set up will not be permitted until the damage deposit is paid in full to the County.

21. **Examination of Records.** The County, at reasonable times, may examine the Kiwanis' event sales records in order to monitor and verify the Faire's receipts. The County may terminate this contract if Kiwanis refuses to permit access for examination.

22. **Revenue Deposit.** All other revenue received by the Faire will be deposited into the Riverdale Kiwanis Project Account. All Kiwanis expenses will be paid from this account.

23. **Faire Committee Meetings.** The County will provide employees to attend Faire Committee meetings held by the Kiwanis on a regular basis as a liaison to the County.

24. **Insurance.** The Kiwanis must provide evidence of Commercial General Liability Insurance with minimum limits of \$1,000,000.00 per occurrence including coverage for products and completed operations. In addition, Lee County Board of County Commissioners will be listed as additional insured for the date and time of the event. The Kiwanis must provide fully executed permits for Use of County Property and Sales and Consumption of Alcohol at least seven days prior to the event.

25. **Renewal.** Both parties may renew this agreement on an annual basis after review and acceptance.

26. **Hold Harmless.** Kiwanis agrees to indemnify, hold harmless and defend County and all of its officers, agents and employees from and against any and all claims, actions, damages, and liability cost expense, including those arising from bodily injury, death and/or property damages or any other lawful expense, including, but not limited to, attorney's fees and court costs resulting from any negligent act or omission by Kiwanis, its officers, agents, and employees while acting within the scope of their employment during the duration of the use of the Lakes Regional Park facilities. Neither

County nor any of its officers, agents or employees will be liable under this agreement for claims, actions, damages, and liability cost expense, including those arising from bodily injury, death and/or property damages or any other lawful expense, including, but not limited to, attorney's fees and court costs resulting from the negligence of Kiwanis or any of its officers, agents or employees. This agreement is in accordance with the general laws of the State of Florida and subject to the limitations as set out in Section 768.28, Florida Statutes.

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IN WITNESS WHEREOF, the parties hereto execute this agreement on the  
17 day of August, 2016.

Witness: Dennis Wheeler  
Print Name: Dennis Wheeler

Witness: Vera Conner  
Print Name: Vera Conner

Witness: Jesse Lavender  
Print Name: JESSE LAVENDER

Witness: Kristie Valenzuela  
Print Name: Kristie Valenzuela

Kiwanis Club of Riverdale- Lee County,  
Inc.

By: [Signature]  
Name: [Signature]  
Title: Chairman of Fair

Lee County  
Board of County Commissioners  
By: Lee County Parks and Recreation

By: [Signature]  
Dana Kasler, Director

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

By: [Signature]  
Office of the County Attorney's