

RESOLUTION No. 04-2008

A RESOLUTION OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY; APPROVING AN APPLICATION FOR SPECIAL EVENT; IMPOSING CONDITIONS; PROVIDING FOR SEVERABILITY, REPEAL AND AN EFFECTIVE DATE.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, FLORIDA:

SECTION 1: The Town Council hereby approves the application by the Experimental Aircraft Assoc. Chapter 1288, Inc. for a special event permit subject to the following conditions:

- (1) The applicant shall comply with all applicable requirements of Chapter 10, Amusements and Entertainments, Brevard County Code of Ordinances, and is subject to the following additional conditions:
 - a. Anticipated crowd total to be 4,000 with a 2,000 maximum at any given time
 - b. Rain date allowed as February 17, 2008
 - c. 3 tents 20' x 20' allowed provided flame resistant certificate is in file
 - d. Outside music allowed for one non-amplified combo
 - e. Provide Certificate of insurance reflecting Town of Grant-Valkaria as the Additional Insured
 - f. Provide Town with a list of items requested for a waiver from Federal Aviation Authority (FAA)
 - g. Provide Town with a copy of the FAA waiver
 - h. Provide Town with a copy of NOTAM (Notice To Airmen) issued by FAA
 - i. Provide Town with list of group providing rides
 - j. Provide Town with approval letter from Brevard County Manager or designee allowing the Air Fest as a commercial activity at the Airport
 - k. Provide Town with verification from FAA that they will have someone on-site at sometime during the day
 - l. Provide Town with verification that there will be a sufficient number of Deputies as determined by Brevard County Sheriff's Department on site for traffic control and law enforcement
 - m. Parking shall be as designated on the map included in the application
 - n. Ensure that Runway 927 is closed during the event
 - o. All the above documents required must be presented to Town staff prior to the event during normal working hours of Monday through Friday, 9:00 a.m. till 5:00 p.m.

- (2) In addition, a permit may be revoked by the Code Enforcement Officer or Mayor if:

- a. The applicant has been convicted of a felony or misdemeanor involving moral turpitude and has not subsequently demonstrated rehabilitative characteristics;
 - b. The applicant has made a material misrepresentation on the application;
 - c. The applicant has not complied with the Town's request for further information necessary for the Town to fully evaluate the application;
 - d. The proposed special activity will substantially disrupt peace and quiet within any area of the Town;
 - e. The proposed special activity will have a substantial negative impact upon traffic in any area of the Town;
 - f. The proposed special activity damages or degrades the image of the Town;
 - g. The proposed special activity will have a material negative impact upon the neighboring property;
 - h. The proposed special activity will create a safety hazard;
 - i. The proposed special activity is not appropriate for the location due to zoning requirements for that location;
 - j. The proposed special activity subjects the Town to contingent liability which cannot adequately be addressed by requiring the applicant to name the Town as an insured on the applicants general liability insurance policy;
 - k. The applicant has failed to supply the Town an insurance certificate naming the Town as an additional insured on the applicant's general liability policy;
 - l. An applicant has violated conditions of a previous special activity permit or any ordinance or regulation of Brevard County or the Town in the conduct of a prior special activity.
 - m. Violates any of the items that Council imposed conditions on as in Section 1(1).
- (3) The special event permit shall be a one day permit for Saturday, February 16, 2008 from 8:00 a.m. to 9:00 p.m. or in the event of rain, this permit shall be permitted for Sunday, February 17, 2008 from 8:00 a.m. to 9:00 p.m.

SECTION 2: All resolutions or parts of resolutions in conflict herein are repealed.

SECTION 3: Effective Date.

This resolution shall become effective immediately upon its adoption and shall expire at 9:01 p.m. on February 16, 2008, or in the event of rain, shall expire at 9:01 p.m. on February 17, 2008.

Town of Grant-Valkaria

(signature on file)

By: Del Yonts, Mayor

ATTEST:

(signature on file)

Susanne Krueger, MMC, IIMC
Town Clerk

Passed and adopted on this 23rd day of January, 2008.