



**Cooper City Commission Meeting  
Agenda Item Request Form**

**Commission Meeting/Workshop Date:** February 20, 2019

**Requesting Department:** Mayor Ross/City Clerk- Admin Services

**Subject:** Ordinance No. 19-2-1 First Reading  
Exemption – Special Events

**Section:**

*Presentation*

*Consent*

*Regular*

*Discussion*

**Background and Recommendation (attach backup material to Item Request Form):**

At the Commission Meeting of January 22, 2019, the Commission directed staff to amend Chapter 9, Section 28, Article 111, d (3) in regards to the number of special events for certain institutions.

Ordinance No. 19-2-1, on first reading, amends the Special Event Limit section of the Cooper City Code, Chapter 9, Section 28, Article III, d (3) *Maximum number per year*, to increase the maximum number of special events from four to eight for certain institutional entities whose primary function is as a religious institution, school or similar intutional activity.

**General Ledger Account Number(s) and Amount(s):**

\_\_\_\_\_

**Approvals:**

Finance Director \_\_\_\_\_

City Manager \_\_\_\_\_

City Clerk \_\_\_\_\_

**ORDINANCE NO. 19-2-1**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 9 OF THE CITY'S CODE OF ORDINANCES BY SPECIFICALLY AMENDING ARTICLE III, SECTION 9-28, ENTITLED "SPECIAL EVENTS; REGULATIONS; ENFORCEMENT"; PROVIDING FOR UP TO EIGHT (8) SPECIAL EVENTS PER YEAR FOR CERTAIN INSTITUTIONAL ENTITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Cooper City desires to update and amend the City Code, as provided herein; and

**WHEREAS**, the City Commission has held a public hearing in accordance with Florida law; and

**WHEREAS**, the City Commission seeks to increase the number of allowable special events per year for certain institutional entities to no more than eight (8) special events; and

**WHEREAS**, following proper notice to the public and after having received input and participation by interested members of the public and staff, the City Commission finds that this Ordinance is in the best interest of the citizens, residents, and business establishments in the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:**<sup>1</sup>

**Section 1. RECITALS ADOPTED.** That each of the above-stated recitals is hereby adopted and confirmed.

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<sup>1</sup> Additions to existing City Code text are shown in underline; deletions to existing text are shown in ~~strikethrough~~.

**Section 2. CHAPTER 9 OF CITY CODE AMENDED.** That Chapter 9 of the City's

Code of Ordinances, entitled "Business Taxes," is hereby amended by specifically amending Article III, Section 9-28, entitled "Special Events; Regulations; Enforcement," to read, as follows:

**ARTICLE III. SPECIAL EVENTS AND OUTDOOR SALES**

Sec. 9-28. Special Events; Regulations; Enforcement

...

(d) *Standards, guidelines and review criteria.* The standards and guidelines to be applied in considering the special event permit are as follows:

...

(3) *Maximum Number per year.*

(i) A total of not more than four (4) special events may be held each calendar year at any one (1) location, unless otherwise approved by resolution of the city commission for good cause and for the public interest of the city. Such period shall run from January 1 to December 31 of each year. Commercial, office plazas, or light industrial areas shall be considered one (1) location.

(ii) No events which are subject to the four (4) event limit described in (i) above shall occur consecutively, except for those with city commission approval, and if approved shall require a separate permit and fee for each event.

(iii) *Private Residential Community Exemption.* This four (4) special events per year limit shall not apply to special events held within private residential communities served by a guard gate restricting access to the private roads. For purposes of this exemption, roads within community development districts served by a guard gate shall be included within this exemption.

(iv) Institutional Exemption. This four (4) special events per year limit shall not apply to special events held at non-commercial free-standing buildings with adjacent parking provisions whose primary function is as a religious institution, school or similar institutional activity. Special events at these locations shall be limited to eight (8) per year. All special events are subject to applicable permitting and fees.

**Section 3.** It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the

City of Cooper City, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

**Section 4.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 5.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 6.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED on First Reading this 20th day of February, 2019.**

**PASSED AND FINAL ADOPTION on Second Reading this \_\_ day of \_\_\_\_\_, 2019.**

ATTEST:

\_\_\_\_\_  
MAYOR GREG ROSS

\_\_\_\_\_  
KATHRYN SIMS  
City Clerk

Approved As To Legal Form:

\_\_\_\_\_  
JACOB G. HOROWITZ  
City Attorney

**ROLL CALL**

Mayor Ross \_\_\_\_\_  
Commissioner Curran \_\_\_\_\_  
Commissioner Green \_\_\_\_\_  
Commissioner Meltzer \_\_\_\_\_  
Commissioner Pulcini \_\_\_\_\_