



LEE COUNTY
S O U T H W E S T F L O R I D A

**USE OF COUNTY
PROPERTY**

PERMIT APPLICATION

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY:
Permits/Certificates

CODE NUMBER:
AC-8-1

TITLE:

Procedures and Application for a Permit to Use County Property for a Limited Period of Time

ADOPTED:
6/9/87

AMENDED:
7/5/92; 11/9/94; 4/17/96; 12/18/96; 8/09/05; 9/15/09

ORIGINATING DEPARTMENT:
Public Resources

PURPOSE/SCOPE:

This Administrative Code establishes procedures to obtain a permit for use of County property for those activities, which are not political speech or public issue commentary or demonstrative in nature. The County does not require any permit prior to events related to freedom of speech and those freedoms guaranteed by the First Amendment to the United States Constitution. The County does request that organizers of such events schedule the events for coordination purposes only. These permit procedures are intended to apply to non-commercial, neighborhood, charitable or philanthropic events and activities requiring use of County-owned property.

POLICY/PROCEDURE:

- A. Persons who want to use County property for a limited period of time for a specific event must submit an application at least 30 days prior to the proposed date of the event. The official application form may be obtained from the Public Resources Office, 2115 Second St., County Administration Building – 1st Floor or by calling (239) 533-2737. It is also available on-line at www.lee-county.com.
- B. The Applicant shall submit the completed application to the Sheriff's Office, Fire Department, Lee County EMS, Lee County DOT, Lee County Parks & Recreation and Lee County Risk Management so they may fill out and sign their page of the application. If the event involves the use of a State road, the Applicant must coordinate their activities with the Florida Department of Transportation. If the event involves the use of City property, the Applicant must coordinate their activities with the appropriate municipality.

C. Use of Old Courthouse Steps and/or Adjacent Property:

1. No electrical wires, or other hazards as determined by County Risk Management, may be utilized on the property.
2. No permit is required; however, the County does request that organizers of such events schedule the events for coordination purposes only.
3. Fees may be charged for County staff assistance and/or equipment usage for government events.
4. County equipment may not be utilized for private events.
5. Proof of Insurance coverage as determined by Lee County Risk Management, must be provided.

D. The applicants shall comply with any additional requirements established by Lee County.

E. When the application is complete, the Public Resources Office shall present it to the County Manager for approval.

APPLICATION TO USE LEE COUNTY PROPERTY

NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

PHONE NUMBER: _____

ORGANIZATION SPONSORING THE EVENT: _____

A PERMIT IS HEREBY REQUESTED TO USE THE FOLLOWING PROPERTY:

(Please Attach a Map Identifying the Property)

DESCRIPTION OF EVENT: _____

DATE/DATES OF EVENT: _____

HOURS OF OPERATION: _____

SECTION I – SAFETY

The Applicant agrees to provide adequate traffic and crowd control, emergency medical services and any other items, at the Applicant's expense, required by Lee County to protect the health, safety and welfare of the public. Lee County shall have the power to review the proposal and require, as necessary, detailed plans, diagrams, and explanations to clearly outline to Lee County, exactly what the Applicant is proposing.

SECTION II – INSURANCE

The Applicant agrees to procure and maintain in force during the term of the use of aforesaid Lee County property, at Applicant's expense, public liability insurance in companies and through brokers approved by the Licensor, adequate to protect against liability for damage claims through public use of or arising out of accidents occurring in or around the aforesaid Lee County property, in a minimum amount of One Hundred Thousand Dollars (\$100,000) per person, Three Hundred Thousand Dollars (\$300,000) per occurrence for bodily injury liability, and Fifty Thousand Dollars (\$50,000) for property damage or whatever other limits may be established by Lee County. The insurance shall have a limit of not less than \$1 million per occurrence for the general aggregate, when using right of way to solicit charitable donations. Such insurance policy shall provide coverage for Applicant's contingent liability on such claims or losses. **“Lee County Board of County Commissioners” shall be named as “additional insured”** on the Certificate of Insurance, and said Certificate shall be delivered to Lee County prior to Applicant's use of the property. Said Insurance cannot be canceled unless approved by Lee County.

SECTION III – INDEMNIFICATION

The Applicant agrees to indemnify, release and save harmless Lee County against any and all claims, costs, demands, damages, judgments or injuries of any nature arising from the conduct or management of, or from any work or thing whatsoever done in or about said Lee County property or any building or structure appurtenant thereto or equipment thereof during the term of this Permit, or arising during such term from any act of negligence of the Applicant, Applicant's agents, contractors, or employees, or arising from any accident, injury, or damage whatsoever, however caused, to any person or persons, or to any property of any person, persons, corporation or corporations, occurring during the term of this agreement on, in, or about said Lee County property, and from and against all costs, attorney's fees, expenses and liabilities occurring in connection with any such claim or any action or proceeding brought thereon.

SECTION IV – DELIVERY, ACCEPTANCE AND SURRENDER OF PREMISES

The Applicant agrees to accept said Lee County property on possession as being in a satisfactory state of repair and in sanitary condition.

The Applicant shall surrender the premises to Lee County in the same condition as when Applicant takes possession, allowing for reasonable use and wear, and damage by acts of God. Applicant agrees to remove all business signs or symbols placed on the premises by the Applicant before redelivery of the premises to Lee County, and shall restore the portion of the premises on which they were placed in the same condition as before their placement. Any signs

and markings in connection with this event shall be temporary and removable; painting on roadways, trees or any other fixed object is strictly prohibited. Applicant agrees to clear the Lee County property of litter.

SECTION V

If the event applied for involves any of the following:

1. Fireworks Display
2. Tent or Air Supported Structure
3. Carnival, Fair, Circus or Amusement Device

The Applicant will need to obtain a Temporary Use Permit from:

Division of Codes and Building Services
Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901
(239) 533-8329

SECTION VI

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.

Print Name of Applicant and Title

Witness

Signature of Applicant

Date

**LEE COUNTY SHERIFF'S OFFICE
14750 SIX MILE CYPRESS PARKWAY
FORT MYERS, FL 33912
(239) 477-1200**

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

Parking: _____

Deputies (How Many?): _____

Fee: _____

Special Arrangements: _____

Print Name of Person Signing

Signature

Title

Date

FIRE DEPARTMENT

(The Fire Department Serving The Area Where The Event Is To Be Held)

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

Fire Guards (How Many?): _____

Fee: _____

Flammable Vegetation: _____

First Aid Equipment: _____

Special Arrangements: _____

Print Name of Person Signing

Signature

Title

Date

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

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

Treatment Facilities: _____

Medical Personnel: _____

Medical Supplies/Equipment: _____

Special Arrangements: _____

Fee for Services: _____

Print Name of Person Signing

Signature

Title

Date

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

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

Parking: _____

Ingress and Egress: _____

Special Arrangements: _____

Print Name of Person Signing

Signature

Title

Date

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

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

Illumination: _____

Parking Areas: _____

Other: _____

Print Name of Person Signing

Signature

Title

Date

**LEE COUNTY RISK MANAGEMENT
COUNTY ADMINISTRATION BUILDING – 4th FLOOR
2115 SECOND STREET
FORT MYERS, FLORIDA 33901
(239) 533-2221**

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

Insurance Requirements: _____

Special Arrangements: _____

Print Name of Person Signing

Signature

Title

Date