

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2020-399-W**

5 AN ORDINANCE CONCERNING THE 2020 REPUBLICAN
6 NATIONAL CONVENTION ("CONVENTION");
7 ESTABLISHING A CONVENTION OVERLAY ZONE;
8 ESTABLISHING A CONVENTION SECURITY ZONE;
9 ESTABLISHING THE CONVENTION ACTIVITY PERIOD;
10 APPROVING A TEMPORARY USE PERMIT IN THE
11 CONVENTION SECURITY ZONE DURING THE CONVENTION
12 ACTIVITY PERIOD, NOTWITHSTANDING OTHER
13 REQUIREMENTS OF CHAPTER 656, *ORDINANCE CODE*;
14 ALLOWING CERTAIN ADDITIONAL USES IN THE
15 CONVENTION OVERLAY ZONE DURING THE CONVENTION
16 ACTIVITY PERIOD; ALLOWING CERTAIN ADDITIONAL
17 TEMPORARY SIGNS IN THE CONVENTION SECURITY
18 ZONE DURING THE CONVENTION ACTIVITY PERIOD;
19 PROVIDING FOR APPLICABILITY OF THE DOWNTOWN
20 SPECIAL EVENT VENDORS ESTABLISHED IN CHAPTER
21 250 (MISCELLANEOUS BUSINESS REGULATIONS), PART
22 10 (SPECIAL EVENT VENDORS), *ORDINANCE CODE*, TO
23 NOT INCLUDE THE CONVENTION SECURITY ZONE BUT
24 TO INCLUDE THE REMAINDER OF THE CONVENTION
25 OVERLAY ZONE; WAIVING SECTION 154.105 (USE OF
26 PREMISES AS DISORDERLY PLACE OR PUBLIC
27 NUISANCE) AND SECTION 656.805 (DISTANCE
28 LIMITATIONS), *ORDINANCE CODE*, AS TO THE OPEN
29 CONTAINER RESTRICTIONS ON ALCOHOLIC BEVERAGES;
30 PROVIDING FOR THE EXTENSION OF HOURS FOR
31 ALCOHOL SALES AND SERVICES FOR ON-PREMISES

1 CONSUMPTION; PROVIDING FOR APPLICABILITY OF
2 THE FLORIDA BUILDING CODE; ACCEPTING AND
3 APPROPRIATING \$33,000,000 OF 2020 PRESIDENTIAL
4 NOMINATING CONVENTION GRANT FUNDS ("GRANT")
5 RECEIVED FROM THE DEPARTMENT OF JUSTICE TO
6 PRESIDENTIAL NOMINATING CONVENTION/DEPARTMENT
7 OF JUSTICE TO FUND THE COSTS OF HOSTING THE
8 CONVENTION IN THE CITY OF JACKSONVILLE
9 ("CITY"), AS INITIATED BY B.T. 20-___; PURPOSE
10 OF APPROPRIATIONS; WAIVING PORTIONS OF SECTION
11 106.304 (MAYOR'S TRANSFER POWER), SUBPART A
12 (GENERAL PROVISIONS), PART 3 (APPROPRIATIONS),
13 CHAPTER 106 (BUDGET AND ACCOUNTING CODE),
14 *ORDINANCE CODE*, TO AUTHORIZE THE MAYOR TO
15 TRANSFER THE \$33,000,000 OF FEDERAL SECURITY
16 GRANT FUNDS WITHIN THE AUTHORIZED USE
17 PARAMETERS OF THE SECURITY GRANT WITHOUT
18 FURTHER COUNCIL ACTION; AMENDING CHAPTER 126
19 (PROCUREMENT CODE), PART 1 (GENERAL
20 REGULATIONS), SECTION 126.106 (REGULATIONS AND
21 PROCEDURES) AND SECTION 126.113 (COMPLIANCE
22 WITH FEDERAL AND STATE PROCUREMENT
23 REQUIREMENTS TO RECEIVE AND EXPEND GRANT
24 FUNDING), *ORDINANCE CODE*, TO PROVIDE THE CITY
25 WILL FOLLOW 2 CODE OF FEDERAL REGULATIONS 200
26 PROCUREMENT RULES WITH RESPECT TO THE USE OF
27 FEDERAL GRANT FUNDS AND TO AUTHORIZE THE CHIEF
28 OF PROCUREMENT TO PROMULGATE RULES AND
29 REGULATIONS IN ACCORDANCE THEREWITH; CREATING
30 A NEW SECTION 117.111 (GRANT REQUIREMENTS),
31 CHAPTER 117 (GRANTS), *ORDINANCE CODE*, TO

1 REQUIRE THE CITY TO COMPLY WITH FEDERAL AND
2 STATE GRANT REQUIREMENTS AND APPLICABLE LAWS
3 IN CONNECTION WITH GRANT FUNDS RECEIVED;
4 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
5 CORPORATION SECRETARY TO EXECUTE AND DELIVER:
6 (1) A CITY SERVICE AGREEMENT BETWEEN THE CITY,
7 THE REPUBLICAN NATIONAL COMMITTEE ("RNC"), AND
8 THE 2020 JACKSONVILLE HOST COMMITTEE, INC.
9 ("HOST COMMITTEE") TO PROVIDE FOR THE RELATIVE
10 OBLIGATIONS BY AND BETWEEN THE RNC, THE HOST
11 COMMITTEE AND THE CITY IN CONNECTION WITH THE
12 CONVENTION; (2) A FORM OF MUTUAL AID AGREEMENT
13 BETWEEN THE CITY OF JACKSONVILLE AND VARIOUS
14 OUTSIDE AGENCIES TO PROVIDE ADDITIONAL LAW
15 ENFORCEMENT OFFICERS FOR THE CONVENTION; AND
16 (3) A FEDERAL SECURITY GRANT AGREEMENT TO
17 PROVIDE FUNDING FOR SECURITY FOR THE
18 CONVENTION PURSUANT TO THE TERMS OF THE GRANT
19 AGREEMENT; AUTHORIZING APPROVAL OF TECHNICAL
20 AMENDMENTS BY THE MAYOR OR HIS DESIGNEE;
21 INVOKING THE EXCEPTION TO SECTION 126.107(G),
22 *ORDINANCE CODE*, TO ALLOW THE CITY TO DIRECTLY
23 CONTRACT WITH THE REPUBLICAN NATIONAL
24 COMMITTEE, AND THE 2020 JACKSONVILLE HOST
25 COMMITTEE, INC. AND ENTER INTO THE MUTUAL AID
26 AGREEMENTS FOR THE CITY TO HOST THE
27 CONVENTION; PROVIDING FOR SEVERABILITY;
28 REQUESTING EMERGENCY PASSAGE UPON
29 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.

30
31 **WHEREAS**, the City of Jacksonville has been selected to host

1 substantive portions of the 2020 Republican National Convention and
2 its related celebratory events and activities ("CONVENTION"); and

3 **WHEREAS**, this event will attract many visitors to the City and
4 expose the City to television viewers nationally and
5 internationally; and

6 **WHEREAS**, the Convention provides a unique opportunity for
7 business development for the City in that many of the visitors will
8 be representatives of major corporations and institutions located
9 outside the City of Jacksonville; and

10 **WHEREAS**, studies and surveys have shown that quality of life
11 and community appearance are significant factors in the decisions
12 of corporations and institutions to relocate to another city; and

13 **WHEREAS**, those same factors are important in the attraction of
14 tourism to the City after the Convention; and

15 **WHEREAS**, the Convention is expected to have a large and
16 positive economic impact on the Jacksonville area; and

17 **WHEREAS**, this event will enhance community involvement by
18 getting local businesses involved and having numerous local
19 volunteers for the event; and

20 **WHEREAS**, the City has established a Downtown Overlay Zone and
21 Downtown District Regulations in Subpart H of Part 3 of Chapter
22 656, Ordinance Code, which set forth permitted uses within the
23 various districts in the Downtown Overlay Zone; and

24 **WHEREAS**, given the magnitude of the Convention, it will be
25 necessary and desirable to allow certain uses in the Sports and
26 Entertainment and Working Waterfront districts in the Downtown
27 Overlay Zone in which they might not otherwise be permitted; and

28 **WHEREAS**, this need can be addressed through the use of
29 Temporary Use Permits which will allow these needed uses, and
30 which, if controlled as to location, layout and appearance, can
31 promote the intent of this ordinance and not have an adverse impact

1 upon surrounding properties and the City; and

2 **WHEREAS**, providing for a Temporary Use Permit during the time
3 period set forth in this ordinance will limit to those time periods
4 activities and uses which, while appropriate during the time period
5 set forth in this ordinance, may not be appropriate on a permanent
6 basis; and

7 **WHEREAS**, issuance of a Temporary Use Permit will provide a
8 more efficient and less time consuming method for processing
9 applications for such uses, consistent with the limited time period
10 for which such temporary use permits will be valid; and

11 **WHEREAS**, the City has also adopted as Subpart B to Part 13 of
12 Chapter 656, Ordinance Code, a Downtown Sign Overlay Zone setting
13 forth signs permitted in the Downtown Sign Overlay Zone and the
14 process for review and approval of applications for signs in that
15 overlay zone; and

16 **WHEREAS**, the permit regulations set forth in Subpart B of Part
17 13 of Chapter 656 do not address the unique circumstances
18 associated with an event of the magnitude of the Convention; and

19 **WHEREAS**, certain signs, including sponsorship signs, may be
20 appropriate during the limited time period to which this ordinance
21 applies which would not be appropriate on a permanent basis or in
22 areas outside the Downtown Sign Overlay Zone, including sponsorship
23 signs; and

24 **WHEREAS**, major entertainment venues for the Convention in
25 particular may require signage not contemplated or permitted within
26 the Downtown Sign Overlay Zone; and

27 **WHEREAS**, it is in the best interest of the City and its
28 residents to regulate the area which will be the focus of
29 Convention activities to preserve the public health, safety and
30 welfare of all citizens, visitors and participants, as well as the
31 aesthetic qualities of the area; and

1 **WHEREAS**, the City desires to promote and protect the First
2 Amendment rights of all its citizens and visitors who choose to
3 exercise those rights during the Convention; and

4 **WHEREAS**, the Convention has been designated a National Special
5 Security Event ("NSSE") due to the event's significance to the
6 United States and the inherent challenge of ensuring the safety and
7 security of all event participants; and

8 **WHEREAS**, persons and groups have a First Amendment right to
9 organize and participate in peaceful assemblies and parades on the
10 sidewalks and rights-of-way and in the parks of the City, and to
11 engage in peaceful assemblies and parades near the Convention so
12 they may be seen and heard, subject to reasonable restrictions
13 designed to protect public safety, persons and property, and to
14 accommodate the interest of persons not participating in the
15 assemblies and parades to use the sidewalks and rights-of-way to
16 travel to their intended destinations and use the parks for
17 recreational purposes; and

18 **WHEREAS**, the City recognizes the compelling need to
19 facilitate safe and orderly movement of vehicular and pedestrian
20 traffic during the Convention; and

21 **WHEREAS**, the City Council is authorized to approve
22 reasonable time, place and manner regulations promulgated by the
23 appropriate director regarding the issuance of public gathering
24 permits, demonstration permits, temporary use permits, parade
25 permits, and business access and operations permits during the
26 Convention; and

27 **WHEREAS**, the City Council has determined that the following
28 regulations, including but not limited to, time, place, and
29 manner restrictions, promulgated by the Planning Director will
30 promote and protect the general safety and welfare of the
31 residents of and visitors to of the City during the Convention

1 while also allowing persons and organizations to exercise their
2 First Amendment rights to peacefully assemble and parade; and

3 **WHEREAS,** in light of the extraordinary security measures that
4 are required to conduct the Convention, as well as other
5 considerations of the public health, safety and welfare of the
6 attendees of the Convention and those persons desiring to observe
7 the events, visit the downtown during the Convention and persons
8 desiring to formally and informally exercise their First Amendment
9 Rights, it is important to establish specific areas designated for
10 the purpose of the event, for free speech, as well as establishing
11 a formal "parade route" for groups peacefully assembled to express
12 their viewpoints to the attendees of the Convention; and

13 **WHEREAS,** in order to facilitate the needs of multiple groups
14 desiring to access these designated properties and "parade route"
15 and to adequately provide for the public health, safety and
16 welfare, an effective way of accomplishing this is to establish a
17 parade permit program for use during the Convention time period;
18 and

19 **WHEREAS,** while the Downtown Overlay Zone and the Downtown Sign
20 Overlay Zone comprise most, but not all of the areas to which this
21 ordinance should apply, it is necessary to expand slightly the
22 boundaries of the Sports and Entertainment and Working Waterfront
23 districts set forth in the Downtown Overlay Zone and the Downtown
24 Sign Overlay Zone for purposes of this ordinance; now therefore,

25 **BE IT ORDAINED** by the Council of the City of Jacksonville:

26 **Section 1. Area of Applicability.** This ordinance shall
27 apply only to the Convention Overlay Zone, which shall consist of
28 the area set forth in the Sports and Entertainment District and the
29 Working Waterfront District of the Downtown Overlay Zone as defined
30 in Section 656.361.2, Ordinance Code, together with the following
31 additional areas:

1 (a) The area within one hundred feet of the outer boundaries
2 of the Sports and Entertainment District and the Working Waterfront
3 District of the Downtown Overlay Zone; and

4 (b) The area within one hundred feet of the right-of-way line
5 of the area north of the Matthews Bridge Expressway bounded on the
6 south by the Matthews Bridge Expressway to Palmetto Street, then
7 north to Albert Street, then east to A. Philip Randolph Boulevard,
8 then north to Grant Street, then east to Georgia Street, then south
9 to Albert Street, then east to and including the ramp to the
10 Matthews Bridge Expressway, then west on the Matthews Bridge
11 Expressway back to Palmetto Street, as depicted on the map attached
12 as **Exhibit 1**; and

13 (c) The area within the area described in paragraph (b),
14 above, includes City-owned Lots W, XX and Y; and

15 (d) The area within the area described in paragraph (b),
16 above, includes the roadways of Albert Street, the rampway to the
17 Matthews Bridge Expressway at Kentucky Street, the rampway from the
18 Matthews Bridge Expressway at Spearing Street/Albert Street, the
19 Matthews Bridge Expressway, Palmetto Street and A. Philip Randolph
20 Boulevard.

21 The Convention Overlay Zone is depicted in **Exhibit 2**, attached.

22 **Section 2. Period of Applicability.** This ordinance shall
23 apply to uses, activities and signs during the period from 12:00
24 a.m. on August 23, 2020 through 11:59 p.m. on August 28, 2020. The
25 time period so described is designated as the Convention Activity
26 Period.

27 **Section 3. Convention Security Zone.** Within the
28 Convention Overlay Zone, there shall be created the Convention
29 Security Zone, the boundaries of which are established by the
30 United States Secret Service to provide for a secured area for the
31 safety of the Convention attendees. The Convention Security Zone

1 will have a defensive perimeter, and access into the Convention
2 Security Zone will be restricted to only those persons who have
3 been screened by security personnel and received tickets and/or
4 credentials to provide them access. Because the Convention has
5 been designated a National Special Security Event ("NSSE"), control
6 over the activities occurring within the Convention Security Zone
7 shall be conducted and maintained by the United States Secret
8 Service and the Convention Host Committee and their designates. The
9 Convention Security Zone is depicted in **Exhibit 3**, attached.

10 **Section 4. Temporary Use Permits.** Notwithstanding the
11 requirements of Chapter 656, Part 3, Subpart H, Ordinance Code, or
12 any other provision of the Ordinance Code, there is hereby
13 established a Temporary Use Permit in the Convention Security Zone
14 during the Convention Activity Period, subject to the requirements,
15 criteria and conditions of this Section.

16 (a) *Intent:* Temporary Use Permit procedures and requirements
17 as set forth in this Section are intended to permit certain uses
18 during the Convention Activity Period which are not otherwise
19 allowed in the Zoning Code and which may not be appropriate if
20 permitted on a permanent basis. In establishing this Temporary Use
21 Permit System, the intent is also to increase efficiency and reduce
22 the time required for processing of applications for Temporary Use
23 Permits, consistent with the limited time period during which such
24 uses are allowed and the reduced potential for adverse impacts on
25 surrounding properties and the City.

26 (b) *Uses for which Temporary Use Permits may be issued:*
27 Temporary Use Permits may be issued for the following uses, if not
28 otherwise allowed in the Downtown Overlay Zone, or individual
29 Districts thereof, pursuant to Subpart H of Chapter 656, Part 3
30 Ordinance Code:

31 (1) Uses which are of a nature customarily incidental and

1 normally associated with a major activity such as the Convention;

2 (2) Off-street parking;

3 (3) Indoor and/or outdoor entertainment;

4 (4) Signage.

5 (c) *Temporary Use Permits; Administered by Planning Director;*

6 *No formal public notice or hearing:*

7 (1) The Planning Director, or his designee, is authorized to
8 grant Temporary Use Permits and shall be responsible for the
9 administration, processing, review and determination on
10 applications for Temporary Use Permits. A copy of the application
11 for Temporary Use Permit shall be forwarded to the Downtown
12 Investment Authority Executive Director for comments and
13 recommendations. Recommendations from other departments or
14 agencies may be requested by the Planning Director (which term, as
15 used hereafter in this Section, shall also include any designee of
16 the Planning Director) where necessary to properly review the
17 application or establish conditions of approval of the Temporary
18 Use Permit.

19 (2) Applications for a Temporary Use Permit shall be in
20 writing on the forms prescribed by the Planning and Development
21 Department ("Department") and filed with the Planning Director
22 together with the required number of copies and all required
23 attachments. The application shall be prepared so that, when
24 completed, a full and accurate description of the proposed
25 temporary use, including its location and operational
26 characteristics, shall be disclosed. The application shall
27 include a site plan, to scale, showing the property lines of the
28 site, existing structures and paved areas, sidewalks, rights-of-way
29 and the location of any tent or any other temporary facilities, and
30 signs visible from ground level from the right-of-way or adjacent
31 property. If it is determined that the application is not

1 complete, notice shall be provided to the applicant advising of the
2 deficiencies and the Planning Director shall take no further action
3 on the application until the deficiencies are remedied.

4 (3) At the time an application for a Temporary Use Permit is
5 deemed to be complete, the applicant shall pay an application fee
6 of \$500.00.

7 (4) The Planning Director shall review and issue a
8 determination within ten days of receipt of an application
9 determined to be complete. The review and determination period may
10 be extended at the request of the applicant. If an application is
11 submitted less than ten days before the convention start date, the
12 Director shall make his best effort to process and complete the
13 permit review in a timely manner.

14 (5) Because of the limited period of the Temporary Use
15 Permit, formal public notice and public hearing are not required
16 and shall not be held in connection with the review or
17 determination of an application for a Temporary Use Permit by the
18 Planning Director, or his designee.

19 (d) *General Criteria:*

20 (1) Except as otherwise provided herein, the following
21 general criteria shall be met by all applicants for a Temporary Use
22 Permit:

23 (i) The use will promote the public health, safety and
24 general welfare, if located where proposed and operated according
25 to the plan as submitted.

26 (ii) The use is one for which a Temporary Use Permit is
27 authorized pursuant to this Section.

28 (iii) The use is compatible with contiguous and
29 surrounding properties, or the use is a public necessity.

30 It shall be the responsibility of the applicant to present evidence
31 in the form of documents, exhibits, plans and the like to support

1 the application for approval of a Temporary Use Permit.

2 (2) As appropriate to the nature of the Temporary Use Permit
3 involved and the particular circumstances of the case, the
4 following considerations in standards shall apply:

5 (i) Ingress and egress: Due consideration shall be
6 given to adequacy of ingress and egress to the property and
7 structure and uses thereon, with particular reference to pedestrian
8 safety and convenience and access in case of fire or other
9 emergency.

10 (ii) Off-street parking and loading: Due consideration
11 shall be given to off-street parking and loading facilities as
12 related to adjacent streets, with particular reference to
13 automotive and pedestrian safety and convenience, internal traffic
14 flow and control, arrangement in relation to access in case of fire
15 or other emergency, and screening of landscaping.

16 (iii) Refuse and service areas: Due consideration shall
17 be given to the location, scale, design and screening of refuse and
18 service areas; to the manner in which refuse is to be stored; to
19 the manner of refuse collection, deliveries, shipments or other
20 service activities in relation to the location and nature of uses
21 on adjoining properties; and the location and character of
22 adjoining public ways;

23 (iv) Lighting: Due consideration shall be given to the
24 number, size, character, location and orientation of the proposed
25 lighting for premises, with particular reference to glare, and
26 compatibility and harmony with adjoining and nearby property and
27 the character of the area.

28 (v) Utilities: Due consideration shall be given to
29 utilities required, with particular reference to availability and
30 capacity of systems, location of connections, and potentially
31 adverse appearance on other adjoining and nearby property and the

1 character of the area.

2 (vi) Drainage: Due consideration shall be given to
3 provision for drainage, with particular reference to effect on
4 adjoining and nearby properties and on general drainage systems in
5 the area.

6 (vii) Control of potentially adverse effects generally:
7 In addition to consideration of detailed elements indicated above,
8 as appropriate to the particular class or kind of Temporary Use
9 Permit and the circumstances of the particular case, due
10 consideration shall be given to the potentially adverse effects
11 generally on adjoining and nearby properties, the area, the
12 neighborhood of the City, of the use as proposed, or its location,
13 layout, character, scale or manner of operation. Where such
14 potentially adverse effects are found, consideration shall be given
15 to special remedial measures appropriate in the particular
16 circumstances of the case, including screening or buffering,
17 control of manner or hours of operation, alteration of proposed
18 layout, or such other measures as are required to assure that such
19 potential adverse effects will be compatible and harmonious with
20 other development in the area.

21 (e) *Conditions and safeguards:*

22 (1) The Planning Director shall have the authority to attach
23 to the grant of the Temporary Use Permit such conditions and
24 safeguards as may be necessary for the purposes of this ordinance
25 in the particular case.

26 (2) Such conditions and safeguards, if attached to the grant
27 of the Temporary Use Permit, shall be based upon and consistent
28 with the criteria set forth in this Section. The requirement for
29 any such conditions or safeguards shall be supported in the record
30 and no such condition or safeguard shall establish special
31 limitations or requirements beyond those reasonably necessary for

1 the accomplishment of the purpose for which attached.

2 (3) The Temporary Use Permit issued pursuant to this section
3 shall be maintained at all times on the property for which the
4 Temporary Use Permit is granted.

5 (f) *Violations:* The violation of a Temporary Use Permit,
6 including conditions and safeguards which may be attached thereto,
7 shall be deemed a violation of the Zoning Code and punishable as
8 provided in the Zoning Code.

9 **Section 5. Additional uses allowed in Convention Security**
10 **Zone.**

11 (a) For purposes of this ordinance and during the Convention
12 Activity Period only, on any property in the Convention Security
13 Zone in which restaurants are a permitted use under Chapter 656,
14 Part 3, Subpart H or under an approved Planned Unit Development
15 zoning, temporary facilities established for the purpose of serving
16 food at a charge or for free shall also be a permitted use.

17 (b) For purposes of this ordinance and during the Convention
18 Activity Period only, on any property in the Convention Security
19 Zone in which entertainment facilities are a permitted use under
20 Chapter 656, Part 3, Subpart H or under an approved Planned Unit
21 Development zoning, temporary venues where musical or other
22 entertainment is offered shall also be a permitted use.

23 (c) For purposes of this ordinance and during the Convention
24 Activity Period only, in any zoning district within the Convention
25 Overlay Zone but outside the Downtown Overlay Zone in which
26 entertainment facilities are a permitted use under Chapter 656,
27 Part 3, Subpart H or under an approved Planned Unit Development
28 zoning, temporary facilities and temporary venues where musical or
29 other entertainment is offered shall also be a permitted use.

30 **Section 6. Temporary Signs.**

31 (a) Notwithstanding the provisions of Chapter 656, Part 13,

1 Subpart B, Ordinance Code, in addition to any other signs allowed
2 under Chapter 656, Part 13, Subpart B, the following temporary
3 signs shall be allowed in the Convention Overlay Zone during the
4 Convention Activity Period:

5 (1) Temporary signs located within the boundaries of
6 Convention entertainment venues, as designated by the Planning
7 Director or his designee.

8 (2) Temporary signs identified in an approved application for
9 a Temporary Use Permit issued pursuant to Section 4 of this
10 ordinance.

11 (3) Temporary signs located in the Convention Overlay Zone;
12 provided however, sponsorship identification on such signs shall
13 not exceed the lesser of twenty percent of the sign face or eight
14 square feet.

15 (4) Temporary signs located on any property designated in
16 this ordinance for free expression or along any roadway during a
17 permitted parade.

18 (b) Notwithstanding the provisions of Chapter 656, Part 13,
19 Subpart B, Ordinance Code, temporary noncommercial street banner
20 signs shall be allowed on JEA utility poles in the City outside the
21 Convention Overlay Zone during the Convention Activity Period;
22 provided such signs are erected with the permission of JEA.

23 (c) Temporary signs under this Section 6 that contain
24 trademarked or copyrighted terms or logos shall be erected only
25 with the consent of the holder of the trademark or copyright.

26 (d) In the event that any portion of this section is declared
27 invalid, unenforceable, unconstitutional or void or is permanently
28 enjoined, then thereafter no signs shall be erected pursuant to
29 this section.

30 **Section 7. Applicability to Downtown Special Event**
31 **Vendors.** Notwithstanding language in Part 10, Chapter 250,

1 Ordinance Code, concerning the area of applicability of that Part
2 to Downtown Special Events Vendors, for purposes of the 2020
3 Convention and, more particularly, during the Convention Activity
4 Period, the area of applicability for Part 10, Chapter 250,
5 Ordinance Code, shall not include the Convention Security Zone but
6 shall include the remainder of the Convention Overlay Zone.

7 **Section 8. Alcohol Use in the Convention Security Zone**
8 **and Noise Ordinance.**

9 For purposes of this ordinance and during the Convention
10 Activity Period only, within the Convention Security Zone, the open
11 container restrictions on alcoholic beverages contained in Section
12 154.108 are hereby waived, and the distance limitations contained
13 in Section 656.805 are hereby waived for establishments holding a
14 validly issued license for the sale of alcoholic beverages. The
15 provisions of Chapter 368, Noise Control, and Environmental
16 Protection Board Rule 4, Noise Pollution Control, shall not apply
17 to fireworks, pyrotechnics and musical entertainment between the
18 hours of 9:00 a.m. and 2:00 a.m.

19 **Section 9. Extension of Hours for Alcohol Sales and**
20 **Service for On-Premises Consumption.**

21 For purposes of this ordinance and during the Convention
22 Activity Period only, hours allowing the sale of alcohol for on-
23 premises consumption, by any establishment legally allowed to do
24 so, shall be extended and allowed from 6:00 a.m. until 4:00 a.m.,
25 local time, the following day. This Section shall apply to any
26 establishment in Duval County that is legally allowed to sell
27 alcohol for on-premises consumption.

28 **Section 10. Applicability of Florida Building Code.**

29 Nothing contained in Sections 1 through 9 of this ordinance
30 shall be deemed to waive any requirement of the Florida Building
31 Code.

1 **Section 11. Establishment of Designated Free Expression**
2 **Locations and Temporary Parade Route; Temporary Parade and Park**
3 **Permit, Speakers' Platform and Use Regulations.**

4 **(a) General Provisions.**

5 (1) *Purpose.* These Regulations are intended to provide
6 guidance for the issuance of permits for and use of City streets
7 and public property during the Convention, to both ensure the
8 efficient processing of all conforming applications for permits,
9 and to protect the public interest and safety.

10 (2) *General Requirement.* Permits for the use of public
11 streets and public property during the Convention may only be
12 granted in accordance with these Regulations.

13 (3) *Effective Date.* These regulations shall go into effect
14 immediately and shall terminate on the last day of the Convention
15 Activity Period.

16 **(b) Parade and Park Use Permits and Speakers' Platform Use**
17 **During the Convention Activity Period.**

18 (1) *Definitions. As used in this section:*

19 "Camping" means to set up or remain on the Public
20 Grounds for the purpose of establishing or maintaining a temporary
21 place to live;

22 "City" means the City of Jacksonville, Florida;

23 "Codified Ordinances" mean the Jacksonville Ordinance
24 Code;

25 "Crosswalk" means:

26 (A) That part of the roadway at intersections
27 ordinarily included within the real or projected prolongation of
28 property lines and curb lines or, in the absence of curbs, the
29 edges of the traversable roadway;

30 (B) Any portion of a roadway at an intersection or
31 elsewhere, distinctly indicated for pedestrian crossing by lines

1 or other markings on the surface;

2 (C) Notwithstanding subsections (A) and (B) hereof,
3 there shall not be a crosswalk where local authorities have placed
4 signs or other indicators or have otherwise indicated no crossing;

5 "Director" shall mean the Planning Director;

6 "Downtown" shall mean the Convention Overlay Zone and
7 the Downtown Overlay Districts established in Chapter 656, Part 3,
8 Subpart H, Ordinance Code.

9 "Official Parade Route: means a route designated by the
10 Sheriff generally commencing on Albert Street between A. Philip
11 Randolph Blvd. and Georgia Street, proceeding in an easterly
12 direction on Albert Street to the entrance ramp to the Matthews
13 Bridge Expressway at Kentucky Street, turning right and proceeding
14 onto the westbound lane of the Matthews Bridge Expressway, exiting
15 the Matthews Bridge Expressway on the exit ramp at Spearing
16 Street, turning left and proceeding west on Albert Street, turning
17 left and proceeding south on Palmetto Street, turning left and
18 proceeding easterly on Beaver Street East, turning left on A.
19 Philip Randolph Blvd. and ending at the intersection of A. Philip
20 Randolph Blvd. and Albert Street.

21 "Official Speakers Platform" means the speakers area
22 designated by the City on the southwest corner of Lot XX;

23 "Parade" means any formation, march, procession of any
24 kind, or motorcade consisting of persons, animals, or Vehicles or
25 combination thereof traveling in unison for a common purpose upon
26 the streets, excluding sidewalks, within the City that interferes
27 with the normal flow or regulation of vehicular or pedestrian
28 traffic upon the streets within the City;

29 "Park Use" means the use of Public Grounds for Public
30 Art, a Public Installation, or for gatherings that are anticipated
31 to be in excess of 20 persons;

1 "Pedestrian" means any natural person afoot; a
2 pedestrian shall include any motorized or unmotorized wheelchair
3 or electric personal assistive mobility devices;

4 "Person" means any natural person, firm, co-partnership,
5 association or corporation;

6 "Public Grounds" means property under the control of the
7 City to which the general public normally has access, to only
8 include Hemming Park, the grassed lot formerly occupied by the
9 Jacksonville Landing, the grassed lots formally occupied by the
10 Duval County Courthouse, and Duval County Courthouse Annex, and
11 the grassed area adjacent to and south of the Duval County
12 Courthouse and Lots W, XX and Y in the Convention Overlay Zone and
13 any paved or grassed areas on such property, but excluding
14 streets, public buildings, and sidewalks adjoining streets;

15 "Public Installation" means the placement of any
16 structure or physical object which hinders the free use and
17 passage of pedestrians on Public Grounds, including tables,
18 chairs, temporary structures and canopies;

19 "Public Art" means the placement of art or other object
20 containing public messaging on any Public Grounds with the
21 intention to leave it for a period of time to be viewed by the
22 public;

23 "Severe Weather" means the forecasting or occurrence of
24 weather phenomena affecting the City that requires the National
25 Weather Service to issue a severe weather watch or warning for
26 weather phenomena including, but not limited to severe
27 thunderstorms, tornados, hurricanes and floods;

28 "Sound Amplification Equipment" means any system or
29 piece of equipment used for the production of amplified sound,
30 excluding megaphones, bullhorns and portable battery-operated
31 sound amplification devices;

1 "Speakers' Platforms" means the placement and use of a
2 podium, platform, pedestal, stand or similar object to make a
3 public speech, other than up to two Official Speakers' Platforms;

4 "Street" means any place or way set aside or open to the
5 general public for purposes of vehicular traffic, including any
6 berm or shoulder parkway, right-of-way, or median strip thereof,
7 excluding Sidewalks;

8 "Sidewalk" means the portion of a street adjacent to the
9 curb lines or the lateral lines of a roadway and the adjacent
10 property lines, intended for use of pedestrians; and

11 "Vehicle" means every device, including a motorized
12 bicycle, in, upon, or by which any person or property may be
13 transported or drawn upon a highway, except that "vehicle" does
14 not include any motorized wheelchair, electric personal assistive
15 mobility devices, or any device, other than a bicycle, that is
16 moved by human power. A bicycle is a "vehicle".

17 (2) *Persons Prohibited in the Convention Security Zone.* No
18 person shall be inside the Convention Security Zone during the
19 time periods designated by the United States Secret Service or the
20 Sheriff without authorization.

21 (3) *Permit and Registration Required.* No person shall engage
22 in or conduct a Parade or place Public Art or a Public
23 Installation in the Convention Overlay Zone without first
24 obtaining a permit issued as provided in these Regulations. No
25 person shall use either of the Official Speakers' Platforms
26 without first registering as provided in these Regulations. No
27 person shall use either Speakers' Platform during the period
28 inside the Convention Overlay Zone except for the Official
29 Speakers Platform.

30 (4) *Types of Permits during the Convention Activity Period.*
31 The following permits can be obtained from the City for the

1 Convention Overlay Zone during the Convention Activity Period:

2 (A) *Official Parade Route Permit.* An Official Parade
3 Route Permit is required to parade in the Convention Overlay Zone
4 during the Convention Activity Period; and

5 (B) *Park Use Permit.* A Park Use Permit is required to
6 place Public Art or a Public Installation on Public Grounds during
7 the Convention Activity Period.

8 (5) *Time Restrictions Applicable to All Permits in the*
9 *Convention Overlay Zone.* The following time restrictions apply to
10 issuance of the following permits:

11 (A) Official Parade Route Permits may be obtained for
12 the opportunity to parade as follows: Monday, August 24, 2020 thru
13 Thursday, August 27, 2020 between 7:00 a.m. and 6:00 p.m. each
14 day.

15 (i) Each Official Parade Route Permit will cover a one-
16 hour time period beginning on the hour. The final parade each day
17 must clear the entire parade route and be dispersed by 6:00 p.m.
18 Only a single permit will be issued for each one-hour period
19 within the designated time periods set forth above.

20 (ii) Groups must gather in the designated staging area
21 as marked on the map attached as **Exhibit 1** for the Official Parade
22 Route one-half hour before the time that the designated parade
23 starts. Official Parade Route staging shall be designated by the
24 Sheriff, but shall be located in close proximity to the parade
25 starting location and clearly marked.

26 (B) Park Use Permits may be obtained for Monday, August
27 24, 2020 through Thursday, August 27, 2020 – Between 9:00 a.m. and
28 5:00 p.m. each day. Park Use Permits shall only be allowed for
29 Public Grounds.

30 (C) No permit issued under these Regulations shall be
31 transferable.

1 (D) *Official Parade Route Regulations.* The following
2 regulations apply to persons while participating in a Parade at
3 the Official Parade Route:

4 (i) Permit holders must be present during their
5 assigned time slots;

6 (ii) Permit holders must show proof of permit and a
7 government issued photo ID at the time of check-in;

8 (iii) Parade participants must be fully assembled by the
9 assigned step-off time. Failure to step-off within ten (10)
10 minutes of an assigned start time shall result in a forfeiture of
11 the time slot for the Parade unless the delay in step-off is for
12 reasons beyond the control of the Parade permit holder.

13 (iv) Vehicles may not be used in the Parade;

14 (v) Parade participants will have 50 minutes to
15 complete their procession to the end of the Official Parade Route;

16 (vi) Upon completion of the procession or at the end of
17 the designated time slot for the Parade, whichever is sooner, the
18 participants in the Parade must clear the Official Parade Route;
19 and

20 (vii) Sound Amplification Equipment may not be used by
21 Parade participants;

22 (E) *Park Use Regulations.* The following regulations
23 apply to persons while using or participating in a Park Use:

24 (i) Public Art and Public Installation may only be
25 placed in the Convention Overlay Zone on Lot W, Lot XX and Lot Y
26 and on Public Grounds; however no permit is required for Public
27 Art that is carried by hand;

28 (ii) Permit holders must be present during their
29 assigned time;

30 (iii) Permit holders must show proof of permit and a
31 photo ID at the time of check-in;

1 (iv) All Public Art and Public Installations must be
2 placed temporarily, not secured to the ground, and be fully
3 removable upon expiration of the permit;

4 (v) Advertising utilized solely for the opportunity to
5 gain commercial or corporate exposure, or as a means to generate
6 commercial sales, or increase corporate or commercial activity is
7 prohibited;

8 (vi) Permit holders shall make certain that participants
9 do not distribute materials for private pecuniary gain;

10 (vii) Fires of any kind are strictly prohibited;

11 (viii) No person shall damage, mark, deface or cause
12 any injury to any existing trees, plants, monuments, art or
13 objects located in Public Grounds;

14 (ix) Vehicles are prohibited from being parked on any
15 Public Grounds without the written permission of the Sheriff;

16 (x) Camping is prohibited; and

17 (xi) The use of Sound Amplification Equipment is
18 prohibited, unless provided by the City.

19 (F) *Official Speakers' Platform Regulations.* The
20 following regulations apply to persons while using either of the
21 Official Speakers' Platform:

22 (i) Persons may use either of the Official Speakers'
23 Platform from Monday, August 24, 2020 thru Thursday, August 27,
24 2020 between 7:00 a.m. and 6:00 p.m. each day. The final use of
25 either Official Speakers Platform will end at 6:00 p.m. each day;

26 (ii) Use of either Official Speakers' Platform will
27 require a registration approved by the Director;

28 (iii) Use of either Official Speakers' Platform shall be
29 limited to thirty-minute increments. Registered persons must check
30 in no later than fifteen (15) minutes prior to their assigned
31 time; and

1 (iv) All microphones and Sound Amplification Equipment
2 will be provided by the City. No speaker may use his or her own
3 microphone and/or Sound Amplification Equipment.

4 (G) *Application and Registration Filing.* A person
5 seeking an Official Parade Route Permit or a Park Use Permit shall
6 file an application with the Planning Department on the forms and
7 in the manner provided and the application form shall be signed by
8 the applicant. Any person or group seeking to use either Official
9 Speakers' Platform must register with the Planning Department on
10 the forms and in the manner provided.

11 (H) *Filing Periods.* The City will accept an application
12 for an Official Parade Route Permit, a Park Use Permit, or
13 registration for use of either Official Speakers' Platform at any
14 time up until the commencement of the Convention Activity Period.
15 It is anticipated, however, that there may be a large volume of
16 requests for the available space for permitted uses and multiple
17 requests may be received for use of the same space at the same
18 time. For this reason, all applicants are strongly encouraged to
19 file applications for Official Parade Route Permits or Park Use
20 Permits by 5:00 p.m. Eastern Daylight Time on Friday, August 14,
21 2020. Similarly, users of either Official Speakers' Platform are
22 strongly encouraged to register by 5:00 p.m. Eastern Standard Time
23 on Friday, August 14, 2020. A separate application is required for
24 each day, time slot, and location for which a permit is requested.
25 Applications will be considered on a first-come, first-served
26 basis only.

27 (I) *Application Contents.* The application for an
28 Official Parade Route Permit or a Park Use Permit shall contain
29 the following information:

30 (i) The name, address, day-time telephone number, and

31 (ii) The name, address, and telephone number of the

1 headquarters of the organization for which the Parade is to be
2 conducted;

3 (iii) The name and telephone number of the on-site
4 coordinator or person in charge of the Parade or the Park Use, if
5 different from the applicant;

6 (iv) The date, time and estimated duration of the
7 placement of Public Art or Public Installation, including time for
8 set-up or take-down and any alternative dates and time;

9 (v) A description of the proposed location on the
10 Public Grounds for the Public Art or Public Installation;

11 (vi) The date and time requested for the Parade or the
12 Park Use and any possible alternative dates and times;

13 (vii) The approximate number of persons who will
14 constitute the Parade; and

15 (viii) The name and contact information for any
16 private security service to be provided by the organizer, if
17 applicable.

18 No applicant shall be required to provide any information
19 concerning the content of their proposed speech, the topic of any
20 speech or anything in any way concerning the content of their
21 proposed speech or message.

22 (J) Registration Contents; Registration. The
23 registration for use of either Official Speakers' Platform shall
24 contain the following information:

25 (i) The name, address, day-time telephone number, and
26 email address, if available, of the registrant; and

27 (ii) The proposed date and time of the use of either
28 Official Speakers' Platform.

29 No registrant shall be required to provide any information
30 concerning the content of their proposed speech, the topic of any
31 speech or anything in any way concerning the content of their

1 proposed speech or message.

2 (K) *Application Review.* Applications for an Official
3 Parade Route Permit or a Park Use Permit shall be reviewed by the
4 Planning Director, the Office of Special Events, the Sheriff, JFRD,
5 and approved by the Planning Director, or the Directors' designees,
6 before a permit is issued. In determining whether to issue a
7 permit, the following factors shall be considered:

8 (i) Whether the information contained in the permit
9 application is found to be false, misleading, or incomplete in any
10 material detail;

11 (ii) Whether the time, place, or size of the Parade or
12 Park Use including any staging areas, will unreasonably interfere
13 with the safe and expeditious ingress or egress to or use of
14 adjoining private property or present a security threat;

15 (iii) Whether the Parade or Park Use will present an
16 unreasonable danger to the health or safety of participants or
17 other members of the public, or cause damage to public or private
18 property;

19 (iv) Whether a permit for a Parade, Park Use, or other
20 special event has been granted or an application has previously
21 been received and will be granted, for the same time and
22 approximate location, or would unreasonably interfere with another
23 Parade, Park Use, or other special event for which a permit has
24 been issued; or

25 (v) Whether the applicant, the organization, or persons
26 represented by the applicant or organization have previously been
27 adjudicated to be in violation of the provisions of a similar
28 permit or to have violated any City ordinances or state or federal
29 laws in connection with a previous Parade or other public assembly
30 in the City.

31 Review of any application shall not include, and decisions on

1 applications shall in no way be made based upon, the content of
2 the proposed speech, the topic of any speech or anything in any
3 way concerning the content of the proposed speech or message.

4 (L) *Exception.* A person or group less than 20
5 individuals is not required to obtain a permit for a Parade in the
6 Convention Overlay Zone before conducting the event where the
7 Parade will take place on Sidewalks and Crosswalks and will not
8 prevent pedestrian traffic from using the Sidewalks or Crosswalks
9 or interfere with vehicular traffic on the Streets at the
10 Crosswalks, and will not occur on Streets.

11 (M) *Exception for Large Groups.* No Parade of more than
12 two hundred (200) individuals shall be held within five hundred
13 (500) feet of any other Parade involving more than two hundred
14 (200) individuals whether on a Sidewalk or on the Official Parade
15 Route in the Convention Overlay Zone.

16 (N) *Permit or Registration Fee.* There shall be no fee
17 charged for an Official Parade Route Permit, a Park Use Permit, or
18 for the use of either Official Speakers' Platform in the Convention
19 Overlay Zone during the Convention Activity Period.

20 (O) *Permit Revocation.* The Planning Director may revoke
21 or suspend any permit granted under this section because of any
22 false statement made in the application for the permit or for a
23 violation of these Regulations.

24 (P) *Severe Weather.* Any permit issued under these
25 Regulations or use of either Official Speakers' Platform may be
26 suspended or terminated effective immediately in the event of
27 Severe Weather. The Sheriff in consultation with the Planning
28 Director will determine whether Severe Weather impacts the general
29 welfare and safety of the community and will make the final
30 determination to terminate or suspend any permits. Notice of the
31 termination or suspension will be sent to the applicant, and a

1 public notice will be issued to the media.

2 (Q) *Appeals.* If an application for a permit is denied or
3 revoked, the applicant or permittee shall be notified in writing by
4 email, if available, or by telephone and regular mail to the
5 address on the application with the reason for the denial or
6 revocation. An applicant or permittee shall have the right to
7 appeal the denial or revocation of a permit within three (3)
8 business days of receipt of the notice of denial to the Planning
9 Director. The Director shall hold a hearing on the denial or
10 revocation within three (3) business days of receipt of the notice
11 of appeal. If the Director determines that the denied or revoked
12 permit should be granted, the applicant shall be notified in
13 writing and obtain the permit. If the Director determines that a
14 denied or revoked permit should be reinstated, the permittee shall
15 be notified in writing and proceed as if the permit was not denied
16 or revoked. If the Director affirms the denial or revocation of the
17 permit, the applicant shall be immediately notified of the decision
18 and shall have the right to appeal the denial in any manner
19 authorized by law.

20 (R) *Other Parades and Special Events.* Because of the
21 large crowds and vehicular traffic, including buses, anticipated in
22 the Convention Overlay Zone during the Convention, and because of
23 the commitment of the resources of the JSO to ensuring security
24 within the Convention Overlay Zone, the City cannot accommodate
25 parades on City streets in the Convention Overlay Zone except for
26 Parades on the Official Parade Route. Groups seeking to conduct a
27 Parade on a City street or to hold a special event on a City park
28 located outside of the Convention Overlay Zone during the
29 Convention Activity Period may apply for a special event permit
30 under Codified Ordinance Chapter 191.

31 **(c) Prohibited Items.**

1 (1) Within the Convention Overlay Zone or on Public Grounds,
2 the following items are prohibited during the Convention Activity
3 Period:

4 (A) Lumber larger than 2" in width and 1/4" thick,
5 including supports for signs;

6 (B) Metal plastic, or other hard material larger than
7 3/4" thick and 1/8" in wall thickness including pipe and tubing;

8 (C) Any air rifle, air pistol, paintball gun, blasting
9 caps, switchblade or automatic knife, knife having a blade two and
10 one-half (2-1/2) inches in length or longer, cestus, billy,
11 blackjack, sword, saber, hatchet, axe, slingshot, BB gun, pellet
12 gun, wrist shot, blackjack, metal knuckles, nun chucks, mace, iron
13 buckle, axe handle, shovel, or other instrumentality used to cause
14 property or personal damage;

15 (D) Any dangerous ordinance, weapon, or firearm that is
16 prohibited by the laws of the State of Florida;

17 (E) Any explosives, explosive device, or incendiary
18 device;

19 (F) Fireworks and rockets;

20 (G) Sound Amplification Equipment;

21 (H) Drones and other unmanned aircraft systems;

22 (I) Containers of bodily fluids;

23 (J) Aerosol cans;

24 (K) Mace, Pepper Spray or other chemical irritant;

25 (L) Umbrellas with metal tips;

26 (M) Any projectile launchers, such as water guns and
27 water cannons;

28 (N) Rope, chain, cable, strapping, wire, string, line,
29 tape, or any similar material, in lengths greater than 6';

30 (O) Glass bottles, ornaments, light bulbs, ceramic
31 vessels, and any other frangible container, regardless of whether

1 the container holds any substance;

2 (P) Locks including, without limitation, padlocks,
3 bicycle locking devices, chain locks or similar devices, but not
4 including: (i) an integral component of a conveyance or structure;
5 (ii) locks when utilized by the owner of private real property to
6 secure permanent or temporary fencing; or (iii) locks attached to a
7 bicycle;

8 (Q) Any gas mask or similar device designed to filter
9 all air breathed by the wearer in an attempt to protect the
10 respiratory tract and/or face against irritating or noxious gasses
11 or other materials. This prohibition on gas masks shall not apply
12 to any person wearing a medical oxygen mask that fits over the nose
13 and mouth of the person and provides oxygen from an oxygen tank to
14 the person or to any mask worn to comply with mandates issued to
15 combat COVID-19;

16 (R) Tents and other shelters, sleeping bags, sleeping
17 pads, mattresses, cots, hammocks, bivy sacks, or stoves;

18 (S) Coolers or ice chests;

19 (T) Backpacks and bags exceeding the size of 18" x 13" x
20 7";

21 (U) Lasers;

22 (V) Non-plastic containers, bottles, cans, or thermoses;

23 (W) Ladders;

24 (X) Grappling hooks, sledgehammers, hammers and
25 crowbars;

26 (Y) Canned goods;

27 (Z) Tennis balls; and

28 (AA) Any other item determined by the Sheriff to be a
29 clear and present danger to the safety of others.

30 (2) The prohibitions of this section shall not be applicable
31 to:

1 (i) Persons possessing an item listed above when (i) the
2 person or his/her employer maintains a place of employment within
3 the Convention Overlay Zone; and (ii) the possession of said item
4 is in the normal course of the person's licensed business or
5 employment and to be used within place of employment; and

6 (ii) Persons possessing an item listed above when (i) the
7 person resides within the Convention Overlay Zone and (ii) the
8 possession of said item kept and used within the person's
9 residence; or (iii) the person is homeless and depends on any said
10 item for their needs; and

11 (iii) Law enforcement personnel or other local, state, or
12 federal government employees possessing a prohibited item in the
13 course of their authorized duties; and

14 (iv) Any licensed medical professional in the performance
15 of their medical duties.

16 **(d) Possession of Obstruction Devices Prohibited; Placing**
17 **Objects in the Rights-of-Way, Sidewalks, and Roadways.**

18 (1) It is unlawful for any person, with the intent to
19 obstruct the public's ability to freely move about on rights-of-
20 way, sidewalks and other areas to which the public has access, to
21 possess or place any tool, object, instrument, or any combination
22 thereof, that is adapted, designed, or intended to be used for
23 obstructing the public's ability to freely move about on rights-of-
24 way, sidewalks or any other area to which the public has access.

25 (2) It is unlawful for any person to inhibit, for any reason,
26 the movement of emergency equipment on streets, rights-of-way or
27 sidewalks.

28 (3) It is unlawful for any person to place any instrument,
29 tripod, bipod or other pole or object with the intent to obstruct
30 the public's ability to freely move about on rights-of-way,
31 sidewalks, entrance and exit to private property or any other area

1 to which the public has access.

2 (4) It is unlawful for any person to attach themselves to
3 another person, building, vehicle, or fixture with the intent to
4 obstruct the public's ability to freely move about on rights-of-
5 way, sidewalks, entrances and exits to private property, or any
6 other area to which the public has access.

7 (5) Government employees in the performance of their official
8 duties shall be exempt from this section.

9 **(e) Conflict Provision.** In the event of a conflict between
10 these Regulations and any other City ordinance or regulation, these
11 Regulations shall control.

12 **Section 12.** Sections 1-11 of this ordinance are intended,
13 in part, to permit and regulate certain uses in districts in the
14 Sports and Entertainment District and Working Waterfront District
15 of the Downtown Overlay Zone of Chapter 656, Part 3, Subpart H,
16 Ordinance Code, in which they might not otherwise be permitted.

17 **Section 13. Appropriation.** For the 2019-2020 fiscal year,
18 within the City's budget, there are hereby appropriated the
19 indicated sum(s) from the account(s) listed in subsection (a) to
20 the account(s) listed in subsection (b):

21 (B.T. 20-___ attached hereto as **Exhibit 4** and incorporated herein
22 by this reference)

23 (a) Appropriated from:

24 See attached **Exhibit 4** \$33,000,000

25 (b) Appropriated to:

26 See attached **Exhibit 4** \$33,000,000

27 (c) **Explanation of Appropriation:**

28 The funding above is an appropriation of \$33,000,000 of
29 2020 Presidential Nominating Convention Grant funds
30 received by the City from the Federal government to pay
31 for costs to the City of hosting the Convention. The

1 funds will be used to purchase goods and services for the
2 Convention consistent with the parameters of the Grant.

3 **Section 14. Purpose of appropriation.** The purpose of the
4 appropriation in Section 13 is to provide \$33,000,000 of 2020
5 Presidential Nominating Convention Grant funds to be used by the
6 City to purchase goods and services as necessary to host the
7 Convention.

8 **Section 15. Waiving Section 106.304(b) and (c) (Mayor's**
9 **transfer power), Subpart A. (General Provisions), Part 3**
10 **(Appropriations), Chapter 106 (Budget and Accounting Code),**
11 **Ordinance Code.** The provisions of Chapter 106 (Budget and
12 Accounting Code), Part 3 (Appropriations), Subpart A (General
13 Provisions), Section 106.304(b) and (c) (Mayor's transfer power)
14 that: (i) limits the Mayor's transfer authority to \$500,000 during
15 a fiscal year; and (ii) caps the Mayor's authority to increase the
16 fund and/or sub-fund budget to recognize additional revenue at
17 \$100,000, respectively, are hereby waived through December 31, 2020
18 as to the \$33,000,000 of Federal Security Grant funds, to authorize
19 the Mayor without further Council action to transfer funds within
20 the authorized uses of the Security Grant received by the City and
21 otherwise consistent with the requirements of Section 106.304,
22 *Ordinance Code*. Consistent with Section 14.03 of the City Charter,
23 the remaining, applicable provisions of Section 106.304, *Ordinance*
24 *Code*, authorizes the Mayor to transfer funds from any agency, non-
25 departmental or departmental line item to any other agency, non-
26 departmental or departmental line item, subject to the limitations
27 and other requirements of Section 106.304 without prior notice to
28 Council, and requires that the Mayor shall provide to the Council
29 Auditor, within three working days after the effective date
30 thereof, a copy of written documentation of all transfers of funds
31 made during the applicable fiscal year. For the purposes of

1 clarity, and subject to the remaining requirements of Section
2 106.304, Ordinance Code, and Security Grant requirements, the
3 Mayor's transfer authority authorized in this Section may be used
4 only to fund eligible Convention security costs under the terms of
5 the Security Grant agreement.

6 **Section 16. Amending Chapter 126 (Procurement Code), Part**
7 **1 (General Regulations), Sections 126.106 (Regulations and**
8 **Procedures) and 126.113 (Compliance with Federal and State**
9 **Procurement Requirements to Receive and Expend Grant Funding).**

10 Chapter 126 (Procurement Code), Part 1 (General Regulations),
11 Sections 126.106 (Regulations and Procedures) and
12 126.113 (Compliance with Federal and State Procurement Requirements
13 to Receive and Expend Grant Funding) are hereby amended to read as
14 follows:

15 **CHAPTER 126 PROCUREMENT CODE**

16 **PART 1 GENERAL REGULATIONS**

17 * * *

18 **Sec. 126.106 Regulations and Procedures.**

19 The Chief shall prepare and maintain a current Procurement manual
20 containing detailed regulations and procedures relative to the
21 implementation of this Chapter. The manual shall:

22 * * *

23 (e) ~~The Chief shall prepare and publish~~ Prescribe rules and
24 regulations governing bid protests.

25 (f) Prescribe procurement rules and regulations governing state
26 and federal grant awards and financial assistance received by the
27 City. Such rules and regulations governing federal grant awards and
28 financial assistance shall be consistent with the uniform grants
29 administrative requirements, costs principles, and audit
30 requirements set forth in 2 Code of Federal Regulations Part 200,
31 as amended, and other applicable federal laws.

1 (g~~f~~) Nothing in this Section shall be construed as limiting or
2 superseding the provisions of Section 126.201.

3 * * *

4 **Sec. 126.113 Compliance with Federal and State**
5 **Procurement Requirements to Receive and Expend Grant Funding.**

6 To the extent that (i) a conflict exists between the provisions of
7 this Chapter and the provisions of federal ~~and~~/or state procurement
8 requirements necessary to receive and expend grant funding or
9 financial assistance pursuant to Chapter 117, Ordinance Code, or
10 (ii) federal or state procurement requirements applicable to grant
11 funding or financial assistance received pursuant to Chapter 117
12 are less stringent than the procurement requirements of this
13 Chapter, the Chief, in his or her discretion in consultation with
14 the Office of General Counsel, is authorized to waive any such
15 conflicting or more stringent Code provision in this Chapter and
16 comply with or implement the federal and/or state procurement
17 requirement. In the event that a Code provision is waived pursuant
18 to this section, upon final approval of the contract award, the
19 Chief shall notify the City Council Auditor and the City Council
20 Secretary of the same. Additionally, pursuant to Section 126.106,
21 Ordinance Code, the Chief is authorized to promulgate rules and
22 regulations governing state and federal grant awards and financial
23 assistance received by the City pursuant to Chapter 117, Ordinance
24 Code, consistent with this section and other applicable laws.

25 **Section 17. Creating a new Section 117.111 (Grant**
26 **Requirements), Chapter 117 (Grants), Ordinance Code.** New Section
27 117.111 (Grant Requirements), Chapter 117 (Grants), *Ordinance Code*,
28 is hereby created to read as follows:

29 **CHAPTER 117. GRANTS**

30 * * *

31 **Sec. 117.111 Grant Requirements.** In connection with any

1 federal or state grant award or financial assistance received by
2 the City pursuant to this Chapter, the City shall comply with all
3 applicable federal or state laws regarding such funds, including
4 but not limited to, the uniform grants administrative requirements,
5 costs principles, and audit requirements set forth in 2 Code of
6 Federal Regulations Part 200, as amended.

7 **Section 18. City Service Agreement, Mutual Aid Agreement**
8 **and Security Grant Agreement Approved.** The Mayor, or his designee,
9 and the Corporation Secretary are hereby authorized to execute and
10 deliver, for and on behalf of the City: (i) a City Service
11 Agreement ("Agreement") between the City, the Republican National
12 Committee, and the 2020 Jacksonville Host Committee, Inc.,
13 substantially the form placed **On File** with the Legislative Services
14 Division; (ii) a Mutual Aid Agreement between the City and various
15 outside agencies to provide additional law enforcement personnel
16 for the Convention; and (iii) a Security Grant Agreement providing
17 a Federal grant to the City for security purposes (collectively,
18 the "Agreements"), with such "technical" changes as herein
19 authorized, to authorize the City to host the Convention.

20 The Agreements may include such additions, deletions, and
21 changes as may be reasonable, necessary, and incidental for
22 carrying out the purposes thereof, as may be acceptable to the
23 Mayor or his designee, with such inclusion and acceptance being
24 evidenced by execution of the Agreements, respectively, by the
25 Mayor or his designee. No modification of the Agreements may
26 increase the financial obligations or the liability of the City and
27 any such modification shall be technical only and shall be subject
28 to appropriate legal review and approval of the General Counsel or
29 his or her designee and all other appropriate action required by
30 law. "Technical" is herein defined as including, but not limited
31 to, changes in legal descriptions and surveys, descriptions of

1 infrastructure improvements and/or any road project, ingress and
2 egress, easements and rights of way, performance schedules, design
3 standards, access and site plans which have no financial impact.
4 Notwithstanding the foregoing, the City may make revisions to the
5 Mutual Aid Agreement authorized hereby to accommodate reasonable
6 requests of outside agencies, provided such revisions do not
7 require any additional funding from the City (other than the
8 Security Grant funding), do not require the City to indemnify or
9 hold harmless a third party beyond existing statutory and common
10 law obligations, and such changes are reviewed and approved as to
11 form by the Office of General Counsel.

12 **Section 19. Invoking the exception to Section 126.107(g),**
13 **Ordinance Code.** The City is hereby authorized to enter into: the
14 Agreement with the Republican National Committee and the 2020
15 Jacksonville Host Committee, Inc. and the Mutual Aid Agreements for
16 the purposes described in Section 18. Pursuant to Section
17 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
18 (Procurement Code), *Ordinance Code*, such procurement is exempted
19 from competitive solicitation because the supplies or services are
20 to be provided by those specifically prescribed within authorizing
21 legislation that appropriates the same. With the exception of the
22 foregoing, all other provisions of Chapter 126, *Ordinance Code*,
23 shall remain in full force and effect.

24 **Section 20. Severability.** It is the intent of this
25 Council that should a court of competent jurisdiction declare any
26 part of this Ordinance invalid, the remaining parts hereof shall
27 not in any way be effected by such determination as to the invalid
28 part and, therefore, it is the further intent that all severability
29 provisions as codified in Section 1.06, *Ordinance Code*, shall apply
30 to this ordinance.

31 **Section 21. Requesting Emergency Passage Upon Introduction**

1 **pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
2 introduction of this legislation is requested. The nature of the
3 emergency is that the event is scheduled for the week of August 24,
4 2020, and the City needs the approval of this legislation in order
5 to adequately prepare for the event.

6 **Section 22. Effective Date.** This ordinance shall become
7 effective upon signature by the Mayor or upon becoming effective
8 without the Mayor's signature.

9
10 Form Approved:

11
12 /s/ Jason R. Teal

13 Office of General Counsel

14 Legislation Prepared By: Jason R. Teal

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