

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING ON THE ____ DAY OF _____, 2006.

WHEREAS, Seminole County Ordinance No. 89-28 created the Seminole County Administrative Code; and

WHEREAS, Seminole County Resolution Numbers 89-R-438 and 05-R-151 adopted the Seminole County Administrative Code; and

WHEREAS, the Seminole County Administrative Code needs to be amended from time to time to reflect changes in the administration of County government; and

WHEREAS, the Traffic Engineering Fees were approved by the Board of County Commissioners on July 27, 1999 and were originally adopted on June 10, 1997 per Resolution 1997-R-128; and

WHEREAS, the Board of County Commissioners desire to include the Traffic Engineering Fees as part of the Seminole County Administrative Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA THAT,

1. Section 20.41 "Traffic Engineering Fees" is hereby created as identified in Section 20 of the attached "Fee Resolutions". The attached is for inclusion in the Seminole County Administrative Code.

ADOPTED this _____ day of _____, 2006

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

ATTEST:

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
CARLTON HENLEY, Chairman

Date: _____

RAM/ss

05.11.06

Attachment

Section 20.41 Fee Resolutions (Traffic Engineering Fees)



SECTION 20. FEE RESOLUTIONS

20.41 TRAFFIC ENGINEERING FEES

A. PURPOSE. To establish fees and charges for administering the permit applications for certain activities on County roadways systems, including processions, special events and parades, races and charity walks or runs, oversized or overweight vehicles, and miscellaneous traffic related activities such as Traffic Enforcement Agreements for private roads and Decorative Sign Agreements.

B. DELEGATION. In order to address customer needs in a timely manner, the Board County Commissioners delegate the processing and execution of the application for Processions, special events and parades to the County Traffic Engineer with the concurrence of Risk Management.

C. WAIVERS

(1) The County Traffic Engineer is granted authority by the Board of County Commissioners to issue permits pursuant to Seminole County Code Section 250.60 through 250.63 and to waive insurance requirements for low risk events as determined appropriate.

(2) When a waiver of insurance is requested, applications will be individually evaluated to assess the significance of the risk associated with the event based on the criteria established for the permit (permit attached). A determination will then be made to either grant the insurance waiver, deny the insurance waiver, or place on the BCC agenda for approval.

(3) In neighborhoods with established Homeowner Associations, all applicants will have the Homeowner Association's approval and meet insurance requirements. If the applicant is an individual homeowner in a neighborhood without an Homeowner Association, a request for waiver will be considered if the following criteria are met:

(a) The closure does not present a significant risk or adverse impact to traffic operations and movement of emergency vehicles in the area as determined by the Traffic Engineer.

(b) The applicant agrees to adhere to all applicable laws and standards governing the closure.

(c) Risk Management concurs with the waiver.

(d) There are no physical features in or near the subject streets that would cause a hazard in connection with this event.

D. FEES AND CHARGES

(1)	Processionals, Special Events and Parades	\$30.00
(2)	Oversize or Overweight Vehicle Permit	
(a)	Application fee	\$50.00
(b)	Signal Crew (crew of 3) Per Hour	\$70.25
(c)	Signal Crew (crew of 2) Per Hour	\$36.30
(d)	Light truck Per Hour	\$30.00
(e)	Sign Truck Per Hour	\$30.00
(3)	Decorative Sign Agreements	\$40.00
(4)	Traffic Enforcement Agreements	\$40.00

E. AUTHORITY. Resolution 1997-R-128 adopted June 10, 1997.
BCC Approved Agenda Memo dated July 27, 1999.
Resolution 2006-R

**Seminole County Permit Application for
PARADES & SPECIAL EVENTS**

Please read the reverse side and complete Sections I & II, and attach the following items:

1. A detailed sketch of event location and/or route.
2. Insurance policy as described on the reverse side. If you are unable to provide the insurance requirements, please indicate request for waiver in Section II.
3. If applicant is not a homeowners association as defined by State laws, they may be required to provide proof of concurrence from all residents in the affected roadway segment. This information must include original signatures, addresses, and phone numbers from adult resident with the authority to sign (one signature per household).

SECTION I: APPLICANT INFORMATION

Organization/Applicant: _____ Phone No.'s _____

Address: _____

Contact Name: _____ Title: _____

Date of Event: _____ Day of the Week: _____ Time of Event: from _____ to _____

Type of event: Parade Block Party Other _____

Description of roadway usage: _____

Attachments: Location Map Insurance Certificate Application Fee Other _____

SECTION II: HOLD HARMLESS / INSURANCE WAIVER

_____ Required insurance policies are included with this application (see reverse side for requirements).
 _____ Waiver of insurance requirements is requested to be evaluated by Seminole County.

I REPRESENT THAT ALL STATEMENTS, INFORMATION AND REPRESENTATIONS SUBMITTED HERewith ARE TRUE. I HAVE READ AND AGREE TO ALL REQUIREMENTS AS SET FORTH WITHIN THIS APPLICATION.

NAME (PRINT): _____ SIGNATURE _____ DATE: _____

SECTION III: INSURANCE WAIVER EVALUATION

(To be completed by permit coordinator)

1. Event Type: Full Closure Partial Closure Entire R/W Sidewalk Area Driveway Only Detour Required
 2. Traffic Characteristics:
 ADT _____ No. of Alt. Access Routes _____ Best Detour Route _____ ADT of Detour Route _____
 Detour Distance _____ Detour Delay _____
 Does detour route present any obstacles to emergency vehicles? _____
 Does detour route have sight visibility problems? _____ If yes, explain _____
 Any previously known safety/litigation issues? _____ If yes, explain _____
 3. Site Characteristics:
 Name of Sub-Division _____ Closed sub-division _____ Cul-de-sac _____ Thru-street _____
 No. of Lanes _____ Sidewalks Available? _____ On one or Both Sides _____ Sidewalk Condition _____
 Visibility to Closure _____ Curbs _____ Ditches _____
 No. of residences affected _____ No. of Businesses affected _____ No. of Offices Affected _____
 Any visible safety problems? _____ If yes, explain _____
- Overall pedestrian movement risk: Minimal Moderate High
 Overall safety risk on detour route: Minimal Moderate High
4. Traffic Control Plan (includes attached map and notes thereon):
 No. of volunteers available _____ Law enforcement participation confirmed? _____ Agency _____
 Will Applicant set up traffic control? _____ If no, explain _____

Waiver Recommendation by Traffic Engineer: N/A Grant Deny Place on BCC Agenda

ACKNOWLEDGEMENTS

Sheriff's Office: _____ Date: _____
 Public Safety: _____ Date: _____

CONCURRENCE

County Attorney: _____ Date: _____
 Risk Management: _____ Date: _____

APPROVAL

Traffic Engineer: _____ Approved _____ Denied _____ Signature: _____ Date: _____

Special Provisions: _____

Permit Expires (date & time): _____

PERMIT CONDITIONS

1. The issuance of this Permit is subject to, governed and regulated by Florida statutes relating to construction, maintenance, or other activities within County lands or easements, the Florida Administrative Code, Seminole County Codes, Ordinances and written Policies, any fees established by Seminole County and any additional requirements and conditions of the Board of County Commissioners or the County Traffic Engineer.
2. It is understood and agreed that the Permit approval and privileges herein set out are granted to the extent of the County's right, title and interest, if any, in the land to be entered upon and used by the Permittee, and the Permittee will at all times assume any and all risk of and indemnify, defend, and save harmless the County from and against any and all losses, damages, costs and expenses arising in any manner whatsoever on account of or in any way resulting from the exercise or attempted exercise by said Permittee of the aforesaid approved Permit and privileges or otherwise resulting from the acts or omissions of the Permittee or its officers, employees or agents. The Permittee agrees that its assumption of risks, obligations to indemnify the County, and other duties related to Permittee's activities shall survive the expiration of this Permit. The Permittee agrees to pay any and all costs, fees and expenses that the County in any way incurs relative to enforcing the terms and conditions of this Permit, including, but not limited to, Attorneys' Fees, Expert Fees and other Costs at trial, on appeal or in any administrative proceeding. The Permittee understands and acknowledges that any and all payments to obtain this Permit only cover costs generated by Seminole County to review the Permit application and plans, and to coordinate necessary County activities relative to the Permit application, plans, and Permittee's later activities within public rights-of-way, easements or other County owned property. Such payments do not encompass the fair rental value of the Permittee's use or occupation of public rights-of-way.
3. The Permittee shall take all safety measures as mandated in the approved traffic control plan herein, and shall also prevent any obstructions or conditions which are or may become dangerous to the traveling public as conclusively determined by the County Traffic Engineer. The Permittee's responsibility under the above indemnity includes, without limitation, all loss of life, personal injury, and property damage relating to the obstruction of vehicular or pedestrian traffic, and the cost of any reasonable precautions taken to minimize the risk of such occurrences.
4. If any emergency situation arises or a situation arises which a reasonably prudent person would believe to be an emergency situation, the Permittee shall immediately take all actions necessary to protect the safety of the traveling public (contact emergency services such as police, medical or fire) and fully advise the County Traffic Engineer of the situation and take any and all remedial actions required by the County Traffic Engineer.
5. The Permittee shall be responsible for cleaning up and leaving premises as they were found, and for the cost of any repairs made by the County of damage that occurred during the event, except Acts of God. Failure to maintain or clean up the premises shall result in the County employing such persons as necessary to bring the premises up to the condition prior to its use by the Permittee. The Permittee shall be responsible for any costs incurred by the County for cleanup or repairs.
6. The Permittee shall discourage and promptly report to the local police or sheriff any unreasonable noise and disorderly behavior by attendees that is not immediately controlled by the organizers of Permittee's event. Unreasonable noise, disorderly behavior, or failure to make a prompt report shall be sufficient ground for denial of a future permit.

INSURANCE REQUIREMENTS

The Permittee shall provide the County Traffic Engineer a certified copy of, and maintain in force at all times during the term of this Permit, the following insurance policies naming and protecting the County as an additional insured:

1. **General Liability Insurance:** Permittee shall carry limits in an amount not less than ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) for injuries, including wrongful or accidental death to any one person and subject to the same limit for each person, in an amount not less than TWO HUNDRED THOUSAND DOLLARS AND NO/100 DOLLARS (\$200,000.00) on account of any one occurrence.
2. **Property Damage Insurance:** Permittee shall carry limits in an amount not less than ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) for property damage on account of any one claim and in an amount not less than TWO HUNDRED THOUSAND DOLLARS AND NO/100 DOLLARS (\$200,000.00) for property damages on account of any one occurrence.

In addition to or in lieu of the certified copy of the entire policy, the Permittee shall provide, at the County Traffic Engineer's request, an original or certified copy of an endorsement naming the County.

TRAFFIC CONTROL PLAN & EQUIPMENT

1. Permittee agrees to comply with all established traffic control plans and instructions given by the County Traffic Engineer, permit coordinator, law enforcement officers, and public safety officers.
2. The closures shall be in accordance with the M.U.T.C.D. standards and shall be implemented with approved traffic control devices. Permittee is required to disclose the traffic control methodology.
3. Closures shall cease and all traffic control devices shall be removed and stored safely away from the roadway surface, pedestrian walkways, and clear zones upon expiration of the Permit or the conclusion of the event whichever comes first.
4. No existing traffic control devices nor features of the roadway (s) shall be altered by the Permittee.