

MAYOR
Brian West

CITY COUNCIL
Bill Garbett
Spec Hosti
Tony Plouge
Nick Sears
Kathryn Williams



CITY MANAGER
Bret Bell

ASST CITY MANAGER
Michelle Owens

MAYOR PRO TEM
Monty Parks

CITY CLERK
Fabian Mann

CITY ATTORNEYS
Edward M. Hughes
Tracy O'Connell

CITY OF TYBEE ISLAND

City Council Special Called Meeting November 25, 2025 | 10:00 AM

**Tybee Island Public Safety Building
78 Van Horne Avenue
Tybee Island, GA 31328**

AGENDA

Call to Order

Appeal Hearing: Special Event Permit Denial

1. George Turner — April 2026 Special Event

Adjournment

Individuals with disabilities who require accommodation in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact Fabian Mann at 912.472.5080 promptly to allow the City to provide reasonable accommodation.



THE VISION OF THE CITY OF TYBEE ISLAND

“is to make Tybee Island the premier beach community in which to live, work, and play.”



THE MISSION OF THE CITY OF TYBEE ISLAND

“is to provide a safe, secure and sustainable environment by delivering superior services through responsible planning, preservation of our natural and historic resources, and partnership with our community to ensure economic opportunity, a vibrant quality of life, and a thriving future.”

**403 Butler Avenue
P.O. Box 2749
Tybee Island, Georgia 31328-2749**



**(912) 786-4573 tel
(912) 786-5737 fax
www.cityoftybee.org**

File Attachments for Item:

1. George Turner — April 2026 Special Event

MAYOR
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MAYOR PRO TEM
Monty Parks

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CITY OF TYBEE ISLAND

November 17, 2025

Mr. George Turner
[REDACTED]
[REDACTED]

Dear Mr. Turner:

Thank you for the time and effort you committed to submitting your application and presenting your proposal for an event on Tybee Island near the pier in April 2026.

As we communicated with you in May 2025, we received two special event applications from different applicants for very similar events on the same weekend in April 2026. The City accepted new special event permit application submissions for an event on the beach in April 2026 from both permit applicants with a due date in October 2025, and then received in-person presentations earlier this month. Each proposal was evaluated by the selection committee, using our defined scoring criteria provided to each applicant as part of the application process.

We appreciate the thought put into your proposal, however it did not score highest in our evaluation process. Therefore, the City of Tybee Island denies your special event permit application dated October 20, 2025, for the following reasons:

- The proposed event is of such a nature or duration that it cannot be reasonably accommodated in the particular location.
- It reasonably appears that the proposed event will present a clear and present danger to the public safety or health.

As we previously communicated, you have the right to appeal this decision by letter filed with the City Clerk within three business days after the receipt of this communication.

Thank you again for your time, effort, and interest in working with us.

Sincerely,

Bret Bell

Bret Bell
City Manager

P.O. Box 2749 – 403 Butler Avenue, Tybee Island, Georgia 31328-2749
(912) 786-4573 – FAX (866) 786-5737
www.cityoftybee.org

Item #1.



City Clerk

City of Tybee Island

403 Butler Avenue

Tybee Island, GA 31328

Re: Appeal of Special Event Permit Denial – Orange Crush Festival® April 2026 (Letter dated November 17, 2025)

Dear City Clerk:

Pursuant to the appeal rights described in the City Manager’s letter dated November 17, 2025, I hereby formally appeal the denial of my special event permit application for an event near the Tybee Island pier in April 2026.

First, I want to thank the City, the selection committee, and staff for the time and effort devoted to reviewing my proposal and for the opportunity to present it in person. I understand the City received two applications for similar events on the same weekend and that a competitive scoring process was used.

However, I respectfully disagree with both the evaluation outcome and the stated reasons for denial, and I request that the City reconsider its decision for the reasons summarized below:

1. Reasonable Accommodation of the Event

The letter states that “the proposed event is of such a nature or duration that it cannot be reasonably accommodated in the particular location.” My application included detailed plans covering crowd management, security staffing, EMS coordination, off-site parking and shuttle operations, restrooms, waste and recycling, and time-limited programming designed specifically to make the event manageable at the proposed site.

If staff or the committee believe that any particular element of the plan needs adjustment—such as hours of operation, maximum attendance, security ratios, or the use of off-site parking—I am fully prepared to modify the proposal and accept reasonable conditions. I respectfully submit that the event can be reasonably accommodated with such conditions, and that denial is not the least restrictive option.

2. Public Safety and Health

The letter further states that “it reasonably appears that the proposed event will present a clear and present danger to the public safety or health.” As the trademark owner and organizer of Orange Crush Festival®, my objective is the opposite: to reduce risk to Tybee Island by replacing unregulated activity with a structured, permitted event that is directly coordinated with City officials, law enforcement, and public safety agencies.

My proposal centralizes activity, provides defined security and EMS resources, and incorporates specific mitigation measures based on lessons learned from prior years. I respectfully request clarification regarding what facts or data support the conclusion that my event, as proposed, creates a “clear and present danger,” and whether any less restrictive alternatives—such as conditional approval—were considered.

3. Scoring and Comparative Evaluation

Because the City used a scoring process to compare two similar applications, I request disclosure of:

- the scoring criteria and rubric;
- the composition of the selection committee; and
- my application’s scores in each category as compared to the other applicant.

This information is necessary to ensure that the evaluation was applied fairly, consistently, and based on objective criteria that were disclosed to both applicants.

In light of the above, I respectfully request:

- that this appeal be docketed as timely filed;
- that I be provided with the requested scoring and factual basis for the decision; and

- that the City either (a) grant the permit, or (b) schedule a hearing or meeting where I may present additional information and work collaboratively with staff to address any remaining concerns, including the option of a conditional permit.

As a 100% disabled veteran and the lawful trademark owner of Orange Crush Festival®, my goal is to work in partnership with the City of Tybee Island to create a safe, well-managed event that protects residents, businesses, visitors, and students.

Thank you for your attention to this appeal. I look forward to the opportunity to continue this dialogue.

Respectfully submitted,

George Turner

Owner & Organizer, Orange Crush Festival®

ORANGE CRUSH FESTIVAL® — CONDITIONAL PERMIT OPTION (UPDATED VERSION)

Submitted by: George Turner, Owner & Organizer

Event: Orange Crush Festival® – April 2026

Location: Hotel Tybee

Purpose: Presenting a modified, safer, controlled, and community-supportive structure addressing all concerns raised in the November 17, 2025 denial letter.

1. Attendance Cap & Controlled Entry

To ensure the event is fully manageable at the requested location:

- Attendance capped at ____ attendees (City selects 1,500–3,000).
 - Mandatory QR-coded wristbands.
 - Single controlled entrance + two emergency exits.
-

2. Event Hours (Reduced & Strictly Enforced)

- Event window: 12 PM – 6 PM (or whatever hours the City prefers).
 - Music off at 6 PM.(or whatever hours the City prefers)
 - Site cleared by 8 PM.
-

3. Security, Police Support & Crowd Control

- Minimum 1 licensed guard per 50 attendees.

- Off-duty Tybee Police provided at the City's discretion.
 - Unified Command Post (Fire, EMS, PD, & event staff).
 - Barricades, structured lanes, and monitored perimeters.
-

4. EMS, First Aid & Safety Infrastructure

- 2–3 staffed EMS stations.
 - Certified medical staff & first responders.
 - Weather/emergency plan pre-approved by Tybee officials.
-

5. Traffic, Parking & Shuttle Transportation

- No public parking on Tybee for attendees.
 - Mandatory off-island shuttle system.
 - Continuous shuttle loops with police-coordinated drop/pickup zones.
-

6. Restrooms, Waste & Sustainability

- Portable restroom ratio: 1 per 75 attendees (plus ADA units).
 - additional Recycle bins and trash dumpsters
 - 3 scheduled trash & recycling pickups.
 - Beach restoration volunteer crew in partnership with Savannah State University students.
-

7. Alcohol & Safety Compliance

- No alcohol sales directly by event unless specifically approved.
- Strict ID compliance for any licensed vendor.
- Zero tolerance for contraband.

- Immediate removal protocol for unsafe behavior.
-

8. Vendor Control & Business Support

- All vendors pre-approved by the City and event organizers.
 - Priority vendor slots for Tybee-based businesses.
 - All food vendors must meet health & fire code requirements.
-

9. TYBEE BAR, RESTAURANT & LOCAL BUSINESS PARTNERSHIP PROGRAM

(NEW — Designed to Benefit Tybee Economy Directly)

To support the City's "shop local" initiative and boost Tybee's hospitality revenue, Orange Crush Festival® will implement a coordinated Tybee Business Partnership Network for the day of the event:

A. Official "Shop Tybee First" Program

- Every attendee wristband includes a scan-to-shop local incentive linking to participating Tybee businesses.
- Businesses receive free visibility through Orange Crush digital promotions, website, and social channels.
- Encourages attendees to eat, shop, and drink on the island before and after the event.

B. Bar & Club Cross-Promotion (City-Approved)

Tybee bars, restaurants, and nightlife venues receive:

- Official event integration as recommended stops (City selects which venues).
- Co-branded same-day promotions that encourage festival-goers to patronize Tybee establishments, not bring their own alcohol or gather in unmanaged spaces.
- Walking route maps promoting “Shop Local Before the Event” + “Eat Local After the Event.”

C. Local Business Revenue Guarantees

- Free listing for participating Tybee businesses in the Orange Crush Local Partner Guide pushed to:
 - festival website
 - shuttle announcements
 - social media
 - QR codes on wristbands

D. Crowd Distribution Benefit

By sending attendees to Tybee bars & restaurants before and after the event:

- It reduces crowd clustering
- Supports local economic impact
- Decreases unsupervised congregation
- Moves people toward regulated establishments with licensed security & alcohol controls

This directly addresses public safety and economic goals simultaneously.

10. Transparency & Real-Time Coordination

- Live radio line between event command and City officials.
 - Hourly operational check-ins.
 - Full compliance with any additional terms required.
-

REQUEST FOR CONDITIONAL APPROVAL

This Conditional Permit Option addresses all stated concerns regarding:

- reasonable accommodation
- safety and health
- crowd control
- waste and environmental impact
- traffic congestion
- local business impact
- and community partnership

I respectfully request that the City grant approval for this event under the above conditions, with flexibility for the City of Tybee Island to add any further conditions it deems necessary.

George Turner

Owner & Organizer, Orange Crush Festival®

Special Event Application

Special Event Permit Application

Event Name	ORANGE CRUSH FESTIVAL
Sponsoring Organization	ORANGE CRUSH FESTIVAL TYBEE LLC
Organization Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Responsible Representative	GEORGE TURNER
Contact Phone Number	[REDACTED]
Contact Email Address	[REDACTED]

(Section Break)

Event Details

Event Location	INTERIOR PARKING LOT OF HOTEL TYBEE AND SHORELINE AREA NEAR PIER, NORTH AND SOUTH PIER LOCATIONS
You must upload an Event Site Plan	IMG_0001.png
Event Date	4/18/2026
Event Times	10:00 AM - 10:00 PM
Type of Event Activity	Festival
Event Description	MUSIC, FOOD, CULTURE, EDUCATION & ENTERTAINMENT FESTIVAL HISTORICALLY & LEGALLY KNOWN AS "ORANGE CRUSH FESTIVAL"
Please describe in detail your event and the	Disk Jockeys, music, one stage (Inside hotel parking lot), numerous performers, food trucks, vendors, all located inside of the interior parking lot of hotel Tybee. Hotel Tybee is Host hotel is

activities that will take place

official host hotel. The sand, dunes and shoreline areas will be a sand art exposition hosted by SCAD, showcasing our commitment to education and community involvement, hospitality and development. Sponsored Tents and OC Tents will be for rent and giveaway programs TBA, We are moving the sound stage, DJ,s and concert to only one stage and inside Hotel Tybee interior parking area. Traffic and Parking will flow as most years with the goal of road safety and collaboratively working with city officials for mainly just 2 entry points onto the hotel premises from both the street and shoreline parking lot. These key admission entry points are both entry and exit points. The Beach shoreline in which we are aware of the limited space available due to erosion will be for SCAD arts contest and beach sports and beach games and numerous sponsored and unsponsored 10x10 Tents in a safe and understandable manner. SAFETY, Sustainability, affordability and preservation is key for both organizers and city officials. No sound and stage on the beach only inside hotel tybee interior parking area. We will still do the beach cleanups both in hotel premises and on the Beach Shoreline

Event/Organization Web Address

OrangeCrushFestival.org & OrangeCrushTickets.com

How will the Event be Publicized?

Social media
News
Word of Mouth
Radio
Television
Flyers'
Website

Event Promotional Material

Field not completed.

Is this an Annual Event?

Yes

If yes, number of years?

Field not completed.

If yes, what was last year's total attendance?

1500

Anticipated Total Attendance?

1000

Number of Event Participants	50
Method of Notification of Participants	Online Registration, Tickets and ALL ACCESS PASSES
Is there a participant registration fee?	Yes
Please list any entertainers & music/entertainment details	ENTERTAINMENT SCHEDULES AND LINEUPS TBA
	MULTI GENRES OF LOCAL AND MAINSTREAM ENTERTAINERS TBA
	DJ's & MC's LINEUPS & SCHEDULES TBA
	BEACH GAMES AND BEACH SPORTS SCHEDULES TBA
	SCAD SAND ARTS ENTERTAINMENT DISPLAYS DETAILS TBA
Entertainment Schedule	<i>Field not completed.</i>
Setup Start Date & Time	4/18/2026 8:00 AM
Cleanup/Breakdown Completion Date & Time	4/18/2026 11:00 PM
(Section Break)	
City Services	
(please note that City will determine final requirements regarding requests)	
Street Closure Request?	No
If Yes, list street name(s)	<i>Field not completed.</i>
Closure of Parking Lot for use Request?	Yes
If Yes, select parking lot(s)	Half Lot Adjacent to Tybrisa Street Roundabout up to 17th St
I understand that at least one officer is required for	I agree

a special event at the rate of \$55 per hour with a four hour minimum

Will you request more than one on site Police personnel during the event? Yes

If Yes, how many total officers? 10

Shift Date/Times 4/19/2026 12:00 PM - 4/19/2026 8:00 PM

Are there any requests for on site Fire, EMT or Ocean Rescue personnel during the event? Yes

Event Infrastructure Requests: Barricades, Cones, Portable Lights, Extra Trash Receptacles

Does your event have electrical needs? Yes

Will your event have amusement rides? No

Will alcoholic beverages be served during the event? No

Will there be any tents, stages, or other structures larger than 10ft x 10ft? Yes

Will your event have vendors? Yes

If Yes, approximately how many vendors? 10

Will your event have food trucks? Yes

If Yes, approximately how many food trucks? 5

Are you requesting the City to activate the control zone for this event? Yes

Additional City Permits Vendor, Tent/Canopy, Beach*

*You must make an event banner permit location reservation online. [To make an event banner permit reservation CLICK HERE.](#)

*You must make a beach event permit area reservation online. [To make a beach event permit area reservation CLICK HERE.](#)

Other Permits DNR, County

(Section Break)

Permit Requirements

I understand the permit application fee must be paid I agree

You must upload the COI *Field not completed.*

Do you have additional Event Liability Insurance other than the COI required with the City? No

Upload any additional proof of insurance here *Field not completed.*

Include the name and address of all natural persons or organizations controlling at least five percent stake in the event

Name GEORGE TURNER

Address 

City	██████████
State	██
Zip Code	██████
Indemnification Agreement and Acceptance to Adhere to Application Requirements	I agree
Today's Date	10/18/2025
Is today's date within 6 months of your event date?	Yes
Is today's date at least 60 days prior to your event date?	Yes

APRIL 2026 SPECIAL EVENT APPLICATION PROPOSAL



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special events

INTRODUCTION

The City of Tybee Island requests that event organizers for a proposed event on the beach in April 2026 provide formal presentations of event proposals in conjunction with the required special event application to determine the most qualified individual to serve as the permit applicant granted approval to move forward in the process to obtain an approved permit for an event on Tybee Island each near the pier in April 2026. This document outlines the scope of work required in the event proposal, the presentation evaluation process, and key submission guidelines.

ATTACHMENTS

SUBMISSION REQUIREMENTS

- Application Requirements
- Presentation Requirements
- Questions Concerning Requirements

PRESENTATION CRITERIA

- General Evaluation Criteria
- Selection Committee Score Sheets

SELECTION OF APPROVED APPLICANT

In November 2025, after the completion of application submission and presentations, the City will make a decision on a special event permit applicant whose presentation best meets the needs of the City of Tybee approval to move forward in the process to obtain a special event permit. The presentation criteria provided and subsequent scores will be used to rank proposals.

SCHEDULE OF KEY EVENTS AND KEY DATES

October 18, 2025: application submission window opens electronically
October 20, 2025: application submitted electronically by 5:00pm
October 24, 2025: deadline for questions
October 27-30, 2025: notification of selected presentation date and time
November 2025: applicant presentations
November 2025: awarded applicant announced to begin permit approval process

ADDITIONAL TERMS

- Selection does not guarantee a special event permit nor future special event permits beyond the first approved permit
 - False or misleading information may result in disqualification
 - Submission of an application does not guarantee an approved application and offer to present
 - The City of Tybee Island, may at its sole and absolute discretion, reject any and all or parts of any and all application proposals, waive minor irregularities, or negotiate final terms with any selected applicant
 - The City of Tybee Island is providing this process as an equal opportunity and does not discriminate based on race, religion, gender, disability, age, or other protected status
- The City of Tybee Island reserves the right to amend, withdraw, postpone or cancel this process at any time

SPECIAL EVENT PRESENTATION



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SUBMISSION REQUIREMENTS

APPLICATION REQUIREMENTS

All persons or organizations wishing to obtain a permit to host a special event must first submit a special event permit application. Application submissions must be submitted through the city website online form, www.cityoftybee.org/FormCenter/Special-Events-11/Special-Event-Application-55, which includes all information required by city ordinance.

Application submissions must adhere to the following:

- Do not alter any of the content requested, information provided in form fields must correspond with the field prompt information requested
- Uploaded files do not exceed five (5) pages total
- No additional information will be accepted, any information you wish to provide not included on the online submission form may be included in applicant presentations

If these instructions are not adhered to, your application may be rejected and you will not be given the opportunity to present your event proposal.

PRESENTATION REQUIREMENTS

- Applicants must deliver an oral presentation before the Selection Committee to be considered for approval.
- The Selection Committee will consist of representatives from the City Administration, Public Safety Officials, City Managers and a shared jurisdiction representative.
- This meeting will not be open to the public. Presentations will only be before the Selection Committee with no additional attendees in a closed, internal meeting.

QUESTIONS CONCERNING REQUIREMENTS

All questions must be submitted in writing via e-mail, no later than noon, October 24, 2025, to rrosner@cityoftybee.gov. The number of questions shall be included in the Subject Line of all emails submitted. The City will answer to the question(s) received the following week, October 27 - 30, 2025, prior to notification of the selected presentation date and times.

SPECIAL EVENT PRESENTATION



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GENERAL EVALUATION CRITERIA

- Proposals will be evaluated and scored by the Selection Committee based on the criteria below using a 100 point scale
- The Selection Committee will be provided with evaluation criteria listed on the Selection Committee Score Sheet which is provided in the presentation criteria attachments in this document

CRITERIA

QUALITY OF PRESENTATION & COMPLETENESS OF PROPOSAL

(Weight 20%)

RELEVANT EXPERIENCE & QUALIFICATIONS

(Weight 20%)

PUBLIC SAFETY & SANITATION PREPAREDNESS

(Weight 30%)

EVENT PLANNING APPROACH & UNDERSTANDING OF LOGISTICS

(Weight 30%)

SPECIAL EVENT PRESENTATION SELECTION COMMITTEE SCORES



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Presentation applicant

Selection Committee member

CRITERIA	POSSIBLE POINTS	APPLICANT SCORE
QUALITY OF PRESENTATION <ul style="list-style-type: none"> Responsiveness to city goals and focuses on the city's needs presenting the event's value to stakeholders Overall completeness, clarity, quality, and effectiveness 	20	--
DEMONSTRATED CAPABILITY <ul style="list-style-type: none"> Provides evidence of successful events in the past Demonstrated record of experience and expertise capability of primary lead person(s) and other teams assigned to provide support services to event organizer 	20	--
PUBLIC SAFETY & SANITATION PREPAREDNESS <ul style="list-style-type: none"> Identifies and explains planned collaborative efforts and/or partnerships with other organizations to ensure compliance with the city's safety, security, and liability requirements Waste management & sanitation plan incorporates environmentally sustainable solutions and sustainability practices Demonstrates planned coordination with city staff on logistics of event and creates alignment between all parties involved 	30	--
EVENT PLANNING UNDERSTANDING & APPROACH <ul style="list-style-type: none"> Approach and methodology transforms event concept into an actionable plan demonstrating clear understanding of work to be performed and event requirements, such as sponsor management and vendor support services Outlines a proposed schedule with careful planning establishing well-defined long-term and short-term goals, identifying any critical paths to accomplish realistic execution Overall feasibility of event production 	30	--
COMMENTS :		

Item #1.

SPECIAL EVENT PRESENTATION APPLICANT FINAL SCORE



city of
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Presentation applicant

Steven Smalls

Selection Committee score total

347

SELECTION COMMITTEE MEMBER	QUALITY OF PRESENTATION (1 - 20)	DEMONSTRATED CAPABILITY (1 - 20)	PUBLIC SAFETY & SANITATION PREPAREDNESS (1 - 30)	EVENT PLANNING UNDERSTANDING & APPROACH (1 -30)	TOTAL SCORE (OF 100)
MEMBER 1 OF 5	15	15	20	20	70
MEMBER 2 OF 5	20	15	25	25	85
MEMBER 3 OF 5	14	16	22	22	74
MEMBER 4 OF 5	11	12	14	13	50
MEMBER 5 OF 5	10	18	20	20	68

Item #1.

SPECIAL EVENT PRESENTATION APPLICANT FINAL SCORE



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special events

Presentation applicant

George Turner

Selection Committee score total

240

SELECTION COMMITTEE MEMBER	QUALITY OF PRESENTATION (1 - 20)	DEMONSTRATED CAPABILITY (1 - 20)	PUBLIC SAFETY & SANITATION PREPAREDNESS (1 - 30)	EVENT PLANNING UNDERSTANDING & APPROACH (1 -30)	TOTAL SCORE (OF 100)
MEMBER 1 OF 5	10	05	05	05	25
MEMBER 2 OF 5	20	10	20	20	70
MEMBER 3 OF 5	15	13	14	16	58
MEMBER 4 OF 5	08	07	08	11	34
MEMBER 5 OF 5	10	10	15	18	53

Item #1.

Sec. 54-76. - Action on the application and appeal.

- (a) The city manager must decide to grant or deny an application at the earliest possible time after receipt.
- (b) The city manager may deny a permit only on one or more of the following grounds:
 - (1) The permit application is incomplete; a complete application is one that provides all the information or items required by this article regardless of the sufficiency of the information or item.
 - (2) The application fee has not been paid;
 - (3) The proposed event is unlawful;
 - (4) The application contains a material falsehood or misrepresentation;
 - (5) It reasonably appears that the proposed event will present a clear and present danger to the public safety or health;
 - (6) The proposed event is of such a nature or duration that it cannot be reasonably accommodated in the particular location; or
 - (7) The applicant has refused to attend or participate in good faith in a pre-permit meeting requested by the city manager following reasonable notice and scheduling attempts by the city manager and failed to propose reasonable alternatives.
- (c) The city manager is expressly prohibited from denying any permit based upon the identity of any speaker or entertainer or the viewpoint, content, or type of speech or expression to be displayed so long as such speech or expression is lawful.
- (d) Every denial of a permit shall be in writing and shall clearly explain the reason(s) for denial. A denial of a permit application as "incomplete" must identify the specific information required by this article which was not provided. A denial based upon the unlawfulness of an event must identify the law or regulation prohibiting such conduct. A denial based upon a clear and present danger to the public safety or health must identify the specific conditions which reasonably give rise to the danger. A denial based upon the fact that the proposed event cannot be reasonably accommodated in the particular location applied for must state specific reasons why the area is unsuitable for the event. A denial based upon an applicant's refusal to attend or participate in good faith in a pre-permit meeting, or suggest an alternative, shall identify the steps taken to provide reasonable notice and scheduling of such meeting and, if applicable, any conduct at the meeting demonstrating bad faith participation by the applicant. The purpose of the requirement is to allow the applicant to know the grounds upon which the permit was denied and to permit mayor and council the opportunity to verify and confirm the objective validity of any denial and to ensure that any limited discretion given to the city manager under this article is not abused so as to disfavor protected speech or expression.
- (e) The city manager may condition any permit with reasonable requirements concerning the time, place or manner of holding a special event as is necessary to coordinate municipal services, multiple uses of public property, assure preservation of public property and public places, prevent dangerous, unlawful or impermissible uses, protect the safety of persons and property and to control vehicular and

pedestrian traffic in and around the venue, provided that such requirements are narrowly tailored to address these concerns and are not implemented for the purpose of regulating or restricting protected speech or expressive conduct.

All permit applications shall be deemed granted as applied for if the city manager does not grant, grant with conditions, or deny the permit in writing within 30 calendar days of receiving an application. A permit which is granted automatically under this section is conditioned upon any required city services fee being paid before the permit becomes valid or effective. If an applicant disagrees with the fee required, the provisions of section 54-75(c) shall control. The automatic granting of permits provided in this section shall not apply if:

- (1) The permit application fee has not been paid;
 - (2) The city manager has indicated his intent to deny a permit and the applicant has agreed, in writing, to supply the city manager with additional information which may allow the permit to be granted. In this case, the permit application will be deemed granted if the city manager does not grant, grant with conditions, or deny the permit in writing within ten calendar days of receipt of the additional information, unless the applicant agrees in writing to provide further additional information, which shall renew the terms and timeframes of this paragraph; or
 - (3) The city manager requests additional time to review the application and the request is agreed to in writing by the applicant. In this case, the permit application will be deemed granted if the city manager does not grant, grant with conditions, or deny the permit in writing by the expiration of the agreed date.
- (f) Every denial of a permit and every conditional grant of a permit challenged by an applicant is appealable to the mayor and council by letter filed with the city clerk within three business days after receipt of the denial or proposed conditional grant. The mayor and council shall grant or deny the permit, or uphold or rescind the conditions, based upon information presented by the applicant and the city manager or his designee in a de novo, quasi-judicial hearing held as soon as practicable. The mayor and council's decision, including its reasons therefor, shall be announced at the conclusion of the hearing and entered onto the record thereof which shall constitute the mayor and council's final order in any subsequent proceedings and which may, but shall not be required to, express findings of fact and conclusions of law. The hearing may be continued from time to time in the sole discretion of the mayor and council, provided that if the mayor and council does not render a final order within 15 days after filing of the letter of appeal the permit shall be deemed granted.

(Ord. No. 2017-04-A, § 1, 3-23-2017)