

ORDINANCE NO. 2024-197

WHEREAS, revisions to the special events licensing procedure in the City of Dothan Code of Ordinances are necessary to clarify and enhance the process.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Dothan, Alabama, as follows;

Section 1. That Chapter 18 - Businesses, Article XVIII, Special Events, Section 18-520 through 18-535, is hereby amended and replaced in its entirety as follows:

ARTICLE XVIII. - SPECIAL EVENTS

Sec. 18-520. Definition.

Special Event: An occasion intended to attract a large number of people, whether held on public or private property and includes events that have an admission fee or free admittance to the general public, including but not limited to, festivals, animal shows, contests, races, entertainment shows, art shows, antique shows, craft shows, coin shows, trade shows or other shows of a similar kind or description that occur for a period of ten days or less.

Special Event Sponsor: An individual or organization who is the organizer, operator, manager, facilitator or otherwise party responsible for conducting the event. Sponsors shall be subject to a license tax as stipulated in this chapter.

Special Event Vendor: An individual who is the sole proprietor or employee of a registered business in the City of Dothan selling, offering for sale or agreeing to manufacture or fabricate an item for sale with the responsibility for remitting taxes on items sold at an event. Vendors shall be subject to a license tax as stipulated in this chapter.

Sec. 18-521. Special event location(s), ground(s), and building(s) subject to approval.

Before the issuance of a business license to anyone who seeks to sponsor or participate in a special event or festival, the building(s), ground(s), booth(s), equipment, and accoutrements of said event must meet the City of Dothan Code of Ordinances requirements and successfully complete the license compliance process.

Sec. 18-522. Other permit(s) may be required.

- (a) It shall be the duty of the sponsor of a special event to ascertain from the Dothan Police Department whether an assembly or parade permit is required, and to obtain any required assembly or parade permit pursuant to Section 98-267. If an assembly or parade permit is required, the permit shall be submitted to the business license office as a prerequisite to licensing.

- (b) It shall be the duty of the sponsor of a special event to ascertain from the permitting office whether a tent or building permit is required, and to obtain any required tent or building permit pursuant to Section 14-5. If a tent or building permit is required, the permit shall be submitted to the business license office as a prerequisite to licensing.

Ord. No. 2024-197, amending Chapter 18, Businesses, Article XVIII, continued.

- (c) It shall be the duty of the sponsor of a special event, when said event will occupy a public park, to coordinate with the Leisure Services Department, and to obtain any required approval or permit which shall be submitted to the business license office as a prerequisite to licensing.
- (d) It shall be the duty of the sponsor of a special event to coordinate with the Dothan Fire Department, and to obtain any required approval or permit which shall be submitted to the business license office as a prerequisite to licensing.

Sec. 18-523. Special event sponsorship required.

The sponsor of a special event upon proper application, shall pay a fee of \$100.00, and upon such other conditions as the City Commission may by resolution impose, and be issued a special event business license under which person does not currently hold a valid city business license, A Special Event Sponsor licensee shall submit an application for each event to be conducted whether for-profit or not, for the duration of the public assembly at the permitted public assembly location.

Sec. 18-524. Evidence of liability Insurance required.

A sponsor wishing to hold an event on public property shall provide sufficient proof of commercial general liability insurance as follows:

- (a) Not less than \$1,000,000.00 per occurrence, \$2,000,000.00 aggregate,
- (b) Damage to rented premises (each occurrence) \$500,000.00,
- (c) City is listed as additionally insured.

Sec. 18-525. Duty of sponsor to submit a complete listing of vendors and map prior to the event.

The sponsor shall provide a map of the event boundary, a complete listing of vendors which shall include any person or entity who has paid booth rent or given any form of consideration in return for being allowed to have a booth or to sell, market, or provide amusement during the event. Where multiple vendors will be present for the event, the sponsor shall provide a map indicating the location of each vendor space. Such listing shall be presented with the license application and proof of insurance at least fourteen (14) calendar days prior to the first day of the event in an acceptable computerized format containing, at minimum, the following:

- (a) Company or Vendor name
- (b) Name of owner(s)
- (c) Name of contact person
- (d) Physical address of the business
- (e) Mailing address of the business
- (f) Contact telephone number(s)
- (g) Email Address
- (h) Type of business activity

Vendors not initially listed by the event sponsor may be added prior to the event subject to other requirements listed in Sec.18-526.

Sec. 18-526. Vendor licensing requirements.

- (a) Any persons desiring to sell or market goods or services for profit at a permitted event site, shall prior to such public assembly file with the city business license office:
 - (1) A map depicting the location that the vendor will occupy (from the event sponsor).
 - (2) A fully completed license application on a form provided by the city to include proof that a sales tax number has been issued to the vendor by the Alabama Department of Revenue and Avenu Insights & Analytics.
 - (3) A letter of consent from the holder of the special event license if not included in the vendor listing submitted by the event sponsor.
 - (4) A fully completed Declaration of Citizenship along with supporting documents, or proof of filing of Articles of Organization with the Secretary of State or Judge of Probate.
 - (5) A Food Permit for any food vendor issued by the Houston County Health Department, or other Department of Health.
 - (6) Any Alabama Regulatory License(s) required as a prerequisite to the issuance of an event permit.
 - (7) Proof that all prerequisites to licensing have been satisfied.

- (b) Any persons desiring to sell or market goods and services for nonprofit entity at a permitted event site, shall prior to such public assembly file with the city business license office:
 - (1) A map depicting the location that the vendor will occupy (from the event sponsor).
 - (2) A fully completed vendor license application on a form provided by the city.
 - (3) The 501(c)3 or 501(c)4 letter wherein the IRS has granted the entity nonprofit status.
 - (4) A letter of consent from the holder of the special event license or inclusion in the vendor listing submitted by the event sponsor. Vendors not initially listed by the event sponsor may be added subject to other requirements.
 - (5) A Food Permit for any food vendor issued by the Houston County Health Department, or other Department of Health.
 - (6) Any Alabama Regulatory License(s) required as a prerequisite to the issuance of an event permit.
 - (7) Proof that all prerequisites to licensing have been satisfied.

Sec. 18-527. Applicability and license term.

A license to conduct business is required for a vendor to participate in an event. The license term shall be one calendar year commencing of January 1 and allows the licensee to participate in an unlimited number of events. No person who has any delinquent or past due liability to the city for taxes, fees, interest, penalty, utilities or other charges of any kind shall be issued a permit unless and until all such taxes, fees, interest, penalties, or other charges are paid in full to the city.

Sec. 18-528. License must be displayed.

Each vendor license shall be posted and surrendered for inspection by the city on demand in the manner provided under Section 18-7 of the city's Code of Ordinances with respect to licenses.

Sec. 18-529. License fee.

Each vendor shall pay a license fee of \$50.00 per calendar year. The additional issuance fee is assessed in the total license fee as authorized by Section 18-3 (c).

Sec. 18-530. Applicable times of opening and closing.

For the purposes of this article, any time period less than 24 hours shall constitute a day. "Day" shall include the calendar date of first day that doors or gates open and admission(s) to the event are allowed, and the day that doors or gates close for entry to the event, regardless of the hour of day the event commences or ends.

Sec. 18-531. Special event lengths of time.

The length of time of special events is a minimum of one day and a maximum of ten days unless otherwise authorized by the city manager. Unless specifically authorized by the city manager, events shall conclude by 10 p.m.

Sec. 18-532. Responsibility of each vendor to file sales tax returns.

Any person selling goods, wares, or merchandise for profit at a permitted event shall file with the Alabama Department of Revenue and AVENU Insights and Analytics the sales tax return described in the city's Code of Ordinances and remit all sales taxes due the city with respect to sales of goods by such person during the event on the earlier of: 1) the last day such person offers any goods or services for sale during the event, or 2) the last day of the event as identified in the license authorizing such.

Sec. 18-533. Special events subject to additional requirements by city manager.

In considering any application for a special event license or vendor permit, the city manager shall consider all relevant factors, including any difficulties experienced by the city in the collection of taxes in connection with previous public assemblies under the same or related sponsorship, or with previous public assemblies of a similar type. For reasons deemed sufficient to it, the city manager may deny the issuance of a festival business license to an applicant or may condition such issuance upon the satisfaction of such conditions precedent as he/she may determine, including, without limitation, the posting of a cash or fidelity bond to protect the city against the risk of non-collection of taxes from persons doing business at the public assembly under a special event license.

Sec. 18-534. Vendor license subject to immediate revocation.

In the event that any city revenue officer determines that any person holding a special event business license (sponsor or vendor) is permitting sales of goods or services within the site or sites by persons not reported on the event vendor list, the revenue officer shall afford the event sponsor such notice as is practical under the circumstances and require such person to show cause why such special event license (sponsor or vendor) should not be revoked in its entirety. Upon failure of such licensee after notice to show cause satisfactory to the city manager, the city manager may issue a written revocation of such special event business license and a notice to all persons to whom a vendor permit has been issued under such special event license to cease and desist further sales.

Sec. 18-535. Unlawful to Conduct or Participate in a Special Event without a License.

It shall be unlawful to conduct or participate in a special event as a vendor without a license.

Section 2. That Chapter 18 - Businesses, Article XVIII, Special Events, Section 18-536, is hereby deleted.

Section 3. That the City Clerk of the City of Dothan is hereby ordered and directed to cause this ordinance to be published.

Section 4. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

PASSED, ADOPTED, AND APPROVED ON AUGUST 6, 2024.

ATTEST:

Wendy Shiver
City Clerk

[Signature]
Mayor

[Signature]
Associate Commissioner District 1

[Signature]
Associate Commissioner District 2

[Signature]
Associate Commissioner District 3

[Signature]
Associate Commissioner District 4

[Signature]
Associate Commissioner District 5

[Signature]
Associate Commissioner District 6
BOARD OF CITY COMMISSIONERS

I, Wendy Shiver, do hereby certify that the above ordinance was published in THE DOTHAN EAGLE, a newspaper of general circulation and published in the City of Dothan, Alabama, on August 10, 2024.

Wendy Shiver
Wendy Shiver, City Clerk