



**TOWN COUNCIL MEETING  
TUESDAY, SEPTEMBER 5, 2023, 6:00PM  
ABITA SPRINGS TOWN HALL  
22161 Level St., Abita Springs, LA 70420**

Posted: September 1, 2023 4pm

CALL TO ORDER: Mayor Curtis  
INVOCATION: Alderman Patterson  
PLEDGE OF ALLEGIANCE: Alderman Boudreaux

**MAYOR'S ANNOUNCEMENTS:** 1.) Mayor Greg Cromer

**ROLL CALL:**

Call for Agenda Modifications  
Accept August 1, 2023, Town Council Meeting Minutes  
Accept June 2023 Financial Report

**CHAIRMEN UPDATES**

**OLD BUSINESS:**

1.) NONE

**NEW BUSINESS:**

- 1.) DISCUSSION: Amend the Town of Abita Springs Code of Ordinances, Sec 4-601 et seq Public Amusements
- 2.) DISCUSSION: Licensing of Golf Carts on Town Roadways

**OPEN/ADJOURNMENT:**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE, PLEASE CONTACT US AT (985) 892-0711.  
PLEASE CONTACT TOWN HALL AT THE SAME NUMBER FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA.

Code of Ordinances Part 4 Chapter 6  
Public Amusements

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## **Sec. 4-601. Definitions.**

As used in this chapter, a "*public amusement*" is defined to include any dance hall, amusement park, public swimming pool, circus show, or music festival, as defined in this section:

*Amusement park* shall mean any place commonly known as an amusement park, amusement ground or amusement center where swimming, dancing, games, exhibits, or shows are carried on, conducted or allowed whether an admission fee is charged or not; provided that beer, wine or liquor is not sold, kept, provided or given away in connection with such amusement park;

*Circus show* shall mean all sideshows, circuses, traveling shows, animal shows, traveling carnivals, traveling or moving tent shows, exhibitions, temporary theaters or itinerant playhouses. Excluded from the definition of "circus show" shall be motion picture theaters, playhouses being operated in a permanent structure, or the annual parish fair;

*Dance hall* shall mean any place wherein dances are given, operated, conducted or permitted as a business enterprise, occupation or amusement whether or not music is provided by paid or amateur performers or by pre-recorded means. Excluded from this definition are dances conducted by any nonprofit or charitable organization if the net profit from the dance does not accrue to the private profit of any person or persons;

*Music festivals* shall mean any outdoor festival, carnival, dance or like musical activity, whether or not music is provided by paid or amateur performers or by pre-recorded means, which is of a periodic nature and to which members of the public are admitted for a charge, whether or not the charge is directly or indirectly made.

*Public swimming pool* shall mean a swimming pool to which members of the public are admitted for a charge, whether or not said charge is made directly or indirectly. Excluded from the definition of "public swimming pool" shall be those swimming pools constructed on the business premises of motels, which pools serve exclusively the registered guests of said motel, or swimming pools operated by or for any municipalities or recreation districts;

(Ord. No. 90, § 1, 7-1-75)

## **Sec. 4-602. License required.**

Any person wishing to operate, maintain, or conduct a public amusement as defined in section 4-601 of this Code within the boundaries of the town must first obtain a license to do so. No license shall be issued, however, until all conditions required have been met and fulfilled.

(Ord. No. 90, § 2, 7-1-75)

## **Sec. 4-603. Written application to the town.**

Any person desiring to operate a public amusement shall file a written application, consisting of an original and five copies with the town clerk which shall contain the following facts and information:

- (1) The name, age, residence and mailing address of the person making the application. If the application is made by a partnership, the names and addresses of the partners must appear. Where the applicant is a corporation, the application must be signed by the president, vice president, and secretary thereof, must contain the addresses of the corporate officers, and a certified copy of the articles of incorporation shall be submitted with the application;
- (2) A statement of the kind, character, or type of public amusement, as defined in section 4-601 of this Code, which the applicant proposes to conduct, operate or carry on;

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- (3) The address or legal description of the place or premises where the proposed public amusement is to be conducted, operated or carried on. Additionally, the applicant must submit proof of ownership of the place where the public amusement is to be conducted or a statement signed by the owner of the premises indicating his consent to the site being used for the proposed amusement;
  - (4) The number of days for which the license is sought. A license granted pursuant to this chapter authorizes the conduct of a public amusement for a maximum of 365 days and must thereafter be renewed;
  - (5) An estimate of the number of customers, spectators, participants and other persons expected to attend the public amusement for each day it is conducted.

(Ord. No. 90, § 3, 7-1-75)

#### **Sec. 4-604. Filing fees.**

The town clerk shall collect from the applicant a filing fee in an amount to be established by resolution by the Board of Aldermen of the Town of Abita Springs, which shall be nonrefundable.

(Ord. No. 391, 9-20-2011)

#### **Sec. 4-605. Transmittal of application; hearing; issuance of license.**

- (a) Upon receipt of the application, the town clerk shall file the original application and distribute one copy thereof to the police chief, the parish health officer, the director of the department of public works, the town attorney, the district attorney, and the mayor and board of aldermen.
- (b) The town clerk shall set the matter for public hearing at a regular meeting of the town which shall be not later than 60 days from the date of the filing of the application. Ten days' written notice of the date of such hearing shall be given to the applicant and to the town's departments receiving a copy of the application.
- (c) The board of aldermen, based upon the reports of the interested town departments, the testimony of witnesses and evidence presented at the hearing, shall grant the application, deny the application, or set conditions which must be met before a license may be granted.
- (d) Where conditions are imposed pertaining to section 4-612 of this Code, the clerk must certify to the mayor that all conditions have been met before a license may be issued. The clerk shall require written notice from all departments charged with responsibility under section 4-612 of this Code that conditions have been met before issuing the certification.
- (e) When the clerk certifies that conditions have been met, the mayor shall immediately issue a license specifying the name and number of days' operation authorized. The licensee shall keep the license posted in a conspicuous place upon the premises at which the public amusement is conducted.

(Ord. No. 90, § 5, 7-1-75)

#### **Sec. 4-606. Grounds for denial of license; notice.**

After holding the required public hearing, the clerk may deny issuance of a license if it finds any of the following:

- (1) That the applicant fails to meet the conditions imposed in this chapter;

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- (2) That the proposed public amusement will be conducted in a manner or location not meeting the health or safety standards established by the ordinances or law of the town, parish or state;
  - (3) That the applicant has knowingly made a false, misleading or fraudulent statement of material fact in the application for license, or in any other document required by this chapter;
  - (4) That the applicant, his employee, agent, or any person connected or associated with the applicant as partner, director, officer, stockholder, associate, or manager, has previously conducted the type of public amusement being applied for which resulted in the creation of a public or private nuisance;
  - (5) That the applicant, his employee, agent or any person associated with the applicant as partner, director, officer, stockholder, associate, or manager has been convicted in a court of competent jurisdiction, by final judgment of:
    - a. An offense involving the presentation, exhibition, or performance of an obscene production, motion picture or play; or of selling obscene matter;
    - b. An offense involving lewd conduct;
    - c. An offense involving the use of force and violence upon the person of another; or
    - d. An offense involving misconduct with children.

Where the application is denied, the clerk shall mail to the applicant written notice of denial within 14 days of the action, which notice shall include a statement of the reasons the application was denied.

(Ord. No. 90, § 6, 7-1-75)

#### **Sec. 4-607. License fees.**

The license fees for operating a public amusement are fixed as follows:

- (1) *Dance hall*: The sum of \$100.00 per year, payable in four equal quarterly installments in advance at the rate of \$25.00 per quarter;
- (2) *Amusement park*: The sum of \$100.00 per year, payable in four equal quarterly installments in advance at the rate of \$25.00 per quarter;
- (3) *Public swimming pool*: The sum of \$25.00 per year, payable in four quarterly installments in advance at the rate of \$6.25 per quarter;
- (4) *Circus show*: The sum of \$2,400.00 per year, payable in four equal quarterly installments in advance at the rate of \$600.00 per quarter; provided, however, that a license may be issued on a daily basis, a fee for which is hereby set at \$50.00 per day of operation;
- (5) *Music festival*: The sum of \$4,800.00 per year, payable in four equal quarterly installments in advance at the rate of \$1,200.00 per quarter; provided, however, that a license may be issued on a daily basis, a fee for which is hereby set at \$100.00 per day of operation.

A neighborhood or community benefit organization, organized for charitable or religious purposes, shall be exempt from paying the license fee provided for in this section if the net proceeds from any such activity do not accrue to the benefit of any private person or persons.

(Ord. No. 90, § 7, 7-1-75)

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### **Sec. 4-608. Renewal of license.**

A license may be renewed upon the same terms, conditions and pursuant to the same procedures required in this chapter for the issuance of a license.

(Ord. No. 90, § 8, 7-1-75)

### **Sec. 4-609. Revocation of license.**

The town clerk shall have the power to revoke any license, or to revoke and reinstate any license upon suitable conditions, when the following causes exist:

- (1) The licensee fails, neglects or refuses to pay the tax collector the fees prescribed by sections 4-604 or 4-607 of this Code;
- (2) The licensee, his employee or agent, fails, neglects or refuses to fulfill any or all of the conditions imposed with reference to this chapter;
- (3) The public amusement violates any law or regulation established by the ordinances or laws of the town, parish or the state;
- (4) The licensee allows the public amusement to be conducted in a disorderly manner or knowingly allows any person to remain on the premises of the public amusement while under the influence of intoxicating liquor, or any narcotic or dangerous drug; or
- (5) The licensee, his employee or agent, is convicted of any of the offenses enumerated under section 4-606 of this Code.

(Ord. No. 90, § 9, 7-1-75)

### **Sec. 4-611. Notice of intent to revoke; hearing.**

Notice of intent to revoke any license shall be given and the licensee shall be entitled to a hearing. The clerk of the town shall give notice, setting forth the causes for revocation and shall state the time and place at which the matter of revocation shall be heard before the mayor and the board of aldermen of the town. The notice shall be mailed to the licensee at the address listed on his application and license not later than ten days prior to the date set for hearing. The town shall hear all interested parties and may revoke a license only for one or more causes enumerated by section 4-609 of this Code.

(Ord. No. 90, § 11, 7-1-75)

### **Sec. 4-612. Conditions.**

- (a) At the hearing required under section 4-605 of this Code, the town may establish conditions which must be met prior to the issuance of any license under this chapter; except that the board of aldermen may take a matter under submission before determining which conditions shall be imposed. Where the board takes a matter under submission, written notice of any conditions imposed as prerequisite to the issuance of a license must be mailed to the applicant within 15 days of the original hearing.
- (b) The conditions which may be imposed by the town regarding the town's general police power for the protection of health, safety and property of local residents and persons attending public amusements in the town are as follows:

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(Supp. No. 6)

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(1) *Police protection:*

- a. Every licensee shall employ at his own expense at least one private patrol officer or guard, approved by the police chief of the town, whose duty shall be the preservation of order and protection of property in and around the place of public amusement;
- b. In the case of public amusements expected to attract large numbers of persons, provision for additional private patrol officers and security guards shall be required. One patrol officer or security guard for every 300 persons expected to be in attendance shall be required;
- c. Private patrol officers may be required to be licensed and to be in attendance, wearing uniforms, at all times the public amusement is in operation. Where the police chief authorizes the employment of off-duty town police officers to meet the requirements of this section, the police officers shall be under the direction and control of the police chief of the town. The chief of police must be satisfied that the requisite number of private patrol officers or guards will be provided at all times of operation, before a license is issued. Submittal by the applicant of a written agreement between the applicant and a licensed private patrol agency may be required.

(2) *Water facilities:*

- a. Every licensee shall provide an ample supply of water for drinking and sanitation purposes on the premises of the public amusement. Quality and quantity of water and location of facilities must be approved by the parish health officer prior to the issuance of a license;
- b. In case of outdoor public amusements, a supply of ten gallons of water for each person expected to be in attendance may be required. All water shall meet U.S. Public Health Service standards. Public or private lavatories and drinking facilities may be required. Drainage and sewerage systems relating to such facilities shall be adequate to the satisfaction of the parish health officer and shall be subject to his prior approval.

(3) *Food concessions:* In the case of public amusements proposed to be held in areas located a substantial distance from markets, restaurants or like eating establishments, applicant may be required to demonstrate that food will be available at the premises for each day of operation to adequately feed the number of persons expected to be in attendance. Concessionaires must be licensed pursuant to local regulation and state laws. Quality and quantity of food and location of concessions must be approved by the parish health officer prior to the issuance of any license;

(4) *Sanitation facilities:*

- a. Every licensee must provide at least one closed toilet facility marked "MEN" and one such facility marked "WOMEN" on the premises of a public amusement. If large crowds are expected, a toilet for each 40 males and for each 40 females expected to be in attendance may be required.
- b. Where flush-type toilets cannot be made available, the board may consent to the use of portable chemical toilets. The chemical toilets must meet the approval of the parish health officer before any license may be issued. Chemical toilets must be emptied at licensee's expense as necessary and according to procedures established by the parish health officer.
- c. Every licensee shall be required to furnish at least one trash can with 32 gallons capacity for every 25 persons expected to be in attendance. Proof that the requisite quantity of trash and refuse receptacles will be available must be made to the parish health officer.
- d. Trash and refuse shall be emptied at licensee's expense as necessary and pursuant to procedures established by the parish health officer.

(5) *Medical facilities:*

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- a. Where a proposed public amusement is expected to attract large numbers of persons and is planned for a site which is located a substantial distance from existing medical treatment facilities, the applicant may be required to provide emergency medical treatment facilities on the premises of the public amusement. The location of the facilities, number of doctors, psychiatrists, psychologists, nurses or other aides needed to staff the facilities and the quantity of medical supplies, drugs, ambulances and other equipment that must be on the site, must be approved by the parish health officer prior to the issuance of any license under this chapter;
  - b. The parish health officer shall calculate the need for medical services, based on the number of persons expected to attend a public amusement, their expected age group, the duration of events planned and the possibility of exposure to inclement weather and outdoor elements.
- (6) *Parking areas:*
- a. Persons desiring to operate or conduct public amusements may be called upon to provide a separate parking space for every two persons expected to attend the public amusement by motor vehicle. The individual parking spaces shall be clearly marked and shall be not less than nine feet wide and 20 feet long.
  - b. The town must approve an applicant's "parking plan" before a license shall be issued.
- (7) *Access and parking control:*
- a. Every licensee shall provide adequate entrance and exit to the public amusement premises and parking areas therefore. Necessary roads, driveways and entranceways shall exist to insure orderly flow of traffic into the premises from a highway or road which is a part of the parish system of highways or which is a highway maintained by the state. The police chief of the town must approve the licensee's plan for entrance and exit before a license shall be issued.
  - b. The applicant may be required to show that traffic guards are under his employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the public amusement area.
- (8) *Hours of operation:* All public amusements which are subject to license under this chapter shall close and cease operation continuously between the hours of 10:00 p.m. and 6:00 a.m. of each and every day.
- (9) *Illumination:*
- a. Every licensee planning to conduct a public amusement after dark, or planning to allow persons who attend the public amusement to remain on the premises after dark, shall provide electrical illumination to insure that those areas which are occupied are lighted at all times. The board of aldermen and the mayor must approve an applicant's lighting plan as a prerequisite to issuance of the license.
  - b. A licensee may be required to illuminate specific areas on the premises in accordance with the following scale of lighting intensity:
    - Open areas reserved for spectations:* 5 to 10 foot candles;
    - Town areas:* 75 to 100 foot candles;
    - Parking and overnight areas:* 1 to 5 foot candles;
    - Restrooms and concession areas:* 20 to 50 foot candles.
- (10) *Overnight camping facilities:* Every licensee authorized to allow persons who attend the public amusement to remain on the premises overnight shall provide camping facilities and overnight areas. Such areas and facilities must be approved by the parish health officer and the town prior to the issuance of any license.



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(11) *Bonds:*

- a. Any licensee may be called upon to post an indemnity bond, a performance bond or certificate of insurance in favor of the town in connection with the operation of a public amusement. Bonds required by this section must be approved by the town board prior to issuance of a license.
- b. An applicant may be required to submit a surety bond or certificate of insurance written by a company authorized to do business in the state by the Department of Insurance in an amount determined by the town. The bond or insurance shall indemnify the town or pay on its behalf, and protect the town, its agents, officers, servants, or employees, against any and all loss, injury or damage of any nature whatsoever arising out of, or in any way connected with the public amusement and shall indemnify against loss, injury, damage to both person and property.
- c. An applicant may be required to provide a corporate surety bond written by a corporate bonding company, authorized to do business in the state, indemnifying the town and the owners of property adjoining the public amusement site for any costs necessitated for cleaning up or removing debris, trash, or other waste from, in, and around the premises. The bond shall be in an amount determined by the town.

- (12) *Miscellaneous:* An applicant may be required to meet any other condition prior to receiving a license to conduct a public amusement which is reasonably calculated as necessary to protect the health, welfare and property of local residents and persons attending a public amusement.

(Ord. No. 90, § 12, 7-1-75)

**Sec. 4-613. Violations and penalty.**

- (a) It shall be unlawful for any person, partnership, corporation, or unincorporated association, acting alone or in concert with any of the foregoing, to do any of the following:
- (1) Operate a public amusement without first procuring a license to do so;
  - (2) Advertise, or otherwise publicly announce, that a public amusement will be held in the town without a license first having been received for the conduct of the public amusement;
  - (3) Provide entertainment at a public amusement, whether or not compensation is paid for the performance of said entertainment, with the knowledge that a license has not been obtained;
  - (4) Operate, conduct or carry on any public amusement in such a manner as to create a public or private nuisance; or
  - (5) Exhibit, show or conduct within a place of public amusement any obscene, indecent, vulgar or lewd exhibition, show, play, entertainment or exhibit, no matter by what name designated.
- (b) The town may, upon conviction, fine or imprison any person, partnership, corporation or unincorporated association for any violation of this chapter. The fine shall be as established in section 1-108.

(Ord. No. 90, § 13, 7-1-75; Ord. No. 392, 9-20-2011)

**Secs. 4-614—4-700. Reserved.**

# Mandeville Application and Guidelines

Reference - Sample



## SPECIAL EVENTS GUIDELINES

1. All persons or organizations applying for a Special Events Permit are required to submit a fully completed Special Events Application at least 90 days prior to the event date. The applicant must complete, **SIGN** and **DATE** the application, which obligates the applicant to abide by the provisions of the signed agreement and Guidelines. Please email completed application to [acasborne@cityofmandeville.com](mailto:acasborne@cityofmandeville.com).
2. A \$25 application fee is required at the time the Special Events Application is submitted.
3. To arrange for street closures or traffic control, the applicant is to contact the Mandeville Police Department at (985) 626-9711.
4. If alcoholic beverages will be sold or served, City recommendation for approval and State Special Events Alcohol Permits are required by the applicant and/or vendor. City Alcohol Form and Schedule A must be completed. A letter of recommendation will be provided, after Council approval, to be included with the applicant's ATC Special Event Application. ATC will not approve an application without the recommendation letter from the City. ATC Liquor Application can be found at <http://www.atc.rev.state.la.us/special-event.php>.
5. A site plan must be included with the application. The layout must include a detailed illustration of the precise location of stages, tents, power and water sources, food vendors, retail vendors, alcohol sales, and portable toilets. Run/Walk events also require a detailed map indicating the route to be taken, where safety personnel will be stationed, and the location of temporary traffic control (if applicable).
6. The applicant is solely responsible for clean-up and removal of trash and debris from the event site and surroundings. The site is to be returned to its original condition within 48 hours following the event. The applicant/organizer will be subject to fines for failure to comply.
7. If portable toilets will be provided by the applicant, a copy of the contract with the vendor specifying in writing that the portable toilets are to be removed from the site by no later than the next business day following the event. Failure to comply will result in fines to the contractor or the applicant/organizer. A copy of the contract with the vendor is to be included as part of the application.
8. If tent/tents will be used as part of the event, a copy of the contract specifying set-up and removal dates of the tents is to be included as part of the application.
9. For Festivals or Fairs with amusement rides, the applicant must register with the State of Louisiana Department of Public Safety and Corrections, Public Safety Services, and provide proof of inspection for all amusement rides. A copy of the certification is to be included with the application.
10. When cooking is performed at booths or tents using propane cookers or other forms of open flame, the Fire Department requires that there is one 5# ABC Fire Extinguisher located at each cooking station. No charcoal grills are allowed.
11. Before posting or placing any signs on public property, please contact the Permits Department at Mandeville City Hall (3101 East Causeway Approach) or call (985) 626-3144.

**NOTE:** All of the required attachments are to be included with the application when it is submitted. The application is not considered to be complete until all of the attachments (application fee, drawings of site plans and walk/run routes, copies of contracts, tax-exempt and non-profit certifications, etc.) have been received.



Mayor Clay Madden

## SPECIAL EVENT PERMIT APPLICATION

Name of Organization or Group \_\_\_\_\_  
 Name of Authorized Representative \_\_\_\_\_ Non-Profit/Tax-Exempt # \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Applicant Phone # \_\_\_\_\_ Alt. Phone # \_\_\_\_\_  
 E-Mail \_\_\_\_\_ Application Fee Paid? \_\_\_ YES \_\_\_ NO

Name of Event: \_\_\_\_\_  
 Date(s) of Event: Day \_\_\_\_\_ Date \_\_\_ / \_\_\_ / \_\_\_ Time \_\_\_\_\_ Rain Dates(s) \_\_\_\_\_  
 Event Location: \_\_\_\_\_  
 Type of Event:  New  Recurring  
 Fundraiser  Concert  Race/Run/Walk  Parade  Wedding  
 Festival, Carnival or Market  Other: \_\_\_\_\_  
 Description/Purpose of Event \_\_\_\_\_ Estimated Attendance \_\_\_\_\_

**EVENT DETAILS - Check all that apply:**

1	Are patron admission, entry or participant fees charged?	<input type="radio"/> Yes	<input type="radio"/> No
2	Is the event open to the public?	<input type="radio"/> Yes	<input type="radio"/> No
3	Are Street Closures Requested? If yes, please contact Mandeville Police Dept.	<input type="radio"/> Yes	<input type="radio"/> No
4	Will you require barricades for the event?	<input type="radio"/> Yes	<input type="radio"/> No
5	Are you requesting that Police be present during the event?	<input type="radio"/> Yes	<input type="radio"/> No
6	If you answered YES, to number 5, how many officers are you requesting		
7	If you are requesting Police, will they need to direct traffic?	<input type="radio"/> Yes	<input type="radio"/> No
8	Will alcohol be consumed, distributed, or sold at this event?	<input type="radio"/> Yes	<input type="radio"/> No
9	Will food be distributed, prepared or sold at this event?	<input type="radio"/> Yes	<input type="radio"/> No
10	Will there be canopies or tents?	<input type="radio"/> Yes	<input type="radio"/> No
11	Will there be vendor booths? Merchandise or product sales?	<input type="radio"/> Yes	<input type="radio"/> No
12	Are you planning to have inflatable attractions, games or rides?	<input type="radio"/> Yes	<input type="radio"/> No
13	Will there be bleachers, stages, fencing or other structures?	<input type="radio"/> Yes	<input type="radio"/> No



14	Do you plan to provide portable toilets? * See Guidelines*	<input type="radio"/> Yes	<input type="radio"/> No
15	Will there be security staff?	<input type="radio"/> Yes	<input type="radio"/> No
16	Are you planning to have amplified sound?	<input type="radio"/> Yes	<input type="radio"/> No
17	Will you need access to power or water? (please circle)	<input type="radio"/> Yes	<input type="radio"/> No
18	Will there be any signs, banners, decorations, or special lighting?	<input type="radio"/> Yes	<input type="radio"/> No

1. If "Yes" is checked for any of the Event Detail questions, please refer to the Special Events Guidelines for instructions.
2. If police presence is required, contact Mandeville Police Department at (985) 626-9711 to reserve a Police Detail.
3. If alcohol is being served, please complete the City Liquor License Application and Appendix A to include with the application. The City permit is required to apply for the State permit.
4. A Site Plan MUST be included with the application illustrating a detailed layout of the event, showing the precise location of stages, tents, power, food vendors, alcohol sales, portable toilets, etc. Run/Walk events also require a detailed map indicating the route to be taken, where safety personnel will be stationed, and the location of temporary traffic control personnel (if applicable).

## INSURANCE/INDEMNITY

The City of Mandeville requires a minimum \$1,000,000 liability insurance certificate with an insurer that is acceptable to the City of Mandeville, with an AA-@ or better rating, authorized to do business in the State of Louisiana, and naming the City of Mandeville as an additional insured. A copy of the Insurance Certificate is to be included as an attachment to this application. The Insurance Certificate must be submitted to the City Clerk no later than 30-days prior to the event in order for the Special Events Permit to be issued.

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The Mayor of Mandeville has the right to revoke any permit application or permit. The applicant shall comply with all permit directions and conditions, and with applicable laws and ordinances. The event organizer or other authorized representative heading such activity shall carry the permit upon his person during the conduction of the event.

The undersigned applicant, by signature below, shall hold harmless the City of Mandeville, its officers, agents, and employees and shall indemnify and, if requested, defend the City, its officers, agents, and employees for any claim or injury to property or persons that may arise as a result of any activity which may arise from operations under or in connection with the permit.

The undersigned has read and submitted the completed application, including all required attachments and documentation. The applicant or applicant's representative has read the Special Events Guidelines and agrees to comply with the terms and conditions as defined therein. Failure to comply with these terms and conditions is subject to fines and penalties as set forth by City Ordinance.

Signed By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Organization Represented: \_\_\_\_\_

Office Held \_\_\_\_\_ Date \_\_\_\_\_

Please email completed application to [acasborne@cityofmandeville.com](mailto:acasborne@cityofmandeville.com).

**Thoroughly read the information outlined in the Special Events Guidelines and throughout this Application.**

An ordinance to amend Part 5 Chapter 2 Traffic Regulations

WHEREAS, pursuant to state law (LA. R.S. 32:299.4) the operation of golf carts upon public roads and streets is prohibited except when the relevant governing authority has designated streets for the operation of qualified cards; and

WHEREAS, the Board of Alderman desires to authorize, under specific conditions, the operation of golf carts upon certain town roads and streets.

NOW THEREFORE, BE IT ORDAINED by the Board of Alderman that it does hereby amend the town's Code as follows:

Golf Cart- Definitions.

A *golf cart* means an electric four-wheeled vehicle originally intended for use off-road on golf courses and other green spaces whose maximum speed is twenty-five miles per hour. The term *golf cart* shall not include lawn mowers, tractors, four-wheelers, ATVs, go-carts, or other motor propelled carts.

A reflective triangle is a "slow moving vehicle: sign that is mounted to the rear of the golf cart and is clearly visible at all times. The reflective triangle must be a minimum of 12 inches by 12 inches.

Section 5-209 of Part 5 Chapter 2 of the Code, previously reserved, is added to read:

The operation of any golf cart with the following minimum and functioning motor vehicle safety equipment; a seatbelt for each passenger, efficient brakes (including a parking brake), horn, reliable steering apparatus, safe tires, rear view mirror, red reflectorized warning devices in both the front and rear of the vehicle (to include a reflective triangle on the back of the golf cart), front and rear turn signal lamps, tail lamps, brake lamps, headlamps, and vehicle identification number or serial number; and

The golf cart is being operated by a person with a valid driver's license; and

The golf cart operator is covered by a policy of liability insurance, with respect to the golf cart, with at least the minimum amounts as required by the provisions of La. R.S. 32:900(B); and

The golf cart is registered with the state of Louisiana through the Department of Public Safety and Corrections, office of motor vehicles, as an off-road vehicle and displays the requisite decal issued by the office of motor vehicles; and

The golf cart is registered with the town and displays the requisite decal issued by the Town of Abita Springs or its designed; and

The golf cart may only be operated on a public road or street with a speed limit of twenty-five (25) miles per hour or less.

Occupants of the golf car are seated and buckled, the number of passengers in the golf cart does not exceed the amount for which the golf cart is designed, an no passenger is riding on the lap of any other passenger.

Section 5-210 of Part 5 Chapter 2 of the Code, previously reserved, is added to read:

Prior to initial registration of a golf car with the town, the cart must pass inspection by the Town of Abita Springs or its designee.

Registrations shall be issued on a biennial basis from, at the earliest, July 1 of an odd-numbered year through June 30 of the next odd-numbered year, except that the first registration period for those registering on or before July 1, 2023, shall be the date of registration through June 30, 2025, and any renewal registration may be obtained up to sixty (60) days prior to expiration of the then current registration.

A biennial registration fee of \$100.00 shall be payable at the time of registration and for each renewal period thereafter. Registrations obtained for a registration period for which there is less than one (1) year remaining in the biennial period may be obtained for \$50.00

Registrations are non-transferable and non-assignable. Any new golf cart owner must obtain his or her own city registration if he or she intends to operate the golf cart on public roads or streets within the town.

The town may refuse to issue a town registration for a golf cart, or it may revoke a previously issued registration, if the golf cart or the owner of same is involved in two or more violations of the golf-cart related provisions of this article within a one-year period. Said denial or revocation shall be effective for up to one year.

The Town of Abita Springs administration may develop, implement, and update, from time to time as may be necessary, forms and processes to carry out the provisions of this section and may set the implementation date for the first registration period. The Town of Abita Springs administration may also designate the location on the golf cart on which a registration decal must be displayed.

Section 5-211 of Part 5 Chapter 2 of the Code, previously reserved, is added to read:

Golf carts may only be parked in the same manner and at the same places designated for parking of motor vehicles or in parking spaces specifically designated for golf carts.

Operators of golf carts shall be subject to the provisions of La. R.S. 32:2999.4, as amended, and the rules and regulations for golf carts promulgated by the Louisiana Department of Public Safety and Corrections.

Operators of golf carts shall be subject to all traffic, open container, and alcohol and drug laws of the city and the state of Louisiana to the same extent as an operator of any other vehicle on the roads and streets of the town.

The public roads and streets of the town do not include town sidewalks, parks, or trails. Golf carts are not allowed to be operated on public sidewalks, parks, or trails in the town.

License, insurance, and registration information must be in immediate possession of the operator of the golf cart.

Any person who operates, or rides upon, a golf cart within the town assumes the risk of such activity. The regulation by the town of the golf cart operations on town roads and streets, as set forth in the preceding sections is not a determination by the town that any such operations are safe or advisable. The town has no liability and assumes no liability, under any theory, for permitting golf carts, in conformity with state law, to be operated on its public roads and streets.

## RS 32:299.4

§299.4. Golf carts; safety equipment requirements; exemptions; registration

A. "Golf cart" means an electric four-wheeled vehicle originally intended for use off-road on golf courses and other green spaces whose maximum speed is twenty-five miles per hour.

B. The operation of a golf cart upon the public roads or streets of this state is prohibited, except as otherwise provided in this Subsection:

(1) A golf cart may be operated only upon a parish road that has been designated by a parish or a municipal street that has been designated by a municipality for use by a golf cart. Upon a designation that a golf cart may be operated on a designated road or street, the responsible governmental entity shall post appropriate signage indicating that such operation is authorized.

(2) A golf cart may be used to cross a part of a state highway where a golf course is constructed on both sides of the state highway if the Department of Transportation and Development has issued a permit for the crossing.

C. A golf cart operated on a parish road or municipal street shall be equipped with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear of the vehicle. Such golf cart shall also be equipped with headlamps, front and rear turn signal lamps, tail lamps, and brake lamps.

D. Any golf cart operated upon a parish road or municipal street shall be registered with the state of Louisiana through the Department of Public Safety and Corrections, office of motor vehicles, as an off-road vehicle and shall display a decal issued by the office of motor vehicles.

E. No person shall operate a golf cart upon a parish road or municipal street without a valid driver's license.

F. Any golf cart operated upon a parish road or municipal street shall have liability insurance with the same minimum limits as required by the provisions of R.S. 32:900(B).

G.(1) A parish or municipal government may enact an ordinance relating to golf cart operation and require equipment which is more extensive than those enumerated in this Section. Upon enactment of such ordinance, the parish or municipal government shall post appropriate signage or otherwise inform residents that such an ordinance exists and that it will be enforced within the parish or municipal government's jurisdictional territory.

(2) Notwithstanding any provision of law to the contrary, any parish or municipal ordinance that was in effect prior to January 1, 2015, shall be exempt from the requirements of this Section.

(3) Nothing contained in this Section shall be construed to prohibit parish or municipal governments from prohibiting the operation of any golf cart on any parish road or municipal street under its jurisdiction if such parish or municipal government determines that such prohibition is necessary for the safety of the motoring public.

H. The Department of Public Safety and Corrections, public safety services, shall promulgate rules and regulations in accordance with the Administrative Procedure Act, subject to oversight by the House and Senate committees on transportation, highways and public works, as necessary to implement the provisions of this Section. Such rules and regulations shall become effective no later than January 15, 2016.

Acts 2015, No. 308, §1.