

REVISED 8/6/2020

**AGENDA
REGULAR MEETING OF THE MAYOR AND COUNCIL
August 11, 2020
SEAFORD CITY HALL - 414 HIGH STREET**

The meeting will be streamed via live feed.

To view a live meeting visit one of the links below:

- On our website: www.seafordde.com/meetinglivefeed
- On Facebook: www.Facebook.com/cityofseaford
- On YouTube: <https://www.youtube.com/channel/UCmTD6-NSvIMLwLSg3FUCzIA>

To view this meeting agenda and supporting documentation visit our website:

www.seafordde.com/meetings_and_agendas

Comments and questions may be mailed to:

Councilinfo@seafordde.com

- 7:00 P.M.** – Mayor David Genshaw calls the Regular Meeting to order.
- Invocation
 - Pledge of Allegiance to the Flag of the United States of America.
 - Changes to agenda for this meeting.
 - Approval of minutes of the regular meeting on July 28, 2020.

ALL ITEMS ON THIS AGENDA MAY OR MAY NOT BE VOTED ON.

CORRESPONDENCE:

- 1.

NEW BUSINESS:

1. City Clerk Tracy Torbert to present information regarding the voter registration process.
2. Present for a first reading, an ordinance to amend Chapter 8, of the Municipal Code of Seaford regarding Special Events in the City.
3. Chief of Police Marshal Craft to present a grant funding requests to be made for the FY2020 Edward Byrne Memorial

AGENDA

REGULAR MEETING OF THE MAYOR AND COUNCIL

August 11, 2020

Justice Assistance Grant (JAG) in the amount of \$11,390 to purchase computers and monitors, a projector, ASP training bag and batons, riot helmets and uniform shirts.

OLD BUSINESS:

1.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. Seaford Police Department Awards Ceremony at the Seaford Police Department, August 13, 2020 at 12:00 p.m.
2. Employee Appreciation and Awards Dinner, August 21, 2020 at Vanderwende Acres starting at 6:00 p.m.

LIAISON REPORTS:

1. Police & Fire - Councilman Dan Henderson
2. Administration - Councilman Jose Santos
3. Code, Parks and Recreation - Councilman Orlando Holland
4. Public Works & WWTF - Councilman James King
5. Electric - Councilman Matt MacCoy

Mayor Genshaw solicits a motion to adjourn the regular Council meeting.

NOTE: Agenda shall be subject to change to include or delete additional items (including executive session) which arise at the time of the meeting. (29 Del. C. S1004 (e) (3))

Date Posted: 8/6/2020

Posted by: TNT

C-1
8/11/2020

C. Anderson

From: Seaford Electric
Sent: Friday, August 7, 2020 9:23 AM
To: C. Anderson; Trisha Newcomer; mmaccoy@seafordde.com
Subject: Fwd: City of Dover Assistance

All

Here is the email I received from Dover this morning thanking us for sending our people up to help them out.

Bill

Sent from my iPhone

Begin forwarded message:

From: "Waddell, Paul" <pwaddell@dover.de.us>
Date: August 7, 2020 at 8:55:33 AM EDT
Subject: City of Dover Assistance

I can't express our gratitude to you and your crews for the assistance given to us in Dover. Tropical Storm Isaias gave us a wallop that left what we estimate to be a third of our service area out of power. Your crews arrived and fell right into the recovery efforts and their work was vital to our efforts. I am happy to report that as of this morning we are completely restored with the exception of those services with underlying problems. Please pass on the Electric Department's and the City of Dover's thanks to your crews and a special thanks to you for being willing to support us. The next time you need assistance please reach out to us and we will make every effort to return the favor.

Paul Waddell

Engineering Services & System Operations Superintendent
City of Dover Electric Department
860 Buttner Place
Dover, DE 19904
Phone: 302-674-7568
Fax: 302-736-7081

NB# Z

8-11-2020

ORDINANCE #2020-02

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend Chapter 8, of the Municipal Code of Seaford, Delaware relating to "Special Event Permits", in the manner following, to wit:

Chapter 8, of the Municipal Code of Seaford, Delaware is hereby amended by striking the existing language in its entirety and adding the new language as shown on the following pages.

08/11/2020	Date of First Reading
	Date of Second Reading & Adoption
	Date of Advertisement
	Date the Ordinance is Effective

CITY OF SEAFORD

By: _____
Mayor

Witness: _____

Attest: _____
City Manager

ARTICLE 3 SPECIAL EVENT PERMITS

§ 8.3.1 Special Event Permit – Purpose.

It is the purpose of the City of Seaford to establish a process for permitting special events that impact City right-of-way, public property and other facilities or services. It is recognized that these special events enhance the lifestyle of, and provide benefits to, the City’s citizens through the creation of venues for expression and entertainment that are not normally provided as a part of governmental services. This ordinance authorizes special events which might otherwise be prohibited.

By recognizing special event venues, it is further intended to supplement land use and street right-of-way regulations, to provide a coordinated process for the regulation of certain activities to be conducted in conjunction with special events and to ensure the health and safety of patrons of special events. It is further intended to create a mechanism for cost recovery without having an adverse effect on those events that contribute to the community. It is also the intent of the City to protect the rights of its citizens to engage in protected free speech expression activities and yet allow for the least restrictive and reasonable time, place and manner regulation of those activities.

§ 8.3.2 Definitions.

A. “Activity” shall, for purposes of the definition of “special event,” mean and refer to any one or more of the following: outdoor athletic events, promotional or fundraising events, weddings, block parties, ceremonies, socials, street dances, parades, marches, rallies, demonstrations, public assemblies, performances, exhibitions, entertainment or amusement events, farmers markets, public markets, craft fairs, parking lot sales, public street or public sidewalk sales, tent sales, displays, filming of movies, taping of video or television shows, fireworks displays, motorcades, motorized vehicle races or contests, soapbox derbies, rodeos, and tournaments.

B. “Building” means any fully enclosed permanent structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. It includes push carts or sidewalk cafes for which the sale of goods, food, or beverages has been authorized.

C. “Demonstration” means a public display of group opinion as by a rally or march, the principal purpose of which is expressive activity.

D. “Departmental service charges” means the actual costs which a department of the City incurs in connection with activities for which a permit is required under this chapter, including, but not limited to, costs associated with fire safety, traffic and/or pedestrian control, water safety, electric the closure of streets or intersections, the diverting of traffic, the salaries of City personnel involved in administration or coordination of City services for the event, the City cost to bill and collect any fees incurred over the estimated amount, and the cost to the City to provide support personnel, equipment, materials and supplies, and related City costs such as fringe benefits or employee overtime.

E. “Event organizer” means any person who conducts, manages, promotes, presents, sponsors, organizes, aids, or solicits attendance at a special event.

F. “Exhibition, entertainment or amusement events” shall have their ordinary meanings and shall include the following organized events: arts and craft shows, concerts, carnivals, circuses, fairs, shows, theatrical performances, musical performances, and festivals, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games, and the like.

G. “Expressive activity” includes conduct the sole or principal object of which is the expression, dissemination, or communication by verbal, visual, literary, or auditory means of opinions, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include activities for which the principal purpose is entertainment.

H. “Extraordinary services” shall mean and refer to services above and beyond those routinely performed by the City Police, Fire and/or Public Works, Electric and Parks Departments as a normal course of regular duty. Extraordinary services include but are not limited to those involving the closing of public streets, crowd control and security, and traffic control.

I. “March” means an organized walk or event whose principal purpose is expressive activity.

J. “Organized” in addition to its ordinary meaning shall mean functioning within a formal structure, as in the coordination and direction of planned and controlled activities.

K. “Outdoor athletic event” means an organized competitive or recreational activity in which a group of persons collectively engage in a sport or form of physical exercise that takes place in whole or in part outdoors including, by way of example and not limitation, team sports, tournaments, races and marathons. “Sport or form of physical exercise” includes, by way of example and not limitation, bicycling, walking, running, sprinting, jogging, skateboarding, rollerblading and roller skating.

L. “Parade” means an organized group of persons, animals, bicycles, vehicles, carts, balloons, musical units and/or floats, or any combination thereof, traveling in public procession and having a common purpose, design, destination or goal, and the principal purpose of which is not expressive activity.

M. “Person” means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, business trust or manager, lessee, agent, servant, officer or employee of any of them, except where the context clearly requires a different meaning.

N. “Promotional or fundraising events” shall have its ordinary meaning and shall mean and refer to organized activities intended to promote causes, products, or services or raise funds primarily for charitable purposes, and shall include, by way of example and not limitation, bike-a-thons, walk-a-thons, and fun runs.

O. “Rally” means a gathering whose principal purpose is expressive activity, especially one

intended to inspire enthusiasm for a cause.

P. “Right-of-way” means, within the City of Seaford, all public right-of-way and property granted or reserved for, or dedicated to, public use for street purposes, together with public property granted or reserved for, or dedicated to, public use for walkways, paths, trails, sidewalks, bikeways and horse trails, whether improved, unimproved, or unopened, including the air rights, sub-surface rights and easements related thereto, and over which the City of Seaford has authority and control.

Q. “Sidewalk” means that portion of a right-of-way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for non-motorized travel.

R. “Sign” means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.

S. “Special event” shall mean any temporary, organized activity sponsored by an event organizer and will result in people congregating at the event location for a particular and limited purpose and time, and meets any one or more of the following criteria:

1. City Property, City Parks and City Rights-of-Way. The activity will be conducted in whole or in part on a City-owned or controlled property, City park or facility, or City rights-of-way, and the Superintendent of Parks and Recreation, or his or her designee, determines that the activity requires a special events permit because:

- a. The activity is likely to obstruct, delay or interfere with the free and normal use of public rights-of-way or other public property of the City within the vicinity of the event; or
- b. The activity is likely to result in the need for the City to provide extraordinary services in response to or arising out of the special event; or
- c. The activity is such that the City has a legitimate interest in regulating the time, place and/or manner of the special event.

Criteria to be considered include, by way of example and not limitation, available parking capacity, likely pedestrian and vehicular routes, the number of days and hours of operation, the number of people anticipated to attend, the capacity and safety of the permanent and temporary structures, the proximity and availability of health and sanitation services, the proximity and availability of emergency services, the activity(ies) to be engaged in, the historical impacts of the proposed or comparable special events, if known, upon use of public rights-of-way and public property and public services including police and fire, and other considerations deemed appropriate.

2. Private Property. The activity will be conducted in whole or in part on private property and the Superintendent of Parks and Recreation, or his or her designee, determines that the activity requires a special events permit because:

- a. The activity is likely to obstruct, delay or interfere with the free and normal use of public rights-of-way or other public property of the City within the vicinity of the event. It is presumed that any event on private property which involves an open invitation to the public to attend or events where the attendance is by private invitation of 100 or more people are each presumed to be an event that will have a direct significant impact on the public streets or rights-of-way; or
- b. The activity is likely to result in the need for the City to provide extraordinary services in response to or arising out of the special event.

3. Sales Not Already Permitted. The activity will involve the sale of merchandise, food or beverages where not already permitted by City code, whether by for profit or nonprofit organizations.

4. Public Disturbance Noise. The activity will include use of sound amplification, public address, loud speaker, audio, video, or television systems or other devices likely to result in public disturbance noise.

T. "Special event permit" means a permit issued under this chapter.

U. "Special event venue" means that area for which a special event permit has been issued.

V. "Tax-exempt nonprofit organization" means an organization that is exempted from payment of income taxes by federal or State law and has been in existence for a minimum of six months preceding the date of application for a special event permit.

W. "Vendor" means any person who sells or offers to sell any goods, food, or beverages within a special event venue.

§ 8.3.3 Exemptions to special event permit requirement.

A. It is unlawful for any person to hold or conduct any special event in the City, or to use private property, any street, right-of-way, or other public place in the City for any purpose unless such person has obtained and has in full force and effect a permit to do so issued by the City.

B. The following special events shall be exempt from the requirement to obtain a permit under this chapter; provided, that the special event shall be conducted in accordance with all laws and regulations governing public safety or health:

1. Funeral Processions. Funeral processions by a licensed mortuary or funeral home;
2. Wedding Processions. Wedding processions conducted on public rights-of-way wherein applicable traffic regulations, laws or controls are complied with;
3. School, Church and Governmental Events. Any special events held or conducted by or on behalf of a public or private school, college or school district, the State of Delaware or other governmental entity or any church that is legally operated in the City, so long as the activity or event is conducted on property owned, used, or leased by the entity or its

sponsor and is for the benefit of the entity that owns, uses, or leased the property on which the activity takes place;

4. Expressive Activities on Sidewalks. Rallies, marches, demonstrations and picketing which take place on public sidewalks crossing streets only at pedestrian crosswalks in accordance with traffic regulations and controls and laws applicable to use of public sidewalks;

5. Special Event Facilities. Events conducted at a facility designed for the special event purpose or upon facilities where such events are normally held, such as churches, events/convention centers, schools, athletic fields, auditoriums, stadiums, and theaters;

6. Regularly Scheduled Athletic Events. Regularly scheduled outdoor athletic events conducted on property where such events are normally held;

7. Outdoor Demonstrations on Public Property. Demonstrations on publicly owned property (other than public rights-of-way), unless:

a. The activity is likely to obstruct, delay or interfere with the free and normal use of such public property or the public rights-of-way; or

b. The activity is likely to result in the need for the City to provide extraordinary services in response to or arising out of the special event;

8. Other Authorized Uses. Authorized uses of public property permitted by other provisions of the City of Seaford Municipal Code; and

9. Governmental Activities. Activities conducted by a governmental agency acting within the scope of its authority.

§ 8.3.4 Issuance of a special event permit does not obligate City services.

Issuance of a special event permit pursuant to this chapter does not obligate or require the City of Seaford to provide City services, equipment, funding or personnel in support of a special event.

§ 8.3.5 Application – Form.

Any person desiring to apply for a special event permit shall do so by filing a written application with the Department of Parks and Recreation at City Hall not fewer than 45 days nor greater than 12 months prior to the proposed event. The application shall be made on forms provided by the City and shall be accompanied by a nonrefundable application fee of \$100.00. The applicant may request a waiver of the application fee. Such request shall contain an explanation of how such a waiver of fees would be in the best interest of the public health, safety, and welfare. Requests for fee waiver will be reviewed by the City Manager.

§ 8.3.6 Application – Review.

Upon receipt of a completed special event permit application, the City shall refer the application to the Director of Public Works, Director of Electric, Chief of Police, the Fire Chief and the

City of Seaford

Special Event Permits Ordinance

City Manager, for their review. These departments shall forward the results of their review and determination, including any comments, to the Department of Parks & Recreation Superintendent within 10 working days.

§ 8.3.7 Criteria for issuance.

A. All permits issued under this chapter shall be issued by the Superintendent of Parks and Recreation, or his or her designee. Upon receipt of comments, if any, from the Director of Public Works, Director of Electric Chief of Police, Fire Chief and City Manager, on the application, the Superintendent of Parks and Recreation, or his or her designee, shall proceed to consider whether or not the permit should be issued. A permit may be issued to the applicant only if all of the following criteria and conditions for issuance are met:

1. The special event will not be detrimental to the public health, safety, or welfare, nor injurious to property or improvements in the immediate vicinity of the special event;
2. Hours of the special event will not cause noise, light or glare which unreasonably impacts surrounding uses;
3. The proposed special event will meet the noise ordinance provisions of the Municipal Code.
4. The proposed special event will not endanger the participants, spectators, or the public;
5. The proposed special event will not unreasonably interfere with right-of-way, vehicular or pedestrian traffic flow at the proposed location;
6. Adequate plans for parking exist to meet the need generated by the proposed special event;
7. Adequate plans for sanitation and refuse facilities exist to meet the need generated by the proposed special event;
8. Adequate plans to return the area or routes to the same condition or cleanliness as existed prior to the event exist;
9. Whenever the requested permit is for an event which will require the use of any City street, or portion thereof, or other City property, the applicant must agree to indemnify, defend and hold the City harmless from any and all claims for bodily injury or property damage that may arise out of or in connection with the applicant's permitted special event;
10. Whenever the requested permit is for an action which will require the use of any City street, or portion thereof, or other City property, and the special event is not protected by the First and Fourteenth Amendments of the U.S. Constitution, the applicant must secure and maintain in full force and effect throughout the duration of the permit commercial general liability insurance for bodily injury and property damage of not less than

\$1,000,000 per occurrence combined single limits, \$2,000,000 aggregate, unless waived by the City. The insurance policy shall be written on an occurrence basis and shall be written for a period not less than 24 hours prior to the event and extending for a period not less than 24 hours following the completion of the event. The City shall be named as an additional insured on this policy. The applicant must submit to the City a copy of the insurance policy declaration page and additional insured endorsement as evidence of insurance coverage. The policy shall include a provision prohibiting cancellation of said policy except upon 30 days' prior written notice to the City. Depending upon the scope of the event, the City reserves the right to require higher limits of commercial general liability insurance;

11. Whenever any special event requires the provision of additional City services, including, but not limited to, the employment of police officers to direct or block pedestrian or vehicular traffic, or the provisions of standby aid car or fire protection services, the applicant shall agree to reimburse the City or affected entity for the same.

§ 8.3.8 Signage.

A sign plan shall be submitted with the special event permit application if an applicant requests signage beyond that presently permitted by the Seaford Municipal Code. Special event signage shall be allowed with the following exceptions:

A. Number of Temporary Signs. The total number of temporary signs for a special event shall not exceed two large event signs and six off-premises/directional signs.

B. Size Limit. Maximum size for large event signs shall not exceed 30 square feet each; maximum size for directional signs shall not exceed four square feet each.

C. Time Limit. Directional signs may be erected, in accordance with the applicant's sign plan, 48 hours prior to the start of the event for which the signage is requested. Large event signs may be erected, in accordance with the applicant's sign plan, 30 days prior to the start of the event for which the sign is requested.

D. Removal. Directional signs shall be removed within three days of the last day of the special event. Large event signs shall be removed within five days of the last day of the special event. Should the organizer of the event fail to do this, the City may confiscate the signs. If the signs are not claimed by the event organizer within 15 days of the event, the signs will be disposed of.

§ 8.3.9 Issuance of special event permit.

A. The Superintendent of Parks and Recreation, or his or her designee, shall endeavor to take final action upon a completed application for a special event permit within 30 days of receipt of the completed application.

B. The Superintendent of Parks and Recreation, or his or her designee, is not required to take final action upon any special event permit application prior to 180 calendar days before the

special event.

C. The Superintendent of Parks and Recreation, or his or her designee, is not required to take final action on an incomplete or untimely special event permit application.

D. The Superintendent of Parks and Recreation, or his or her designee, is not required to take final action upon two or more special event permit applications submitted by the same applicant unless two or more weeks shall have elapsed between the respective dates of submission of each.

E. Final action on a completed special event permit application shall consist of one of the following:

1. Issuance of a special event permit in accordance with the terms of the application; or
2. Issuance of a special event permit by the Superintendent of Parks and Recreation, or his or her designee, with such conditions as deemed necessary for the application to meet all of the criteria set forth above; or
3. Denial of the special event permit application by the Superintendent of Parks and Recreation Community Development Director, or his or her designee.

§ 8.3.10 Appeals.

A. If the Superintendent of Parks and Recreation, or his or her designee, denies the application for the special event the applicant shall be notified in writing as soon as is reasonably practical.

B. The denial of a special event permit may be appealed to the City Manager or his or her designee.

C. An appeal shall be made in writing within five calendar days of the date of the written denial. An appeal is made by filing a written petition with the City Clerk, setting forth the grounds for appeal.

D. The City Manager, or his or her designee, shall hear the appeal as soon as is reasonably practicable. The City Manager shall determine if the application was denied by the Superintendent of Parks and Recreation, or his or her designee based upon an error of fact or law and shall limit his/her review to the record; provided, that City Manager may, in his or her discretion, allow submission of additional evidence relevant to the alleged error of fact or law.

§ 8.3.11 Display of special event permit required.

A copy of the special event permit shall be displayed in the special event venue in the method prescribed by the City applicable to the particular special event and shall be exhibited upon demand of any City official.

§ 8.3.12 Revocation or suspension of special event permit.

All permits issued pursuant to an applicant pursuant to this chapter shall be temporary, shall vest no permanent rights in the applicant, and may be revoked or suspended by the City as follows:

- A. In the event of a violation of any of the terms and conditions of the permit; or
- B. The special event poses a threat to health or safety of persons or property, or if any structure or obstruction permitted becomes insecure or unsafe; or
- C. The special event permit was issued in error or contrary to law.
- D. Except as provided in subsection (E) of this section, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.
- E. If there is an emergency requiring immediate revocation of a special event permit the responsible public official may notify the permit holder verbally of the revocation.
- F. If any event for which the permit has been revoked is not immediately discontinued, the City may remove any structure or obstruction, or cause to be made, without obligation to do so, such repairs upon the structure or obstruction as may be necessary to render the same secure and safe, or adjourn any special event. The cost and expense of such removal, repair or adjournment shall be assessed against the permittee, including all professional fees associated with enforcement of the collection of the same.
- G. An appeal from a revocation shall be handled in the same manner and under the same time requirements as denials of special event permits.

It shall be unlawful to operate a special event after revocation of a special event permit. (Ord. O-15-572 § 1).

§ 8.3.13 Cost recovery for special events.

A. Except as otherwise provided in this chapter, or when funded or waived by the City Manager, for any special event, the City may impose a fee and/or bond for expected departmental service charges. Factors that the City will consider in evaluating whether to impose a fee and/or bond are:

- 1. The extent of use of public property or right-of-way;
- 2. The extent of use of City services, facilities or affected entities;
- 3. Whether the City is sponsoring or co-sponsoring the event; and
- 4. Whether the event is sponsored by an organization for the necessary support of the poor or infirm.

B. The City shall require payment of the expected departmental service charges imposed pursuant to subsection (A) of this section, at the time the completed application is approved and prior to the issuance of the special event permit, unless the City determines there is good cause and extends time for payment.

C. If the event organizer fails to clean the special event venue or route of the special event both during and upon completion of the special event and to return the area or route to the same condition of material preservation and cleanliness as existed prior to the special event, the event

organizer will be billed for actual City costs for cleanup and repair of the area or route occasioned by the special event. If the event organizer failed to comply with such requirements under a previously issued special event permit, the City may require the event organizer to deposit adequate surety in the form of cash or bond.

D. The applicant will be billed for any City departmental charges in excess of the estimate in subsection (B) of this section, including any billing and collection costs incurred.

§ 8.3.14 Cost recovery for expressive activity special event.

When a special event permit is sought for a demonstration, rally, or march, which is not exempt from the permitting process, the following exceptions to cost recovery shall apply:

A. Where the special event will not require temporary street closures, cost recovery shall be limited solely to a fee based on the administrative cost of processing the permit application.

B. The insurance requirement shall be waived; provided, that the event organizer or an officer of the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for coverage.

C. The City may condition the issuance of the special event permit upon payment of costs incurred by the City up to \$500.00 where the special event will require temporary street closures and any one or more of the following conditions are met requiring the City to provide services in the interests of public health, safety, and welfare:

1. The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route; and/or
2. The special event will cause an irresolvable conflict with construction or development in the public right-of-way or at a public park or public facility; and/or
3. The special event will block traffic lanes or close right-of-way during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on right-of-way designated as arterials by the City's Public Works Department; and/or
4. The special event will require the diversion of police employees from their normal duties; and/or
5. The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the right-of-way; and/or

6. The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of City services in support of other scheduled special events; and/or

7. The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

D. Any fee schedule adopted by the City will contain a provision for waiver of or a sliding scale for payment of fees for City services, including police costs, on the basis of indigency, so that an indigent applicant's First Amendment rights are not impaired in any fashion due to wealth.

E. With regard to the permitting of expressive activity special events where the provisions in this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail.

§ 8.3.15 Authorized special event vendors.

A. The issuance of a special event permit confers upon the permit holder or event organizer the right to control the sale of goods, food, and beverages within the special event venue in accordance with the terms and conditions of the special event permit. The permit holder may grant no greater rights or privileges to vendors than the rights or privileges granted to the permit holder pursuant to the special event permit.

B. Vendors authorized to sell goods, food, or beverages in the special event venue shall display their authorization in the manner required by the City. Only vendors displaying the required authorization shall be allowed to sell goods, food, or beverages in the special event venue.

§ 8.3.16 Unlawful to conduct or promote attendance at special event without permit.

It is unlawful for any person to conduct or manage a special event without a special event permit as required pursuant to this chapter.

§ 8.3.17 Other permits and licenses.

The issuance of a special event permit does not relieve any person from the obligation to obtain any other permit or license required pursuant to the City of Seaford Municipal Code, The State of Delaware or any other applicable law.

§ 8.3.18 Unlawful to sell goods in special event venue without authorization.

It is unlawful for any person to sell, resell, or offer to sell or resell, any goods, food, or beverages in a special event venue, except:

A. From any building; or

B. From any tent, booth, temporary structure or roaming vendor expressly authorized pursuant to the issued special event permit.

§ 8.3.19 Cost recovery for unlawful special event.

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Special Event Permits Ordinance

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Whenever a special event is conducted without a special event permit, when one is required, or a special event is conducted in violation of the terms of an issued special event permit, the event organizer shall be responsible for, and the City shall charge the event organizer for, all City costs incurred caused or necessitated by the adverse impacts of the special event or the violation of the special event permit upon public safety.

§ 8.3.20 Violation – Penalties.

Violation of the special event permit provisions of this chapter shall be enforced either by way of civil infraction or by way of notice and order, with associated fines for such violation.

Anyone violating the provisions of this regulation are subject to the denial of future special event permits.

§ 8.3.21 through § 8.3.99 RESERVED

NB# 3
8/11/2020

C. Anderson

From: Craft Marshall (Seaford PD) <Marshall.Craft@CJ.State.de.us>
Sent: Monday, August 3, 2020 9:04 AM
To: Seaford Electric
Cc: C. Anderson; dgenshaw@seafordde.com; dhenderson@seafordde.com; jking@seafordde.com; oholland@seafordde.com; mmaccoy@seafordde.com; jsantos@seafordde.com; Public Works; Trisha; ttorbert; mbailey; Seaford Rec
Subject: Re: August 11 City Council Meeting

Good morning. I'm in training all day, but I do have the 2020 JAG Grant for the agenda. Please see below. This can be condensed, but would be this afternoon before we could make any adjustments.

Thanks
Marshall

Name of Applicant:City of Seaford

Title of Project:FY2020 JAG Equipment Enhancement and Upgrade

Goals:The City of Seaford and the City of Seaford Police Department will be Using allocated grant funds to purchase computers and monitors, a projector, ASP training bag and baton, riot helmets and wash and wear uniform shirts.

Abstract Identifiers:Surveillance, Equipment Audio/Video, Training – Use of Force, Protective Helmets, Officer Safety

Program Narrative:

The City of Seaford total allocation for the FY2020 Edward Byrne Memorial Justice Assistance Grant (JAG) is \$11,390.00. The City of Seaford will use the allocated funds to purchase equipment and supplies necessary to improve departmental technology and scenario-based training, and officer safety gear to include wash and wear uniform shirts to reduce the risk of coronavirus.

\$3,960.09 will be used to purchase three Dell computers. The computers are needed to replace three computers that are out of their warranty period/service life.

\$877.17 is earmarked to purchase three monitors to go along with the computers listed in above paragraph.

\$519.99 will be used to purchase one EPSON PowerLite 1781W projector. This will allow the department to upgrade our current outdated projector with one that is Bluetooth enabled to connect to tablets, smart phones, laptops, and other devices regardless of the operating system. This device will be used for training, meetings, and community events.

\$191.00 will be used to purchase one ASP Baton Training Bag. This item will be used in conjunction with the department’s annual in-service training for ‘less-lethal’ scenario-based training.

\$121.88 will be used to purchase two ASP Training Batons to be used during the department’s annual in-service training inconjunction with the above ASP Baton training bag.

\$1,941.90 will be used to purchase 15 riot helmets for the department’s patrol division. These helmets will be assigned to patrol officers to improve officer safety during times of civil unrest.

\$3,860.19 will be used to purchase long-sleeve Class B uniform shirts for departmental members. With the threat of COVID-19 extending into the fall and winter months, it is deemed necessary to have wash and wear uniforms for officers to change into daily.

2020 JAG GRANT (Seaford Police Department Allocated \$11,390.00)						
Item	Supply	Equipment	Other	Quantity	Price	Amount
Dell Computer		X		3	\$1,320.03	\$3,960.09
DELL 27 Monitor		X		3	\$292.39	\$877.17
EPSON PowerLite 1781W projector		X		1	\$519.99	\$519.99
ASP Baton Training Bag	X			1	\$191.00	\$191.00
ASP Training Baton	X			2	\$60.94	\$121.88
Riot Helmets		X		15	\$129.46	\$1,941.90
Propper- Long Sleeve wash and wear Uniform shirts	X			87	\$44.37	\$3,860.19
TOTAL						\$11,472.22
ANY OVERAGE WILL BE PAID FROM CITY OF SEAFORD BUDGET						

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