

ORDINANCE 26-52

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING CHAPTER 158, ZONING CODE, BY AMENDING SECTION 158.225 – OUTDOOR SALES AND SPECIAL EVENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

---

**WHEREAS**, the City of Port St. Lucie, Florida (“City”) desires to update Chapter 158 of the Port St. Lucie Code of Ordinances (“Code”) by amending Section 158.225 to provide clear definitions for temporary outdoor sales and temporary outdoor events, to establish a formal policy framework for the permitting of temporary sales and events, and authorizing the City Manager, or their designee(s), to promulgate additional rules and regulations for their operation.

**NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:**

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Title XV, Land Usage, Chapter 158, Zoning Code, Section 158.225 is hereby amended as follows:

**Sec. 158.225. Temporary Outdoor Sales and Special Events.**

An event which would require a permit under this section is any temporary outdoor ~~special event sale~~ or temporary outdoor sale event, which is not one of the permitted uses of a property or indicated on a site plan, and not included as a customary primary or ancillary use. Any use of the property already included in the business tax receipt as a use for a property will not require a separate temporary event permit. ~~Except where noted, outdoor special events and temporary outdoor sales events under this section require a special event permit. Permits are not required for church festivities when held on church property, for events held at City parks or recreation facilities, for the display of merchandise at the entry to retail establishments as set forth in § 158.225(A)(2)(b), or for community days annual events as set forth in § 158.225(A)(2)(g).~~

(A) ~~Temporary Outdoor Sales~~ The applicant applying to the Code Compliance Division of the Building Department for such outdoor or temporary event permit in the City shall be the owner or its agent of the land upon which the event is intended to be held. Applications must be complete and submitted with the following documentation, to be processed:

- (1) ~~The area utilized shall be cleaned daily and following any special event shall in all respects be restored to its former condition within twenty four (24) hours after the close of the event. A refundable security deposit in the amount of five hundred dollars (\$500.00) plus one hundred dollars (\$100.00) for each day of the event payable in advance, shall be required as security to guarantee that the premises will be cleaned of all rubbish and debris after use by the applicant. Covered dumpsters and trash containers must be provided on the event site and emptied daily.~~ “Temporary outdoor sales” shall mean any short-term outdoor display or sale of goods, services, or merchandise by a single vendor, that is to occur on private property. Temporary outdoor sales shall include, but are not limited to, recreational vehicles, Christmas trees, flowers, rugs, and fireworks.
- (2) ~~A written statement from the St. Lucie County Fire District that the tents or temporary structures under which the event is to be held are of fireproof material and will not constitute a fire or egress hazard.~~ A permit is not required for the display of merchandise at the entry to retail establishments. Merchandise displays may be located at the entry of each business. Displays shall be limited to one half (1/2) the business' store frontage. Stores with more than one (1) entry shall be limited to the same total by any combination. In no case shall a display extend into the parking lot or fire lane.
- (3) ~~Police services will review the application to determine if off-duty officers are required for traffic/crowd control or for security at the event site. If off-duty police officers are required/requested, payment for their services must be made at least fifteen (15) days prior to the first day of the event.~~
- (4) ~~The owner shall provide a list of all employees, which shall include names, and dates of birth.~~
- (5) ~~A copy of the inspection report from the Department of Agriculture for mechanical rides, prior to opening.~~

Additions to text are indicated by underline; ~~strikethrough~~ indicates deletion

- ~~(6) If food is being prepared and/or sold on the site, or if any sanitary facilities and/or sewage disposal is involved, the applicant must contact St. Lucie County Health Department to determine if an inspection is required. The food safety inspection report must be submitted prior to opening.~~
- ~~(7) The City reserves the right to request indemnification and insurance be provided to protect the City for any event using public property.~~
- ~~(8) A concept plan showing the location of the special event, all structures to be utilized in the event including tents, booths, exhibits, width of aisles, means of ingress and egress, concession areas, waste removal facilities, sanitary facilities, and utilities such as electrical and telephone facilities.~~
- (B) An application shall be denied if: Temporary Outdoor Events
- (1) ~~The applicant has made any misrepresentations in the application.~~ “Temporary outdoor events” shall mean an organized or planned gathering of persons having a common purpose, design, or goal, that is to occur on private property. Temporary outdoor events shall include, but are not limited to, festivals, fundraisers, exhibitions, multi-vendor events, musical performances, races/walks, carnivals, and parades that:
- (a) Require street closings or detours such that the usual flow of pedestrians or vehicular traffic is inhibited; or
- (b) Are intended to or likely to attract substantial crowds; or
- (c) Are not consistent with the permitted or approved uses typically associated with the property; or
- (d) Require the use of City resources, financial or otherwise, in excess of the City's normal day-to-day operations; or
- (e) Any additional criteria as deemed by the City Manager, or their designee(s)
- ~~(2) The applicant fails to provide any of the items or information required.~~
- ~~(3) The special event will substantially interfere with any other special event for which a permit has already been granted or with the~~

Additions to text are indicated by underline; ~~strikethrough~~ indicates deletion

~~provision of public safety or other city services needed to support of such other previously scheduled events.~~

~~(4) The special event will have an un-mitigatable adverse impact upon residential or business access and traffic circulation in the area in which it is to be conducted.~~

(C) Outdoor Special Events.~~No person shall conduct temporary outdoor sales or temporary outdoor events, unless a permit has been obtained in accordance with the City's Temporary Outdoor Sales Policy or Temporary Outdoor Events Policy.~~

~~(1) Outdoor events under this section, include but are not limited to circuses, carnivals, tent revivals, outdoor exhibitions, road festivals, and organized competitive events, which shall be permitted on developed property zoned open space recreation, institutional, general commercial and planned unit development/master planned unit development. The event shall not be permitted to exceed seven (7) consecutive days and no more than four (4) such events per year shall be permitted on the same property. The limitation of four (4) events per year may be waived by affirmative vote of the City Council.~~

~~(2) The fees for outdoor events are as follows: A one hundred dollar (\$100.00) non-refundable application fee; two hundred dollars (\$200.00) for the first day, one hundred fifty dollars (\$150.00) for each succeeding day, and twenty dollars (\$20.00) per day, per concession stand, booth, or individuals carrying items on their person for the purposes of sale. The fee(s) shall be paid in full before any equipment is brought upon the location where the outdoor event will take place.~~

~~(3) All events containing an animal show shall make application with, and receive approval from, the City's animal control division before a permit will be issued.~~

~~(4) All events requiring public street closures shall make application for a street closure permit per Chapter 99 of the City of Port St. Lucie Code of Ordinances with the City's Police Department prior to issuance of a permit.~~

Additions to text are indicated by underline; ~~strikethrough~~ indicates deletion

- ~~(5) The area utilized shall be cleaned daily and following any special event shall in all respects be restored to its former condition within twenty four (24) hours after the close of the event.~~
- (D) Temporary outdoor sales. The City Manager, or their designee(s), are authorized to create additional policies, rules and regulations that are consistent with and that further the provisions set forth within this Section in accordance with Florida Statutes, Special Act or Resolution of the City Council that pertain to the conduct and operation of temporary outdoor sales or temporary outdoor events.
- ~~(1) Recreational vehicles and boat sales. The sales of recreational vehicles and boats shall be permitted on developed property zoned general commercial, open space recreation, and planned unit development/master planned unit development. The sale shall not be permitted to exceed seven (7) days. If the event is located in a parking lot, the sale shall not use more than fifteen (15) percent of the total required parking spaces of the project. Only one (1) applicant may apply per site at any time. A temporary sales permit shall be required for each event with a cost of one hundred dollars (\$100.00) for the first day, fifty dollars (\$50.00) each additional day. A letter from the property owner or its agent stating its consent shall be provided at the time of application. Temporary tent and parking lot sales of automobiles are prohibited except on property licensed and zoned for the use.~~
- ~~(2) A permit is not required for the display of merchandise at the entry to retail establishments. Merchandise displays may be located at the entry of each business. Displays shall be limited to one half (1/2) the business' store frontage. Stores with more than one (1) entry shall be limited to the same total by any combination. In no case shall a display extend into the parking lot or fire lane.~~
- ~~(3) Temporary tent and parking lot sales. The outdoor sales of merchandise other than automobiles, RV's, motorized vehicles and boats shall be permitted on developed property zoned institutional, open space recreation, general commercial, and planned unit development/master planned unit development. The temporary outdoor sales event shall be limited to two (2) one week sales events per calendar year, either by a locally licensed business or sponsored~~

Additions to text are indicated by underline; ~~strikethrough~~ indicates deletion

by a locally licensed business on the same property. The limitation to ~~two (2)~~ one week sales events per calendar year shall apply unless otherwise specified in this chapter. If the event is located in a parking lot, the sale shall not use more than fifteen (15) percent of the total required parking spaces, as defined by its site plan. A temporary sales permit shall be required for each event with a fee of two hundred dollars (\$200.00). Only one (1) applicant may apply per site at any given time.

- ~~(4) Crafter/vendor annual permit. The outdoor sales of merchandise shall be permitted on developed property zoned open space recreation, institutional, general commercial, and planned unit development/master planned unit development. The number of outdoor sales events, pursuant to this subsection, shall be limited to twelve (12) two-day sales events per calendar year. If the event is located in a parking lot, the sale shall not use more than fifteen (15) percent of the total required parking spaces. A fee of five hundred dollars (\$500.00) is required for a crafter/vendor annual permit. Only one (1) applicant may apply per site at any scheduled event. A schedule of event dates and a letter from the property owner stating its consent shall be provided at the time of application. One (1) on-site sign per event is included with the permit fee.~~
- ~~(5) Christmas tree sales. The sale of Christmas trees shall be permitted on property zoned institutional, general commercial, and planned unit development/master planned unit development for a maximum of forty five (45) days. A temporary sales permit shall be required with a fee of twenty dollars (\$20.00) per day, up to a maximum fee of two hundred dollars (\$200.00).~~
- ~~(6) Farmer's market annual permit. Outdoor farmer's markets shall be permitted on developed property zoned institutional, general commercial, and planned unit development/master planned unit development. The number of outdoor sales events, pursuant to this subsection, shall be limited to twenty four (24) two-day sales events per calendar year. If the event is located in a parking lot, the sale shall not use more than fifteen (15) percent of the total required parking spaces. A fee of five hundred dollars (\$500.00) is required for a farmer's market annual permit. Only one (1) applicant may apply per~~

Additions to text are indicated by underline; ~~strikethrough~~ indicates deletion

~~site at any scheduled event. A schedule of event dates and a letter from the property owner stating its consent shall be provided at the time of application. One (1) on-site sign per event is included with the permit fee.~~

~~(7) An annual event, Community Days, held on Veteran's Day weekend allowing that local businesses, holding a current business tax receipt, in a commercially zoned location, may engage in a three-day special event. One professionally made banner may be placed on the building as regulated by section 155.07(F). Said event shall not count as part of the aforementioned limit of two one-week sales events per calendar year. There are no permit fees for the event or banner. All event activity shall be in compliance with Chapter 155 and this chapter.~~

~~(E) Any violation of any city ordinance shall result in the permit being revoked immediately and the violator being banned from holding an event in the city for a period of not less than twenty-four (24) months.~~

~~(F) Fee Exemption:~~

~~(1) Legally recognized 501(C)(3) non-profit and charitable organizations sponsored by a local business having a current business tax receipt are exempt from the fees. The non-profit or charitable organization must; however, provide proof of non-profit/charitable status and shall obtain a permit under the above mentioned regulations.~~

~~(2) Requests for exemption from fees must be made in writing to the City Manager's office to be placed on a City Council agenda~~

Section 3. Conflict. If any ordinances or parts of ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Additions to text are indicated by underline; ~~strikethrough~~ indicates deletion

Section 5. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Richard Berrios, City Attorney

Additions to text are indicated by underline; ~~striketrough~~ indicates deletion