



Carlos Alvarez, Mayor

June 15, 2010
Agenda Item No. 1E2

County Executive Office
County Manager
111 NW 1st Street • Suite 2910
Miami, Florida 33128-1994
T 305-375-5311 F 305-375-1262

miamidade.gov

March 18, 2010

Ms. Patricia Haslett-Taime
d/b/a Fire Works Lady
546 WoodGate Circle
Weston, Florida 33326

Via email: FireWorksLady@bellsouth.net

Re: Short term events – County approval process

Dear Ms. Haslett-Taime:

This letter is in response to your concerns regarding the County’s short term events approval process as expressed in your conversations with County staff members, including our discussion at the meeting of January 28, 2010. I understand that you were particularly frustrated by the December 2009 application process for the short term event approval regarding a “sparklers” sale tent at 12601 SW 72 Street.

Our records indicate that permit processing for the subject event proceeded as follows:

Permit application (#C2010027548) was filed:	December 11, 2009
Date event was to begin on application:	December 21, 2009
Permit 2010013076 was issued:	December 29, 2009

At our meeting, you agreed that your application was submitted close to the planned event date. You also indicated that the tent erection and electrical work were done prior to permit issuance, which is a violation of the County Code. Please note that County staff routinely recommends that applicants allow more time for permit processing than the 10 days between your application submittal and your scheduled event date.

Below are responses to each of your concerns based on the research and input provided by staff.

Short term event affidavit signatures

You suggested that the County should allow the property owner, the event holder and the prime contractor to sign separate forms to ease the signature process. We require the three (3) signatures on the same page and a complete form and do not accept individual signature pages so that all parties (property owner, event holder, and prime contractor) are aware of the documents they are signing and work they are agreeing to perform.

Repeat event holders required to turn in similar application paperwork

You consider it burdensome for repeat event holders to turn in similar paperwork for each event. The short term event application process was previously streamlined and, while the County

looks at all ideas for efficiency, this is required for each specific event because up-to-date, event-specific information is required by the Florida Building Code to best ensure public safety.

Tent electrical service meeting held on January 8, 2010 without your participation

You were displeased that the County's Building Official did not include you in a January 8, 2010 meeting to discuss electrical service in tents at short term events. The Building and Neighborhood Compliance Department (BNC) received a complaint that electrical service at Christmas tree tent events was not being properly connected. On December 24, 2009, BNC staff visited Christmas tree tent events and documented violations at several tent locations. The January 8, 2010 meeting was scheduled with the electrical contractors and the engineer that inspects most Christmas tree tents. Event holders were not invited to this meeting because the Building Official solely addressed generic electrical requirements with electrical contractors and the professional engineer in charge of performing the inspections.

At the January 8, 2010 meeting, the need for the contractors to complete the work correctly and for the engineer to perform the inspections correctly was discussed. No citations were issued because that was not the intent of the meeting.

As you know, under the short term event program, applicants affirm that they "... understand that under this program, the Building Official for Miami-Dade County will not review the plans submitted or perform the code inspections. Instead, plan review and inspections will be performed through licensed personnel..." The Department felt that the complaint regarding electrical service at Christmas tree tent events warranted a meeting to address the matter. The BNC felt the meeting was worthwhile and productive.

Applications incorrectly sent to DERM for review

You indicated that your business has held sparkler sales short term tent events for approximately 13 years. You advised that your applications were incorrectly sent twice to the Department of Environmental Resources Management (DERM) for review, you had to pay for the DERM review and you had to wait a long time for refunds. As discussed in our January 28, 2010 meeting, please provide us with the application process numbers or permit numbers so we can look into this matter and correct any incorrect charges.

Short term events processing and Certificates of Use

After the meeting of January 28, 2010, the Department of Planning and Zoning (DPZ) reviewed and clarified the process for short term event permits and Certificates of Use (CU). You raised a valid point when you asked how someone would know about CU requirements for short term events. We strongly considered your input and the website will be changed to include more specific information about short term events. To avoid any misunderstanding, the revised process requires an application for a CU as part of the short term event permit review. In addition, plans processing approval will not be granted until a CU application is filed and appropriate fees are paid.

DPZ short term events inspections

Upon filing a short term event permit application, the applicant should know that a DPZ Inspector will inspect the site within approximately 72 hours. The tent should be erected and operational for the inspection. The inspector will pre-check applicable property zoning information and existing zoning resolutions. The onsite inspection will determine the location of the tent and that the use of the tent matches the description on the short term event permit.

Complaint of different treatment

In several conversations and meetings you had during December and January with County staff, including myself, you advised that staff treated you in an unprofessional manner and differently than others during this application process. You asked for a written apology. In our January 28 meeting, I apologized to you for any unprofessional treatment. I have been assured that you were not singled out or treated differently than other event holders and the plans processing rules were fairly applied. The short term event process relies on permit applicants knowing the regulations and following the rules because the County does not review the plans. You received a copy of Section 33-8 of the County Code that states the requirement for a CU to determine uses on a property are lawful.

Complaint of overcharging on DPZ short term tent event processing

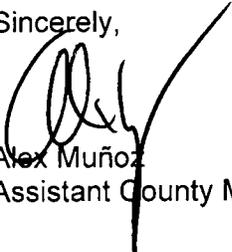
No cases of overcharging were found after review.

Need for a Local Business Tax receipt (formerly known as an Occupational License)

The County's Tax Collector's Office administers the Local Business Tax (LBT) program. An LBT receipt is needed for each sparkler tent event location before the location opens, as required by Sec 8A-171 of the Miami-Dade County Code. Your business can transfer the LBT receipt via the Tax Collector's Office when the tent is moved to another location at a cost of 10% of the initial cost of the LBT receipt. If you hold multiple events at the same time at separate locations, an LBT receipt is needed for each location. For further information, you may contact Mr. Jurgen Teintze, Tax Collector's Office, at 305-375-5564.

If we can be of further assistance, please do not hesitate to contact Development Coordinator Tom Marko at 786-315-2002 or markot@miamidade.gov.

Sincerely,



Alex Muñoz
Assistant County Manager

- c: Honorable Carlos Alvarez, Mayor
- George M. Burgess, County Manager
- Howard H. Piper, Special Assistant to County Manager
- Charles Danger, Building Official
- Marc C. LaFerrier, Director, Department of Planning and Zoning
- Fernando Casamayor, Tax Collector, Finance Department
- Jurgen Teintze, Certified Business Tax Official, Finance Department
- Grisel M. Rodriguez, Zoning Chief, Department of Planning and Zoning
- Tom Marko, Development Coordinator