CITY OF KEY WEST APPLICATION FOR A SPECIAL EVENT PERMIT

Name of Applicant(s) Key West Song Writers Festival
Address of Applicant(s) 1723 Jamaica Dr.
Phone Number of Applicant(s) 304-0814 Fax: Email KWSWF@ aol. Co.
Name of Non-Profit (s) BMI Foundation
Address of Non-Profit(s) 7 World Trade Center, 250 Greenwich St. Ny, Ny 10007 (211)
Phone Number of Non-Profit(s) (212) 120 - 3103 Amount or Percentage of Revenue Non-Profit(s) anticipates receiving 15°/0
Date/Dates of Event May 7, 2014
Hours of Operation Vam - Midnight
Estimated/anticipated number of persons per day '3000
Location of Event DUVal & Green Intersection
Street Closed 100 \$ 200 Block Duval St Green (Ann-Fitzpatrick
Detailed description of event Street Concert with Stage of
Green & Duval Intersection Music from 6-10 pm
Noise exemption required: Yes No
Alcoholic beverages sold/served at event: Yes No
The applicant does acknowledge and hereby affirms that any and all information is accurate to the best of his/her knowledge. The applicant(s)/permittee agrees to assume full responsibility and liability for and indemnify and hold the City of Key West harmless from and against all liability, claims for damages, and suits for or by reason of any injury to any person or damages to any property of the parties hereto or of the third persons for any and all cause or causes whatsoever or in any way connected with the holding of said event or any act or omission or thing in any manner related to said event and its operation irrespective of negligence, actual or claimed, upon the part of the city their agents or employees.
Applicants Signature Date

Financial Statement of the event of the previous year must be submitted with application

CITY OF KEY WEST APPLICATION FOR A SPECIAL EVENT PERMIT NOISE CONTROL EXEMPTION

\$50.00

Date 12 10 20 5

Applicant Address 1773 Jamaica 1 Applicant Phone Number 305-304- Event Name Keywest Songwiters Fest	writers Festival-Charles Baver Drive 0814 rival-Main Stage Concert een Intersection
Profit Non Profit Time(s) Request for Exemption 4-10 pw Number of Exemptions at this location this calendar ye Date of last exemption 5/9/2015	City of Key West ***CUSTOMER RECEIPT**** Tender Details: Tender Type: CK Tender Amount: \$50.00 Receipt Header: Cashier Id: KEYWEST1\ssealey Receipt Date: 1/26/2016 9:38:38 AM Receipt Number: 6900 Receipt Details: Reference ID: 7750 Fee Code Version: SPECIAL EVENTS PAYMENTS - SS Originator Receipt Number: 0 Originator Payment Date: Payment Type: ALL CASH RECEIPTS Transaction Amount: \$50.00 Additional Comments: kwswf 2016 mayTTA/street c losure

Revised for Third Reading 11/19/02

ORDINANCE NO. 02-29

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED "AMUSEMENTS AND ENTERTAINMENT" BY AMENDING ARTICLE II PERTAINING TO SPECIAL EVENTS; AMENDING SECTION 6-26 TO REQUIRE A DOWN PAYMENT ON THE COST OF CITY SERVICES, TO ALLOW FOR INTEREST ON LATE PAYMENTS, AND INCREASE THE COST WAIVER TO \$1,000.00: ADDING SECTION 6-27 TO RESTRICT PLACEMENT OF FOOD, BEVERAGE AND MERCHANDISE BOOTHS: AMENDING SECTION 6-56 TO REQUIRE THE APPLICATION TO LIST AN EMERGENCY CONTACT PERSON; AMENDING SECTION ESTABLISH A MINIMUM NON-PROFIT SHARE FOR SPECIAL EVENTS IN WHICH A STREET CLOSED; AMENDING SECTION 6-58 TO PROVIDE THAT MAJOR FESTIVAL SPONSORS APPLICATION SIX MONTHS IN ADVANCE AND APPROVE CERTAIN SALES OF ALCOHOLIC BEVERAGES; ADDING SECTION 6-61 PERTAINING HANDICAP-ACCESSIBLE BATHROOM FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission finds that a revision to the regulations governing special events and street closures would promote the health, safety and welfare of the citizens of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That section 6-26 of the Code of Ordinances is hereby amended as follows*:

Sec. 6-26. Payment for city services.

- (a) The organizer or sponsor of any festival, street fair, fair, carnival, athletic event, contest, competition, parade, fundraiser, rally, boat or car race or other special event which requires city authorization, whether by administrative permit or city commission approval, and which requires the provision of additional or extraordinary support services by police, fire, administrative, or other city departments in order to maintain order or safety or to escort participants shall pay to the city the cost of such services. A down payment of ten percent (10%) of the costs, as estimated by the city manager, shall be made to the city either by certified check or credit card at least ten (10) days prior to the event.
- (b) The city manager shall establish a cost schedule for additional or extraordinary support services for the events referred to in subsection (a) of this section, which schedule shall be subject to approval of the city commission. The city manager is authorized to provide reasonable terms for time and manner of payment. If the event sponsor fails to pay the full costs at the time determined by the city manager or, if no such deadline is

^{*(}Coding: Added language is <u>underlined</u>; deleted language is struck through.)

established, then within thirty (30) days after the event the city may impose an interest charge on the amount due at the rate of one and one half percent (1-1/2%) per month.

- (c) The city commission may grant special exceptions to this section for cause shown upon the public record.
- (d) The first \$500.00 \$1,000.00 of costs as specified in subsection (a) of this section may be waived for any organizer or sponsor which has qualified as a tax-exempt nonprofit organization according to state or federal law. Acceptance of this waiver by such sponsor shall render the event a public accommodation subject to the human rights provision of the section 38-225.
- (e) Any nonprofit organization accepting the waiver provided for by subsection (d) of this section shall, within 90 days following the special event, submit to the city commission an accounting of expenses and revenues incurred and generated during the event.

Section 2. That section 6-27 is hereby added to the Code of Ordinances as follows:

Sec. 6-27. Food, beverage and merchandise booths.

No booth or stall set up for a special event and serving any amount or type of food and/or beverage, or selling merchandise, shall be placed directly in front of, or within five(5) feet of the property line of, a restaurant or a bar or a retail store (selling

primarily the same or similar merchandise), unless the owner of the restaurant, the bar or the store consents. This section shall not apply to major festivals as defined in section 6-58.

Section 3. That section 6-56 of the Code of Ordinances is hereby amended as follows:

Sec. 6-56. Application.

- (a) Except as provided in section 6-58, Aat least 60 days prior to a proposed special event that will result in the closing of a public street, the sponsor shall submit an application to the city manager. An application may be made either by a tax-exempt nonprofit organization (nonprofit) or jointly by a nonprofit and a private person or business entity.
- (b) If the city manager approves the application, he shall then schedule it for consideration by the city commission. However, if the special event proposes to close only one block, is intended to end prior to 9:00 p.m. on any day of the year, and does not seek either a fee cost waiver or a noise exemption, the city manager may give final approval to the application.
- (c) Each application shall include the name of a sponsor's contact person and that person's 24-hour telephone number(s), in case of emergency.
- Section 4. That section 6-57 of the Code of Ordinances is hereby amended as follows:

Sec. 6-57. Donation of percentage of revenue to nonprofit organization.

A percentage of the revenues of a special event that causes the closing of a city street must be denated to the nonprofit organization and, at the sponsor's option, to additional charities. On the application form issued by the city manager, the nonprofit must state the amount or percentage of revenues it anticipates to receive from the special event. When a sponsor proposes a special event that will cause the closing of a city street or other public right-of-way, the sponsor must denate at least twenty-five percent (25%) of the sponsor's gross revenues or \$1,000.00, whichever is greater, to at least one nonprofit organization. The sponsor must designate the nonprofit organization(s) on the application for the event. Each named nonprofit organization must provide the city manager with a letter of assent.

Section 5. That section 6-58 of the Code of Ordinances is hereby amended as follows:

Sec. 6-58. Major festival.

(a) A major festival is a special event of regional impact. Major festivals are: FancyFantasy Fest, Hemingway Days, Goombay Festival, Conch Republic Celebration, the Poker Run, the Valentine's Day event for Wesley House, the Red Ribbon event at Mango's Mangoes, and such other special events as may be added or subtracted by resolution of the city commission. Private persons

or business entities who sponsor major festivals are not required to provide funds to a non-profit organization per section 6-57. An application for a major festival must be received in the city manager's office at least six (6) months in advance of the scheduled event. have a non-profit coapplicant or to provide a percentage of revenues to a charitable cause.

(b) A business that seeks to sell alcoholic beverages at a major festival pursuant to an APS state license, and which is not a bar or restaurant or other concern that sells alcoholic beverages in the ordinary course of its business, must obtain the written approval of the major festival sponsor and provide such approval to the city of Key West.

Section 6. That section 6-61 is hereby added to the Code of Ordinances as follows:

Sec. 6-61. Temporary bathroom facilities.

Whenever the sponsor of a special event provides temporary bathroom facilities on the public right-of-way, at least five percent (5%) of those facilities or one of those facilities, whichever is the greater number, shall be accessible to persons with physical disability.

Section 7. If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable

therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 8. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 9. This Ordinance shall go into effect on January 1, 2003.

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this		6th	day	of .	N-	ovember	_, 200	2.		
	Read	and	passed	on	final	reading	at a	regular	meeting	held
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City Attorney's Office



Phone: (305) 292-8110 Fax: (305) 292-8227

MEMORANDUM

TO:

Mayor & Members of the City Commission

FROM:

Robert Tischenkel RT

City Attorney

DATE:

October 17, 2002

RE:

Special Events Ordinance

Second Reading

The following are the changes made to the Special Events Ordinance for second reading:

- Section 6-26. The requirement of certified check or credit card applies only to the down payment.
- Section 6-27. The requirement of payment for parking meters has been removed altogether. In its place is a new section concerning food and beverage booths, and a prohibition against their placement in front of or near restaurants and bars.
- Section 6-56. The contact person's telephone number is now required.
- Section 6-57. Each nonprofit organization named by a sponsor in the application must provide a letter of assent to the City Manager.
- The effective date of the ordinance is January 1, 2003.

RULES AND REGULATIONS FOR USE OF CITY OF KEY WEST PROPERTY FOR SPECIAL EVENTS

- All Applicant(s) must fill out a City of Key West (City) application form provided to you by the Office of the City Manager.
- Application(s) for special event(s) must be in the Office of the City Manager 60 days prior to the event.
- 3. Application(s) must provide comprehensive liability insurance insuring itself and the City against all claims of damages or injury to persons or property arising for any reason as a result of the activities associated with the special event permitted by the City. The insurance policy shall be written by a solvent insurance company in good standing and shall provide a minimum of \$1 million general liability. The policy shall show the City of Key West as an additional named insured.

 Sponsor's Signature
- 4. The applicant shall indemnify and hold the City harmless from all losses, claims, damages, liabilities, and expenses which may be incurred by the City or which may be claimed against the City by any person, firm to the person or property of any person, firm, corporation, or entity which are consequent or arise from the activities of the permit holder or its equipment, employees, agents, guests, licensees, or invitees for the permit holder activities or which damages/injuries are consequent or arise from permit holders failure to comply with all applicable laws, statutes, ordinances and regulations.

 Sponsor's Signature
- Applicant(s) who are businesses or private persons who wish to close a City street must make an application jointly with a non-profit entity. When a sponsor proposes a special event that will cause the closing of a city street or other public right-of-way, the sponsor must donate at least 25% of the sponsor's gross revenues or \$1000.00, whichever is greater, to at least one nonprofit organization. The sponsor must designate the nonprofit organization(s) on the application for the event. Each named nonprofit organization must provide the city manger with a letter of assent. Applicant(s) must also hire an off-duty police officer(s) for crowd control and safety as determined by the Key West Police Department or the City Manager's Office. Applicant(s) must have neighboring businesses sign a petition of no objection to the street closure.

 Sponsor's Signature
- 6. Within 30 days of the events completion the City Commission will receive a letter from the not for profit organization stating the amount of the monetary donation received from the event.

 Sponsor's Signature
- 7. Applicant(s) wishing to sell/consume alcoholic beverages on City property must have approval by the City Commission via Resolution and must hire an off-duty police officer(s) for crowd control and safety as determined by the Key West Police Department or City Manager's Office. Applicant must provide liquor liability insurance.

 Sponsor's Signature

- Applicant(s) wishing to have an exemption from the noise control ordinance must fill out an application thirty days before the event. Processing fee for the application is \$50.00.
 Sponsor's Signature
- All applications are subject to approval at the discretion of the City Manager and/or City Commission.
 Sponsor's Signature
- 10. Notice of the city commission's proposed action on an application for a special event permit shall be mailed prior to the meeting at which the matter is to be considered to all property owners and occupants of property located within a 100-foot radius of the proposed special event. Notice of such proposed action also shall be published in a newspaper of general circulation in the city at least five days prior to the date of the city commission decision. The notice shall identify a contact person and phone number for complaints. The applicant shall pay for the newspaper advertisement. Sponsor's Signature
- 11. The organizer or sponsor of any special event, which requires the provision of additional or extraordinary support services by police, fire, administration, or other city departments shall pay to the city the cost of such services. A down payment of 10 percent of the costs, as estimated by the city manager, shall be made to the city either by certified check or credit card at least ten days prior to the special event.

 Sponsor's Signature
- 12. The first \$1000.00 of costs as specified in subsection (a) of the ordinance may be waived for any organizer or sponsor, which qualified as a tax-exempt nonprofit organization according to state or federal law. Acceptance of this waiver by such sponsor shall render the special event a public accommodation subject to the human rights provision of the section 38-225.

 Sponsor's Signature
- 13. Any nonprofit organization accepting the waiver provided for by subsection (d) of the ordinance shall, within 90 days following the special event, submitted to the city commission an accounting of expenses and revenues incurred and generated during the special event.

 Sponsor's Signature
- 14. Whenever the sponsor of a special event provides temporary bathroom facilities on the public right-of-way, at least five percent of those facilities or one of those facilities, whichever is the greater number, shall be accessible to persons with physical disability.
 Sponsor's Signature
- 15. Where a person has not applied for a special event permit and an event at it's location spills into a street, causing the police department to close all or a portion of the street, the person sponsoring the event shall pay all such extraordinary service costs incurred by the city. On each anniversary of this occurrence, if the person can reasonably anticipate an overflow of people into the street, a special event permit must be applied for consistent with this division. A violation of this section may be grounds for revocation of an occupation license.

 Sponsor's Signature

- 16. Special events may use fog, smoke and bubble machines or any device that emits a mist or spray contingent on Key West Fire Department approval. Approval must be obtained a minimum of 48 hours prior to the event. The use of confetti or confetti machines is strictly forbidden.

 Sponsor's Signature
- 17. Special Events organizers must submit a adequate recycle plan for the size of the event being requested. Helpful hints and recycling requirements for special events can be found on the city's website. This will help you develop your plan.

 Sponsor's Signature.
- 18. All special events are required to comply with the Federal Americans with Disability's Act which requires access to all areas and services provided by the special events. Organizers must insure that all aspects of their event meet the requirements.

 Sponsor's Signature

Complete Checklist for Event Recycling City of Key West

0	Name of person: Charles Backer Phone number: 305-304-0814
0	Identify the recyclable commodities that will be used by the public and behind-the-scenes. Aluminum Glass #1 Plastic #2 Plastic Steel Corrugated Cardboard Other:
0	Define the amount of recycling containers needed for the festival grounds (based on commodities used at the event and where they will be used and discarded. When recyclables are used throughout event, 1 recycling container for every 1 trash barrels will be used). Amount of recycling and garbage containers needed: 12-each
0	Arrange for recycling containers for the grounds and a large container (roll-off or festival box) and coordinate delivery and removal arrangements. Recycling containers may be ordered from Waste Management. 305 296-2825. Arrangements made:
0	Management. 305 296-2825. Arrangements made:
0	Order signs to inform customers of recycling. Signs are needed for point-of-purchase locations and recycling containers.
0	Acquire liner bags for the recycling containers to be placed on the grounds. Ensure that the capacity of the bags is equal to or greater than that of the recycling containers on the grounds.
0	Arrange for emptying of recycling containers during the event – from the containers on the grounds to the large container. Arrangements made:
0	Arrange for pick-up of the recyclables. The agency providing containers will often take the materials for recycling. In other cases, arrange for the materials to be taken to a recycling facility. Arrangements made:
0	Meet with vendors and tell them to ask customers to recycle the appropriate materials. Make sure vendors know what will be recycled. Inform them that signs will be posted in their areas.
0	Oversee the delivery of containers and placement of signs.
0	Place recycling containers next to trash cans on the grounds and insert liner bags. All recycling

	Monitor recycling containers for correct usage during the event and take actions to solve problem
	Problems:Actions taken:
	Total area.
	View trash barrels and note any recyclables in the trash. Take actions to solve problems.
	Problems:
	Actions taken:
	Take photos of event recycling, record data on volumes of recyclables and trash, and ask vendors and event organizers for comments about the program Comments:
	Ensure that recyclables are removed and taken to the large container when bins are full and that liner bags are replaced.
,	At the end of the event, remove signs and arrange for their return to owners.
F	Place recycling containers in the pick-up location, as arranged with the providers of the containers
V	Ask the recycling facility to appraise the amount of material collected for recycling by weight, rolume, or counts and report on contamination levels. Amount of material:
	Contamination:
P	Prepare a report on the program including strategies used, amount of material diverted, comments and suggestions from participants and future recommendations.
5	hare the results with event organizers.
**	ecurity deposit of \$1000.00 must be submitted prior to the event.
1	ecurity deposit returned:

containers must be adjacent to trash barrels in order to reduce contamination problems.

For more information about event recycling and waste reduction, contact Waste Management at 305 296-2825

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City of Key West

CUSTOMER RECEIPT

Tender Details:

Tender Type: CK Tender Amount: \$1,000.00

Receipt Header:

Cashier Id: KEYWEST1\ssealey Receipt Date: 1/26/2016 9:47:46 AM Receipt Number: 6903

Receipt Details:

Reference ID: 7755 Fee Code Version: UNUSUAL PAYMENTS - ZZ Originator Receipt Number: Originator Payment Date:

Payment Type:
ALL CASH RECEIPTS
Transaction Amount:
\$1,000.00
Additional Comments: RECYCLE FOR KWSWF 2016



Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3828

Pursuant to my request to conduct a special event requiring authorization by the City Commission, I agree that throughout the event I will keep the premises clear of accumulated recyclables, trash and debris. This includes emptying trash and recycle cans on a regular basis for the duration of the event.





Signatures of NO Objection to Street Closure

EVENT; KEY WEST SONGWRITERS FESTIVAL MAIN EVENT Concert

DATE; MAY 7, 2016

TIME; 6:00am - MIDNIGHT

No beverages or food items will be sold by the Festival or booths set up on Duval Street.

RICKS ENTERTAINMENT COMPLEX FULL BUSHY
DUVAL BEACH CLUB MADLE N MOLAIN
COYOTE UGLY Danel Huster Bee
BULL/ WHISTLE
FOGARTY'S / FLYING MONKEY
IRISH KEVINS Jim Kmight
THE LAZY GECKO CO SEV les
SLOPPY JOES Blog Janenu
SHORTY AM



KEY WEST FIRE DEPARTMENT FIRE MARSHAL'S OFFICE

Please Check All That Apply To This Event

ns



7 World Trade Center 250 Greenwich Street New York, NY 10007 212-220-3103 info@bmifoundation.org

Dedicated to the creation, performance, and study of music.

May 21, 2015

Mr. Charlie Bauer Key West Songwriters Festival 1723 Jamaica Dr. Key West, Florida 33040

Dear Charlie,

Thank you for selecting the BMI Foundation as a beneficiary for your 20st Annual Key West Songwriters Festival. Also thank you for your donation of \$7000.00 to our foundation.

The BMI Foundation is a nonprofit organization founded in 1985 to encourage the creation, performance, and study of American music. The Foundation's programs include competitive scholarships for songwriters and composers, operating grants for nonprofit arts presenters, and support for innovative music education initiatives in schools and communities across the country. The final selections for these programs are entrusted to panels composed of some of the world's most distinguished artists and musicians, all of whom volunteer their time and knowledge. Because all members of the Foundation's board and Advisory Panel serve without compensation, over 91% of all donations and investment income is available for charitable grants.

Name as it should appear on website, printed material, and festival merchandise:

BMI Foundation, Inc. (logo font is Gotham Bold)

Hyperlink to website: http://bmifoundation.org

Hyperlink to our donation page: http://bmifoundation.org/donate

Hyperlink to download our logo: http://bmifoundation.org/logo

We will reciprocate on our website with a hyperlink to yours if you will provide us with your logo and URL.

BMI Foundation, Inc. 7 World Trade Center 250 Greenwich Street New York, NY 10007 212-220-3103 info@bmifoundation.org

Contact: Deirdre Chadwick 7 World Trade Center 250 Greenwich Street New York, NY 10007 212.220.3176 dchadwick@bmifoundation.org

Please direct all event-related correspondence to Amanda Charnley at BMI Foundation, 7 World Trade Center, 250 Greenwich Street, New York, NY, 10007. 212.220-3175. acharnley@bmifoundation.org

Thank you for supporting the BMI Foundation. We look forward to working with the Key West Songwriters Festival in raising funds for music education and performance in communities across the country.

Sincerely,

Deirdre Chadwick

President



SPECIAL EVENT RECYCLE PLAN

EVENT; KEY WEST SONGWRITERS FESTIVAL MAIN EVENT

DATE; MAY 7, 2016

TIME; 6am - Midnight (concert 7pm-10pm)

Festival Recycle committee will coordinate

With Waste Management:

Number of recycle bins needed (one recycle bin/one trash place side by side)

Drop of and Pick up of recyclables, containers, liners

Placement of Bins throughout event site

Ensure bins are clearly marked "recyclables"

With Event Staff:

Recycling Education and requirements (one recycle/one trash, monitor bins, adequate bins at event entrances, aware of all receptacles surrounding event)

Staff to encourage and promote recycling

Ensure bins are clearly marked to avoid sorting trash from recyclables

Cardboard Collection done behind the scenes

With Private Vendors:

Bins for cans and bottles within 50 ft of all drink/drink sale locations and placed behind each drink location

FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS



Detail by Entity Name

Florida Profit Corporation

BAUER RESTAURANT, INC.

Filing Information

Document Number

P08000074310

FEI/EIN Number

26-3136635

Date Filed

08/07/2008

State

FL

Status

ACTIVE

Principal Address

1723 JAMAICA DRIVE KEY WEST, FL 33040

Changed: 04/03/2010

Mailing Address

1723 JAMAICA DRIVE KEY WEST, FL 33040

Changed: 04/03/2010

Registered Agent Name & Address

BAUER, CHARLES 1723 JAMAICA DRIVE KEY WEST, FL 33040

Name Changed: 04/03/2010

Address Changed: 04/03/2010

Officer/Director Detail

Name & Address

Title D

BAUER, CHARLES 1723 JAMAICA DRIVE KEY WEST, FL 33040

Annual Reports

Report Year

Filed Date

2013 03/24/2013 2014 02/27/2014 2015 01/10/2015			
Document Images			
01/10/2015 ANNUAL REPORT	View image in PDF format]	
02/27/2014 ANNUAL REPORT	View image in PDF format	Ī	
03/24/2013 ANNUAL REPORT	View image in PDF format	Ī	
02/03/2012 ANNUAL REPORT	View image in PDF format	Ī	
03/18/2011 ANNUAL REPORT	View image in PDF format	j	
04/03/2010 ANNUAL REPORT	View image in PDF format	Ī	
02/13/2009 ANNUAL REPORT	View image in PDF format]	
08/07/2008 Domestic Profit	View image in PDF format	Ī	

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THE CITY OF KEY WEST

P.O. BOX 1409 KEY WEST, FL 33041-1409

RELEASE AND INDEMNIFICATION
Bauer Restaurant, Inc.
Key West Songwriters Festival
Saturday, May 7, 2016

I Charlie Bauer being authorized to act on behalf of and legally bind Bauer Restaurant, Inc. doing business as the legal entity or association on whose behalf this application is made, do hereby release the City of Key West, its officers, agents and employees from any and all liability for damages arising out of, or related to the activities for which application for leave to use City property has been submitted; and do hereby further agree, on behalf of said entity or association to indemnify, and hold harmless the City of Key West, its officers, agents, and employees from and against any and all damages to personnel or property of the City, and against all claims for damages or injuries to other persons or property of any nature whatsoever, and for defense costs, including attorneys' fees at both trial and appellate levels, arising from the actions or omissions of the person(s) or legal entity(ies) on whose behalf the application is submitted, including, but not limited to, the sale and dispensing of alcoholic beverages, or otherwise arising from the actions of their members, licensees, customers, guests, invitees, or participants in the related activities permitted. The foregoing Release and Indemnification agreement does not apply to those claims for damages or injuries which result from the negligent actions or omissions of the City of Key

west, its officers, agents,	and employees.
maria Raturi	
Signature of Witness	Signature of Applicant
maria Ratcush	CHARUSS BONISS
Print Name	Print Name
1/25/16 Date	1-25-16 Date



Key West Songwriters Festival 2015 Budget for Street Show May 9th 2015

 Main Stage Banner
 \$ 10,000.00

 Title Sponsorship
 \$ 10,000.00

 Beer Sponsor
 \$ 10,000.00

 Light Sound & Stage
 \$ (9,000.00)

 Police Department
 \$ (2,316.00)

 Labor
 \$ (2,450.00)

 Check to Non-Profit
 \$ (7,000.00)

Total \$ 9,234.00



Morstan General Agency of Florida II, Inc. 1835 Banks Road Margate, FL 33063

Date Prepared: 1/20/2016

Underwriter: Margie Bolton

Phone: (516) 488-4747 Ext: 3424

Fax: (516) 684-4881 Email: mbolton@morstan.com

Special Events

Quote Cover Letter

Diamond Insurance Partners

INSURED Bauer Restaurants Inc dba The Key West Songwriters Fest

3706H North Roosevelt Boulevard

Key West, FL 33040-

412 White St Key West, FL 33040

Proposed Dates 5/4/2016

To 5/8/2016

Carrier Burlington Insurance Company

Business Description Special Event

Please refer to Coverage Details on the following page(s)

PREMIUMS

Special Events Term Premium: 1,312.00 Policy Fee *: 35.00 Inspection Fee *: State Tax: 67.35 FSLSO Fee: 2.02 Total: 1,416.37 Deposit Due: 1,416.37

Min Earned Premium: 1,312.00

Optional Terrorism: 100.00 Optional Terrorism Taxes:

5.15 Total With Optional Terrorism: 1,521.52 10.00%

Commission:

Fees are Fully Earned

TERMS, CONDITIONS, EXCLUSIONS/REQUIREMENTS TO BIND

Reqquest to bind

100% Minimum and Deposit fully earned at inception

Completed Acord Application Signed by Both the Producer and Insured

Completed and Signed Supplemental Application

PER TERMS AND CONDITIONS OF ATTACHED COMPANY QUOTE

Surplus Lines Placement Disclosure and Acknowledgement signed by the Insured

Signed Terrorism Coverage Acceptance/Rejection Form

Premium is Fully Earned ***Full name and address for each of the 6 additional insureds-also list of various locations

This quote is valid until 2/19/2016 and is being offered on the basis shown on the attached quote. It does not necessarily provide the terms and/or coverages originally requested. This is intended as a quote indication only. No coverage is provided.



QUOTE

Date:

01/20/2016

Producer / MGA:

0359 - Morstan General Agency of Florida II, Inc., Margate, FL

Attention:

Applicant:

Bauer Restaurants Inc dba The Key West Songwriters Fest

DBA:

Principal Address:

Quote Number:

QUT31237

Insurance Company:

Burlington Insurance Company

Proposed Policy Period:

05/04/2016 To 05/08/2016

PREMIUM SUMMARY

		TI	RIA Accept	TRI	A Premium	Т	RIA Tax
General Liability Premium :	\$	1,312.00	TBD	\$	100.00	\$	05.15
Admin Fee :	\$	35.00				**	
Surplus Lines Tax :	\$	67.35					
Stamping Fee :	\$	2.02					
Advance Premium (for policy period) :	\$	1,416.37					
Total Including TRIA (If accepted):	¢	1 521 52					

Total Including TRIA (If accepted):

1,521.52

COMMERCIAL GENERAL LIABILITY

LIMITS OF LIABILITY

General Aggregate	\$ 2,000,000
Products Completed Ops Aggregate Limit	\$ 2,000,000
Personal Advertising Injury	\$ 1,000,000
Each Occurrence	\$ 1,000,000
Damages to Premises Rented to You	\$ 100,000
Medical Expense	\$ 5,000
Deductible	None

COMMERCIAL GENERAL LIABILITY CLASSIFICATIONS

Location 1 - 412 White Street, KEY WEST, FL 33040

Class	Description	State/Terr	Rate	Exposure	Basis	Premium	
41222	Music Festivals	FL / 6		05	Each	\$ 1012	Prem/Ops
					Activity		
					Day		
						\$	Products

Class	Description	State/Terr	Rate	Exposure	Basis	Premium	
49950	Additional Insured			06	FLAT	\$ 300	Within MP
						\$	

GL Premium Subject to Minimum Premium	\$ 1312.00
General Liability Premium Subject to Minimum Premium	\$ 1312.00
Premium for Coverages in Addition to Minimum Premium	\$ 0.00

Total General Liability Premium \$ 1,312.00

POLICY ENDORSEMENTS/EXCLUSIONS				
11 14	25% Minimum Earned Premium			
08 14	Policy Cover Page			
04 14	Common Policy Declarations			
03 03	Listing of Forms and Endorsements			
11 00	Service of Suit Amendment			
11 98	Common Policy Conditions			
TS/EXCLUSIO				
11 13	Exclusion - Lead-Bearing Substance			
11 13	Exclusion - Punitive Damages			
11 13	Exclusion - Asbestos, Silica or Other Toxic Substances			
11 13	Amendment Of Premium Conditions			
09 08	Contractual Liability Amendment			
02 10	Amendment - Section I Insuring Agreement			
12 07	Commercial General Liability Coverage Form			
05 09	Recording And Distribution Of Material Or Information In Violation Of Law Exclusion			
03 12	Florida Changes - Cancellation and Nonrenewal			
12 07	Employment-Related Practices Exclusion			
09 99	Total Pollution Exclusion Endorsement			
12 04	Fungi or Bacteria Exclusion			
01 15	Exclusion Of Certified Acts Of Terrorism And Exclusion Of Other Acts Of Terrorism			
	Committed Outside The United States			
05.03	Commercial General Liability Declarations			
	Amendment - Aircraft, Auto Or Watercraft Exclusion			
	Personal And Advertising Injury Amended			
	Exclusion - Confidential, Personal Or Any Other Information Or Data And Computer			
.0 .0	N			
	System Or Network Liability			
	Amendment - Employer's Liability Exclusion			
	Nuclear Energy Liability Exclusion Endorsement			
GL CLASS SPECIFIC ENDORSEMENTS/EXCLUSIONS				
12 11	Exclusions and Redefinition Described Hazards (Special Events Liability)			
11 14	Fully Earned Premium			
01 09	Exclusion - Liquor Liability			
SEMENTS/EX	CLUSIONS			
04 13	Additional Insured - Managers Or Lessors Of Premises			
	11 14 08 14 04 14 03 03 11 00 11 98 TS/EXCLUSIO 11 13 11 13 11 13 11 13 11 13 09 08 02 10 12 07 05 09 03 12 12 07 09 99 12 04 01 15 05 03 07 15 07 15 10 15 05 15 09 08 C ENDORSEN 12 11 11 14 01 09			

Special Disclosure on Terrorism To Applicant

Per Terrorism Risk Insurance Act of 2015 (TRIA), the United States Government will pay a share of losses caused by certified acts of terrorism. The federal share is 85% through 2015; 84% beginning on January 1, 2016; 83% beginning on January 1, 2017; 82% beginning on January 1, 2018; 81% beginning on January 1, 2019 and 80% beginning on January 1, 2020 of covered terrorism losses exceeding the statutorily established deductible paid by the insurer.

THIS IS TO ADVISE THE APPLICANT THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

Broker must have on file a properly executed Form C 01 15 "Policyholder Disclosure Notice of Terrorism Insurance Coverage" upon binding coverage.

Please Note:

This quote is subject to the following:

Receipt of the completed TRIA selection/rejection form signed and dated by the insured, Form C 01 15 (completed/signed to reflect insured's decision to elect or reject terrorism coverage). Receipt of a completed application signed and dated by the insured within ten (10) days of your request to bind.

This Quote is valid for 30 days from the date of this quote or until the policy effective date, whichever occurs first.

Coverage is offered on a Non-Admitted Basis. The Policy is subject to the Surplus Lines Laws in your state. You should make every effort to comply with any special provisions and regulations of your State. You must add all applicable Taxes and Fees to the quoted premium. You are responsible for the collection and remittance of surplus lines taxes to be filed directly with the applicable state(s).

Cancellation provisions - per policy forms.

State amendatory endorsements, if applicable.

Coverage shall be subject to all terms and conditions of the policy to be issued which when issued will replace any and all of our quote(s) and/or binder(s) without any further notice.

Please read all terms and conditions shown above carefully as they may not conform to the specifications shown in your submission.

Transmittal Disclaimer

This fax or email message is strictly confidential and is intended solely for the person or organization to which it is addressed. It may contain privileged and confidential information and, if you are not the intended recipient, you must not copy or distribute it or take action in reliance on it. If you have received this message in error, please notify the sender as soon as possible.

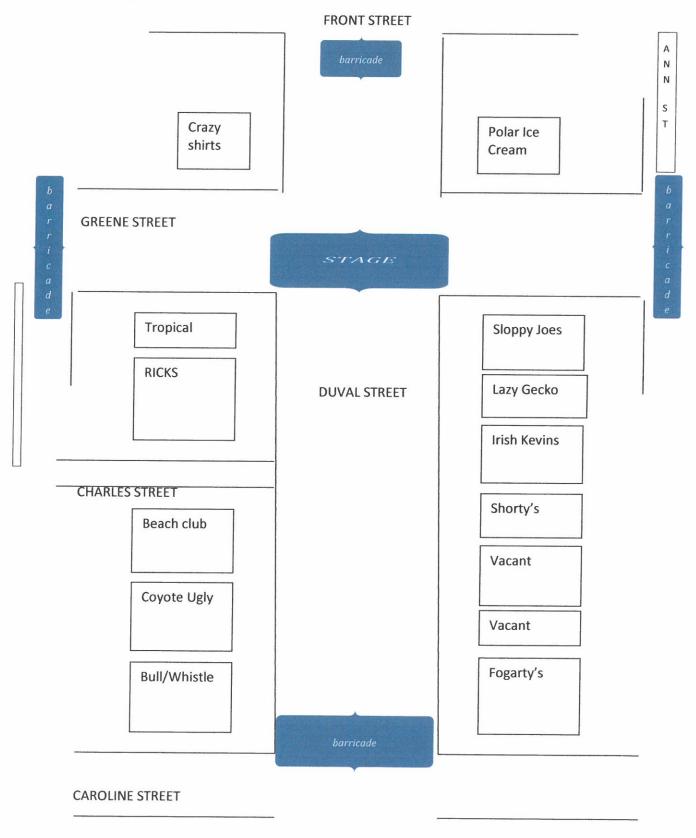
EXPLAIN ALL "YES" RESPONSES (For all past or present operations)	Y/N
17. ARE DAY CARE FACILITIES OPERATED OR CONTROLLED?	n
18. HAVE ANY CRIMES OCCURRED OR BEEN ATTEMPTED ON YOUR PREMISES WITHIN THE LAST THREE (3) YEARS?	n
19. IS THERE A FORMAL, WRITTEN SAFETY AND SECURITY POLICY IN EFFECT?	n
20. DOES THE BUSINESSES' PROMOTIONAL LITERATURE MAKE ANY REPRESENTATIONS ABOUT THE SAFETY OR SECURITY OF THE PREMISES?	n

REMARKS	_
Addl insureds: 1)Monroe County BOCC Risk Mgmnt; 1100 Simonton St, Key West, FL 33040 2)City Of Key West; 3132 Flagler Avenue, Key West, FL 33040 3)Pier House Joint Ventures DBA Pier House Resort & Spa: 1 Duval St, Key West, FL 33040 4)San Carlos Institute: 516 Duval St, Key West, FL 33040 5)Smokin Tuna LLC: 4 Charles St, Key West, FL 33040 6)Floida Restaurant & Lodging Assoc: 230 South Adams St, Tallahassee, FL 32301	
Effective Dates include 1 day before and 1 day after event for set up and take down.	

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR ANOTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS THE PERSON TO CRIMINAL AND [NY: SUBSTANTIAL] CIVIL PENALTIES. (Not applicable in CO, FL, HI, MA, NE, OH, OK, OR or VT. In DC, LA, ME, TN, VA and WA insurance benefits may also be denied).

IN FLORIDA, ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD, OR DECEIVE ANY INSURER FILES A STATEMENT OF CLAIM OR AT APPLICATION CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION IS GUILTY OF A FELONY OF THE THIRD DEGREE.





Event Name: Key Wost Songwriters Festival May 7,2016

Special Event Checklist

Everything must be checked off before submitting the special event application

TITLE	COMMENTS
Special Event Application	
Noise Exemption (If applicable)	
\$50.00 for Noise	
Ordinance initialed	
Recycling checklist completed	
Recycling deposit \$1,000.00	
Recycling Plan	
Authorization Letter for continuous cleaning of recycled area	
Signatures of No Objection of Street closure (If applicable)	
Insurance naming the City as additional insured	
Financial of previous event (If applicable)	
Release & Idemnification Form	
Site Map (where barricades, stages, etc are to go)	
Letter from non profit that states they will be receiving the funds	
	Noise Exemption (If applicable) \$50.00 for Noise Ordinance initialed Recycling checklist completed Recycling deposit \$1,000.00 Recycling Plan Authorization Letter for continuous cleaning of recycled area Signatures of No Objection of Street closure (If applicable) Insurance naming the City as additional insured Financial of previous event (If applicable) Release & Idemnification Form Site Map (where barricades, stages, etc are to go) Letter from non profit that states they will



CITY OF KEY WEST SPECIAL EVENTS DEPARTMENT APPROVALS

EVENT: KeyWost	Songwriters Fostival
DATES: May 7"	1, 2016
<u>DEPARTMENTS</u>	COMMENTS
EVENTS (INITIAL SIGNOFF)	
Maria Latruff 1/25/16 SIGNATURE DATE	
COMMUNITY SERVICES	
SIGNATURE DATE	
POLICE DEPARTMENT	
SIGNATURE DATE	
FIRE DEPARTMENT	
SIGNATURE DATE	
KWDOT	
SIGNATURE DATE	
PORT AND MARINE SERVICES	
SIGNATURE DATE	
CODE COMPLIANCE	
Judong 25 Jan 16	
SIGNATURE DATE	
ENGINEERING	
SIGNATURE DATE	
TILITIES	
SIGNATURE DATE	
PECIAL EVENT PERMIT HAS BEEN APPROV	ZED DENIED

CIL	EVENT	0
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CITY OF KEY WEST SPECIAL EVENTS DEPARTMENT
APPROVALS

BVENT: KELLLINGST SONGHOLITERS TESTING DEPARTMENTS

COMMENTS

EVENTS (INITIAL SIGNOFF)

THARMS AND 1/25/16

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POLICE DEPARTMENT

SIGNATURE

FIRE DEPARTMENT

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CITY OF KEY WEST SPECIAL EVENTS DEPARTMENT APPROVALS

EVENT: _	KeyWost.	Songwriters Fostival
DATES:_	May 77	4 2016
DEPARTM	MENTS	COMMENTS
EVENTS (INITIAL SIGNOF	F)	
Maria Latruf SIGNATURE	1 1/25/16	
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SIGNATURE	DATE	
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FIRE DEPARTMENT		
SIGNATURE	DATE	
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SIGNATURE	DATE	
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TORT THE MARKINE SERVIC	ES	
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	DATE	
CODE COMPLIANCE		
SIGNATURE	DATE	
ENGINEERING		
	1/26/16	
SIGNATURE	DATE	
UTILITIES		
SIGNATURE	DATE	
SPECIAL EVENT PERMIT HAS I	BEENAPPROV	EDDENIED

CODE COMPLIANCE

SIGNATURE

ENGINEERING

CITY	CITY OF KEY WEST SPECIAL EVENTS DEPARTMENT APPROVALS		
WESTERG	EVENT: KoyWast Songwriters Fostival		
DATES:_	may 7"	2016	
DEPARTM	IENTS U	COMMENTS	
EVENTS (INITIAL SIGNOFF	7)		
Mellia Lating	1 1/25/16		
	DATE		
COMMUNITY SERVICES			
SIGNATURE	DATE		
POLICE DEPARTMENT	22.7 co Unio 9855 #501	Requires Noise Exemption	
Steven Torrence Enter Date: 2	lly signed by Steven Tarrence =Steven Tarrence, o=KWPD, ou=KWPD, =Storrence@cityalkeywest-11.gov, c=US 2016.01.26 11:36:31 -05'00'	Requires Extra Duty Officers	
SIGNATURE	DATE		
FIRE DEPARTMENT			
SIGNATURE	DATE		
KWDOT			
<i>*</i>			
SIGNATURE	DATE		
PORT AND MARINE SERVIC	ES		
SIGNATURE	DATE		

SIGNATURE DATE

SIGNATURE DATE

SPECIAL EVENT PERMIT HAS BEEN ____APPROVED ____DENIED

DATE

Maria Ratcliff

From:

Doug Bradshaw

Sent:

Wednesday, January 27, 2016 4:46 PM

To:

Maria Ratcliff

Subject:

RE: A.H. of Monroe County Taste of Key West & Key West Songwriters Festival

Ok with both

Doug Bradshaw Director Port and Marine Services City of Key West 201 William Street Key West, FL 33040 305-809-3792

From: Maria Ratcliff

Sent: Wednesday, January 27, 2016 4:10 PM

To: Doug Bradshaw < dbradshaw@cityofkeywest-fl.gov>

Subject: FW: A.H. of Monroe County Taste of Key West & Key West Songwriters Festival

I forgot to send to you. SORRY!

Maria Ratcliff
Executive Administrator to the City Manager & Special Events Coordinator
City of Key West
3132 Flagler Avenue
Key West, Florida 33040
Phone: 305 809-3881
Fax: 305 809-3886

From: Maria Ratcliff

Sent: Monday, January 25, 2016 3:25 PM

To: Richard Sarver < resarver@cityofkeywest-fl.gov">resarver@cityofkeywest-fl.gov; Steve Torrence < resarver@cityofkeywest-fl.gov; Rogelio Hernandez

<<u>rhernandez@cityofkeywest-fl.gov</u>>; Regina Scott <<u>rscott@cityofkeywest-fl.gov</u>>; Jim J. Young <<u>jiyoung@cityofkeywest-fl.gov</u>>

fl.gov>; James Bouquet (jbouquet@cityofkeywest-fl.gov) <jbouquet@cityofkeywest-fl.gov>

Subject: A.H. of Monroe County Taste of Key West & Key West Songwriters Festival

Maria Ratcliff
Executive Administrator to the City Manager & Special Events Coordinator
City of Key West
3132 Flagler Avenue
Key West, Florida 33040
Phone: 305 809-3881
Fax: 305 809-3886



CITY OF KEY WEST SPECIAL EVENTS DEPARTMENT APPROVALS

		ATTROVALD
A. Washington	EVENT: KeyWost	+ Songwriters Fostival
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	<u>DEPARTMENTS</u>	COMMENTS
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SIGNATURE	DATE	
POLICE DEPAR	IMENT	
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FIRE DEPARTMI	ENT	
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KWDOT	DATE	
SIGNATURE	DATE	
PORT AND MARI	NE SERVICES	
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CODE COMPLIAN	CE	
SIGNATURE	DATE	
ENGINEERING	DATE	
SIGNATURE	D.1	
UTILITIES	DATE	
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CIONATURE		
SIGNATURE	DATE	
SPECIAL EVENT PER	RMIT HAS BEEN APPRO	VED DENIED

Songwriters Festival

CITY OF KEY WEST SPECIAL EVENTS DEPARTMENT APPROVALS

EVENT (INITIA	L SIGNOFF):	CONDITIONS/RESTRUCTIONS
SIGNATURE	DATE	
PUBLIC WORKS		
SIGNATURE	DATE	
POLICE		
SIGNATURE	DATE	
FIRE DEPARTME <u>Danny Blanco</u> SIGNATURE	ENT 01/28/2016 DATE	SEE ATTACHED MEMO
PORT/KEY WEST	TOOT	
SIGNATURE	DATE	
CODE COMPLIA	NCE	
SIGNATURE	DATE	
KEY WEST PROP MANAGEN		
SIGNATURE	DATE	
PARKING DEPAR	TMENT	
SIGNATURE	DATE	



CITY OF KEY WEST SPECIAL EVENTS DEPARTMENT APPROVALS

DATES: May 7th 2016	
DEPARTMENTS	COMMENTS
EVENTS (INITIAL SIGNOFF)	
Maria Latiuff 1/25/ SIGNATURE DATE	16
COMMUNITY SERVICES	
SIGNATURE DATE	
POLICE DEPARTMENT	
SIGNATURE DATE	
FIRE DEPARTMENT	
SIGNATURE DATE	
KWDOT	
SIGNATURE DATE	
PORT AND MARINE SERVICES	NA
SIGNATURE DATE	
CODE COMPLIANCE	
SIGNATURE DATE	
ENGINEERING	
SIGNATURE DATE	
TILITIES	