



THE CITY OF KEY WEST
Code Compliance Division

P.O. BOX 1409
KEY WEST, FL 33040
(305) 809-3740

**NOTICE OF REPEAT/IRREPERABLE CODE
VIOLATION/ AND NOTICE OF
ADMINISTRATIVE HEARING**

DATE: February 5, 2013
RE: CASE NUMBER 13-0185

CERTIFIED MAIL RECEIPT#: 7007 3110 0003 4758 7809

TO:
KWSC, Inc. d/b/a
Adult Entertainment Club
c/o Yuliya Andrews, Owner
8311 Brier Creek Parkway, Suite 105353
Raleigh, NC 27617

SUBJECT ADDRESS:
300 Block of Duval Street
Key West, FL 33040

According to the records of The City of Key West, you are the current licensed operator / representative of the business owner. You are hereby noticed that you were in violation of the City of Key West Code of Ordinances for the following reason(s):

Sec. 18-411. - Title.

This article shall be known as the off-premises canvassing ordinance.

Count 1: Sec. 18-441. - Required.

No person shall engage in off-premises canvassing unless the person holds a valid off-premises canvassing permit and fully conforms to the terms of this article.

On January 10, 2013 at approximately 1:30 a.m. Niele Bassi Favreau was soliciting customers for the Adult Entertainment club in the 300 block of Duval Street by handing out advertising cards.

Count 1: Sec. 18-415. - Restrictions in historic district.

(b) Any person engaging in off-premises canvassing in the historic district shall abide by the following restrictions:

(1)

No off-premises canvasser may operate on the public right-of-way at the following prohibited streets or areas:

a. Duval Street.



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DATE: February 5, 2013
RE: CASE NUMBER 13-0185

CERTIFIED MAIL RECEIPT#: 7007 3110 0003 4758 7793

TO:
KWSC, Inc. d/b/a
Adult Entertainment Club
c/o Albert L. Kelley, R.A.
926 Truman Avenue
Key West, FL 33040

SUBJECT ADDRESS:
300 Block of Duval Street
Key West, FL 33040

According to the records of The City of Key West, you are the current licensed operator / representative of the business owner. You are hereby noticed that you were in violation of the City of Key West Code of Ordinances for the following reason(s):

Sec. 18-411. - Title.

This article shall be known as the off-premises canvassing ordinance.

Count 1: Sec. 18-415. - Restrictions in historic district.

(b) Any person engaging in off-premises canvassing in the historic district shall abide by the following restrictions:

(1)

No off-premises canvasser may operate on the public right-of-way at the following prohibited streets or areas:

a. Duval Street.

On January 10, 2013 at approximately 1:30 a.m. Niele Bassi Favreau was soliciting customers for the Adult Entertainment club in the 300 block of Duval Street, which is a prohibited area.

In accordance with Florida Statutes 162 and Code of Ordinance, City of Key West, 2-631 through 2-647, the City of Key West has scheduled a hearing to be held at **Old City Hall, 510 Greene Street, Key West Florida at 1:30 P.M. on:**

FEBRUARY 27, 2013

The Chambers will be open at 1:00 P.M. These proceedings may be televised.

The purpose of this hearing is to determine if a violation(s) exists, the appropriate action to be taken, if any is required, and if any fines or penalties are to be imposed. **YOU ARE REQUESTED TO APPEAR AT THIS HEARING** to present evidence and/or testimony to show cause, if any, why you should not comply with City ordinances. **YOUR FAILURE TO APPEAR MAY RESULT IN A FINE OR PENALTY BEING IMPOSED AGAINST YOU AND A LIEN BEING IMPOSED UPON YOUR PROPERTY.**

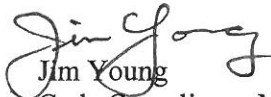
You have a right to have an attorney present at the hearing. If an attorney represents you, your attorney must file a written notice with this office prior to the Hearing Date.

If you intend to request a continuance from the Hearing Date set out above you must submit a written request for a continuance addressed to the Special Magistrate and mailed or delivered to the Special Magistrate's Legal Analyst at 604 Simonton Street, Key West, FL 33040. All requests must be received at least five (5) working days prior to the Hearing Date set out above. If the request is not received five (5) working days prior to the Hearing Date you or your attorney must appear on the Hearing Date to petition the Special Magistrate for a continuance. If any continuance is granted this will not stay discovery and all records previously requested must be supplied to the City or formally objected to.

Be advised that, if you decide to appeal any decision of the Special Magistrate in this code compliance hearing, you shall be responsible to ensure that a verbatim record of the proceedings of this code compliance hearing is made, such that any evidence and testimony upon which an appeal may be based can be submitted to the appellate court.

If you are found to be in violation of City of Key West Ordinances, administrative costs in the amount of **\$250.00** may be levied for administrative recovery for prosecution and investigation in addition to levied fines associated with the violation(s). **Failure to pay these costs will result in a lien against the property in violation.**

PER FLORIDA STATUTES SECTION 162.09, YOUR FAILURE TO CORRECT THE VIOLATION(S) MAY RESULT IN THE IMPOSITION OF A FINE OF UP TO \$250.00/DAY, AND \$500.00/DAY FOR A REPET VIOLATION. IF THE VIOLATION(S) IS IRREPARABLE OR IRREVERSIBLE, A FINE OF UO TO \$5,000.00 MAY BE IMPOSED BY THE SPECIAL MAGISTRATE. FINES MAY BE IMPOSED ON A PER DAY / PER VIOLATION BASIS.



Jim Young
Code Compliance Manager
City of Key West
(305) 809-3737