

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE AMERICAN LEGION AUXILIARY POST 168 TO CONDUCT A FUNDRAISING MUSICAL CELEBRATION AT THE TRUMAN WATERFRONT ATHLETIC FIELDS ON FRIDAY, DECEMBER 31, 2010, FROM 9:30 P.M. TO 2:30 A.M, PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN AN ENCLOSED AREA; GRANTING AN EXEMPTION FROM THE NOISE CONTROL ORDINANCE PURSUANT TO SECTION 6-86 OF THE CODE OF ORDINANCE DURING THE EVENT; WAIVING THE USER FEE OF \$500.00; DIRECTING STAFF TO COLLECT RECYCLING AND CLEANUP DEPOSITS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the American Legion Auxiliary Post 168 wishes to conduct a Fundraising Musical Event on the grounds of the Truman Waterfront Athletic Fields between the hours of 9:30 p.m. to 2:30 a.m. on Friday, December 31, 2010; and

WHEREAS, the sponsor anticipates that amplified music will be played during the event;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

SECTION 1. That the American Legion Auxiliary Post 168 is hereby granted permission to conduct a "Fundraising Musical Celebration" on the date and during the hours stated above; PROVIDED that all trash is adequately collected and contained; a guarantee indemnifying the City is executed; provided the organizations meet the terms and conditions set forth by the City Manager; and 25% of gross revenue or

\$1,000.00, whichever is greater, shall be donated to the American Legion Auxiliary Post 168.

SECTION 2. That pursuant to Section 18-86 of the Key West Code of Ordinances, the American Legion Auxiliary Post 168 is hereby granted permission allowing the sale and consumption of alcoholic beverages within an enclosed area.

SECTION 3. That the American Legion Auxiliary Post 168 is hereby granted a Special Event Permit under Section 6-86 of the Key West Code of Ordinances for an event that will take place at the place and time herein described.

SECTION 4. That any use of the Truman Waterfront property must be coordinated and approved through the Local Redevelopment Agency Office.

SECTION 5. That the American Legion Auxiliary Post 168 will adhere to the recycling plan of the City of Key West.

SECTION 6. That the City of Key West directs staff to collect recycle and cleanup deposits.

SECTION 7. That the \$500 user fee for the athletic fields at Truman Waterfront is waived for this event.

SECTION 8. That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and Clerk of the Commission.

Passed and adopted by the Commission at a meeting held this ____ day of _____, 2010.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2010.

Filed with the Clerk _____, 2010.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK