

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING HISTORIC MARKERS, INC. D/B/A HISTORIC KEY WEST TO PLACE UP TO EIGHTY-FOUR (84) "500 YEARS OF PARADISE" BANNERS ALONG DUVAL STREET AND TRUMAN AVENUE IN ACCORDANCE WITH SECTIONS 114-35 AND 114-103(A)(2) OF THE CODE OF ORDINANCES; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, as part of a state-wide celebration of the 500 year anniversary of Ponce deLeon's discovery of Florida, the Florida Keys, and the Dry Tortugas, Historic Key West, a project of Historic Markers, Inc. has requested permission to display banners commemorating the history of Key West along Duval Street and Truman Avenue; and

WHEREAS, the City Commission has determined that display of the proposed "500 Years of Paradise" banners along Duval Street and Truman Avenue would enhance the streetscape at no cost to the taxpayers; and

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

Section 1: That permission is hereby granted to Historic Markers, Inc. d/b/a Historic Key West in accordance with sections 114-35 and 114-103(a)(2) of the Code of Ordinances for the placement of 84 banners on street light poles, as described in the "Banner Program" proposal attached hereto, from January 1, 2013

through November/December, 2013, in coordination with the installation of the City's holiday decorations.

Section 2: That this authorization is conditioned upon the following:

- A. Historic Markers, Inc. d/b/a Historic Key West shall engage a licensed sign erection contractor or general contractor to erect, remove and repair the banners in accordance with section 114-31(6) of the Code of Ordinances.
- B. Historic Markers, Inc. d/b/a Historic Key West and its contractor shall execute an indemnification agreement, in a form acceptable to the City Manager and the City Attorney, in favor of the City.
- C. Historic Markers, Inc. d/b/a Historic Key West and its contractor shall furnish and maintain public liability and property damage insurance protecting the City from all claims and damage to property or bodily injury, including death, which may arise from the existence, installation and maintenance of the banners. Such insurance shall provide coverage of not less than \$200,000.00 for bodily injury and property damage respectively, per occurrence. The policy shall not terminate or be cancelled without 45 days' written notice to the City's chief

building official, sent via certified mail.

- D. In the event of a hurricane warning issued by the National Weather Service for the City of Key West, Historic Markers, Inc. d/b/a Historic Key West and its contractor shall immediately remove all banners and attachments installed pursuant to this authorization.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2012.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2012.

Filed with the Clerk _____, 2012.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK