

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE DUVAL STREET IMPROVEMENT ASSOCIATION TO ESTABLISH THE DUVAL STREET CAFÉ ZONE ON FRIDAY AND SATURDAY EVENINGS FROM NOVEMBER 12, 2011 THROUGH APRIL 14, 2012 FROM 6:00 P.M. TO 12:00 A.M. PURSUANT TO TERMS AND CONDITIONS SET FORTH BY THE CITY MANAGER; AUTHORIZING THE CLOSURE OF DUVAL STREET BETWEEN ANGELA STREET AND FLEMING STREET; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE DESIGNATED AREA; PROVIDING CONDITIONS; PROVIDING AN EFFECTIVE DATE

WHEREAS, the owners and/or operators of Jack Flats, Margaritaville Café, Willie T's, La Trattoria, Old Town Mexican, Antonias, Fin, and Cowboy Bills ("participating business") have worked in conjunction with the City of Key West to promote and enhance a vision for the 500 and 600 blocks of Duval Street; and

WHEREAS, the City desires to encourage ideas that provide enriching experiences for tourists and locals alike who frequent Duval Street; and

WHEREAS, the City desires to permit a pilot project which creates a "Café Zone" on Duval Street between Fleming and Angela Streets during evening weekends from November through April; and

WHEREAS, the pilot project will allow the City an opportunity to analyze the success of the endeavor as well as

the feasibility of expanding the Café Zone to other areas of the City; and

WHEREAS, in order properly organize the project, the participating business have formed a civic organization entitled the Duval Street Improvement Association, Inc. ("Association").

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Key West, Florida;

SECTION 1. The Duval Street Improvement Association, Inc. is authorized to establish a Café Zone on Duval Street between Angela and Fleming Streets from November 12, 2011 through April 14, 2012 between the hours of 6 p.m. and 12 midnight; PROVIDED that all trash is adequately collected and contained; that the Association and/or participating business obtain insurance naming the City as an additional insured; that the Association and participating business execute a hold harmless and indemnity agreement in favor of the City; that the Association and participating businesses meet the terms and conditions set forth by the City Manager.

SECTION 2. The Café Zone will be for pedestrian use only and all motorized and non-motorized vehicles are prohibited except for the use of Southard Street as an authorized cross street.

SECTION 3. During the hours of operation, the commercial use of the streets and sidewalks on Duval Street, between Angela and Fleming Street, shall be restricted to the participating business and members of the Association only.

SECTION 4. Pursuant to Section 18-87 of the Key West Code of Ordinances, the Association is hereby granted permission allowing the sale and consumption of alcoholic beverages within the designated area.

SECTION 5. The Association will adhere to the recycling plan of the City of Key West.

SECTION 6. The Café Zone shall not interfere with any City authorized special events and will cease operations to the extent of conflict as determined by the City Manager.

SECTION 7. The Association will comply with all health, safety and welfare conditions imposed by the City's police and fire departments.

SECTION 8. The participating business shall establish dining tables in designated locations with full food and beverage table services. All items shall be removed nightly before midnight. The Association shall assign a nightly monitor who will be responsible for the enforcement of Association guidelines and the terms of this resolution. While additional police, fire and public works support from the City is not

anticipated, any additional cost incurred by the City as a result of the pilot project above those of a normal operating evening shall be borne by the Association.

SECTION 9. 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 City Commission at a meeting held this _____ day of _____, 2011.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2011.

Filed with the Clerk _____, 2011.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK