

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING SISTER SEASON FUND INC. THE USE OF THE SOUTHERNMOST BEACH AT 1405 DUVAL STREET FOR THE 33RD ANNUAL SURVIVORS PARTY ON MONDAY, MAY 31, 2010 FROM 4:00 P.M. TO SUNSET; AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE BARRICADED AREA; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Sister Season Fund Inc. wishes to use the Southernmost Beach Site between the hours of 4:00 p.m. to sunset on Monday, May 31, 2010 for the 33rd Annual Survivors Party; and

**WHEREAS**, this event shall take place on the grounds of the Southernmost Beach between the hours of 4:00 p.m. to sunset; and

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

**SECTION 1.** That the Sister Season Fund Inc. is hereby granted permission for the use of the Southernmost Beach on the date and during the hours stated above; **PROVIDED** all trash is adequately collected and contained; guarantees indemnifying the City is executed; and provided the organizations meet the terms and conditions set forth by the City Manager.

**SECTION 2.** That pursuant to Section 18-86 of the Key West Code of Ordinances, permission is granted to allow the sale and consumption of alcoholic beverages within the enclosed area.

**SECTION 4.** That the Sister Season Fund Inc. will adhere to the recycling plan of the City of Key West and that they will submit a recycling plan before the event.

**SECTION 5.** 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

R1694

**\*CITY OF KEY WEST  
APPLICATION FOR A SPECIAL EVENT PERMIT**

Name of Applicant(s) SISTER SEASON FUND INC

Address of Applicant(s) 320 TRUMAN AVE Key West

Phone Number of Applicant(s) 305 295 0513 Fax: 305 295 0513 Email: STSEASONSLA@aol.com

Name of Non-Profit (s) SISTER SEASON FUND INC

Address of Non-Profit(s) 320 TRUMAN AVE

Phone Number of Non-Profit(s) 305 295 0513

Amount or Percentage of Revenue Non-Profit(s) anticipates receiving 100%

Date/Dates of Event MAY 31 2010

Hours of Operation 9 PM to sunset

Estimated/anticipated number of persons per day 250

Location of Event SOUTHMOST BEACH CLUB

Street Closed NONE

Detailed description of event 33rd Annual Senior Party

BEACH PARTY BBQ Games PRIZES + 50/50/ to 50/100

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 [Signature]

Date 4/11/2010

(Financial statements of the event from the previous year must be attached and submitted along with special event application)

ORDINANCE NO. 02-09

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 TO 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 6-57 TO ESTABLISH A MINIMUM NON-PROFIT SHARE FOR SPECIAL EVENTS IN WHICH A STREET IS CLOSED; AMENDING SECTION 6-58 TO PROVIDE THAT MAJOR FESTIVAL SPONSORS MAKE APPLICATION SIX MONTHS IN ADVANCE AND APPROVE CERTAIN SALES OF ALCOHOLIC BEVERAGES; ADDING SECTION 6-61 PERTAINING TO 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 provisions 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 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 (1½%) 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.

\* (Coding: Added language is underlined; deleted language is struck through.)

Section 2.

That section 6-27 is hereby added to the Code of Ordinances as follows:  
Sec. 6-27. Food, beverage and merchandise handling.

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, At 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 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) A major festival is a special event of regional impact. Major festivals are: Faney Fantasy 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 of 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 which 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 therefore 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.

Read and passed on first reading at a regular meeting held this 16<sup>th</sup> day of October, 2002.

Read and passed on second reading at a regular meeting held this 6<sup>th</sup> day of November, 2002.

Read and passed on final reading at a regular meeting held this 19<sup>th</sup> day of November, 2002.

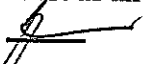
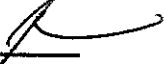



Authenticated by the presiding officer and Clerk of the Commission on 21<sup>st</sup> day of November, 2002.

Filed with the Clerk November 21, 2002.

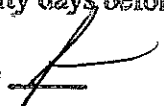
Sponsor's Signature

A handwritten signature in black ink, consisting of a stylized, cursive letter 'A' with a horizontal line extending to the right from its base.

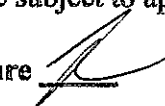
# RULES AND REGULATIONS FOR USE OF CITY OF KEY WEST PROPERTY FOR SPECIAL EVENTS

1. All Applicant(s) must fill out a City of Key West (City) application form provided to you by the Office of the City Manager.
2. 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 
5. 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 

8. 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 

9. 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.

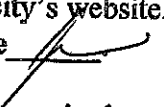
Sponsor's Signature 




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

- Identify contact person at the festival responsible for working with recycling.  
Name of person: CAROL BARBONITA Phone number: 296 6577
- 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:
- Define the amount of recycling containers needed for the festival grounds (based on commodities used at event and where they will be used and discarded. When recyclables are used throughout event, 1 recycling container for every three trash barrels may be used)  
Amount of recycling containers needed: 4
- 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: W provide own own
- Capacity of containers on grounds: 4 30 GAL Center.  
Contact person for containers: SKIP RUSSELL Phone #: 296 6577
- Order signs to inform customers of recycling. Signs are needed for point-of-purchase locations and recycling containers.
- 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.
- Arrange for emptying of recycling containers during the event – from the containers on the grounds to the large container.  
Arrangements made: We have our own Recycling Center location
- 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: WEEKLY PICK UP SCHEDULE
- 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.
- Oversee the delivery of containers and placement of signs.
- Place recycling containers next to trash cans on the grounds and insert liner bags. All recycling

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

- Monitor recycling containers for correct usage during the event and take actions to solve problems.

Problems: \_\_\_\_\_

Actions taken: we have 35 staff members monitoring  
Recycling Containers

- View trash barrels and note any recyclables in the trash. Take actions to solve problems.

Problems: \_\_\_\_\_

Actions taken: Same as above.

- 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.

Place recycling containers in the pick-up location, as arranged with the providers of the containers.

Ask the recycling facility to appraise the amount of material collected for recycling by weight, volume, or counts and report on contamination levels.

Amount of material: \_\_\_\_\_

Contamination: \_\_\_\_\_

Prepare a report on the program including strategies used, amount of material diverted, comments and suggestions from participants and future recommendations.

Share the results with event organizers.

Security deposit of \$1000.00 prior to event ✓ #1209  
Security deposit returned \_\_\_\_\_

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

**SISTER SEASON FUND, INC.**

320 TRUMAN AVENUE  
SECOND FLOOR  
KEY WEST, FL 33040  
305-295-0513

KEY WEST BANK  
KEY WEST, FLORIDA

63-9203/0670

1209

**PAY**

*one thousand one hundred*

DATE

AMOUNT

*1000.00*

TO THE  
ORDER  
OF

*City of Key West*

*[Handwritten Signature]*

AUTHORIZED SIGNATURE

MEMO

⑈00 1209⑈ ⑈067092035⑈ 000002868 1⑈

**SISTER SEASON FUND, INC.**

1209

*1000.00*

*City of Key West*

**SISTER SEASON FUND, INC.**

1209

**Maria Ratcliff**

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**From:** SISTERSEASON@aol.com  
**Sent:** Friday, August 21, 2009 11:51 PM  
**To:** Maria Ratcliff  
**Cc:** TPaulsonKW@aol.com; Evereadydh@aol.com; vicki@barefootappraisal.com; Kwgingerking@BELLSOUTH.NET; Purpleprincesskw@aol.com; Johnallkey@aol.com; kmstahl@bellsouth.net; modi\_man@hotmail.com  
**Subject:** Re: Financial of the Event

TOTAL MONIES RECEIVED AT 2009 SURVIVORS PARTY	\$ 9377.00
MONIES RECEIVED FROM SPONSORS OF SURVIVORS PARTY	\$ 3176.00
ADVERTISING EXPENSE	\$ 576.00
T SHIRTS	\$ 1008.00
STORAGE & SUPPLIES	\$ 1584.00
TOTAL MONIES SPENT TO PUT ON SURVIVORS PARTY	\$ 3168.00
NET COST OF SURVIVORS PARTY	< 8.00>
NET PROCEEDS FROM THE SURVIVORS PARTY EVENT	\$ 9377.00

ALL MONIES RECEIVED AT THE SURVIVORS PARTY WENT DIRECTLY TO THE GENERAL ASSISTANCE FUND AND ARE AVAILABLE FOR USE IN ASSISTING QUALIFIED KEY WEST RESIDENTS.

RESPECTFULLY SUBMITTED

ON THIS 21ST DAY OF AUGUST 2009

JAMES (JT) THALLER

TREASURER

In a message dated 7/14/2009 8:54:36 A.M. Eastern Daylight Time, mratclif@keywestcity.com writes:

The financial is just what you guys spent on the event and what was made. It can be very simple. The recycle checklist you guys filled out but did not put in how many pounds was recycled. You get that from waste management. I also have the \$1000.00 check. You need to tell me if you want me to rip it up or get it back. Attached is what you guys filled out. Thanks  
 Maria

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**From:** SISTERSEASON@aol.com [mailto:SISTERSEASON@aol.com]  
**Sent:** Tuesday, July 14, 2009 12:01 AM  
**To:** Maria Ratcliff  
**Subject:** Re: Financial of the Event

8/24/2009



A FLORIDA NOT FOR PROFIT CORPORATION 501 (C)(3) CHARITY

**April 30, 2010**

**Maria Ratcliff  
Special Events Coordinator  
City of Key West  
PO Box 1409  
Key West, FL 33041**

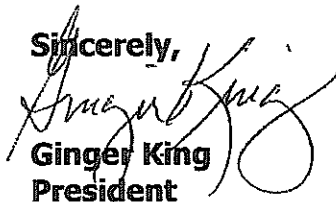
**Dear Ms. Ratcliff,**

**This letter is to accompany the application submitted for City Commission approval For a benefit to be held Memorial Day, May 31<sup>th</sup> at the Southernmost Beach Café.**

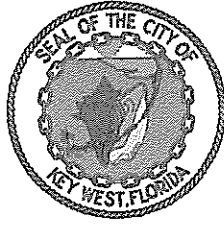
**The event, 33rd Annual Survivor's Party the major annual benefit held for Sister Season Fund, Inc. (SSF). SSF provides housing assistance to those who are employed in the tourist industry within Key West zip codes who are temporarily out of work due to injury, or illness or some other critical event through no fault of their own and are in danger of losing their housing. All proceeds of the event go directly to our fund for our assistance program. SSF is a 501 (c)(3) non-profit organization.**

**Thank you for your assistance in the application process. Please do not hesitate to call me at 849-0991 if additional information is required.**

**Sincerely,**

  
**Ginger King  
President**

**P.O. Box 4535, KEY WEST FL 33041, 305-295-0513 PHONE, 305-295-0279 FAX  
[www.sisterseason.com](http://www.sisterseason.com), [sisterseason@aol.com](mailto:sisterseason@aol.com)**



**THE CITY OF KEY WEST**

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3888

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**SPECIAL EVENT  
(Exemption from Noise Ordinance)**

**STREET CLOSURE APPLICATIONS**

The following applications for Special Events/Street closures will be considered at the city commission meeting of May 18, 2010 , 6:00 p.m. Old City Hall

A copy of each application is on file at the City Clerks Office for public inspection.

Sister Season Fund Inc.  
Use of the Southernmost Beach at  
1405 Duval Street  
For their annual Survivors Party  
4:00 p.m. to Sunset  
Monday, May 31, 2010  
Contact: Ginger King 305 295-0513

Bourbon Street Pub  
724 Duval Street  
(Garden Bar)  
Noise Exemption  
June 10 & 11, 2010  
7:00 p.m. to 12:00 midnight  
Contact: Bob Oberle 305 304-2643