

1. Requested Motion:

Meeting Date: November 5, 2012

Approve the 26th Annual Sand Sculpting Championship scheduled for November 16 – 25, 2012, and lift the open container ordinance for the duration of the event, conditioned on receipt of all required permits, approvals and authorizations, including approval of the extension of premise and confirmation that the Town will be included as a sponsor.

Why the action is necessary:

Town Council must approve all special event permit applications that extend beyond three days and include the consumption of alcohol in conjunction with an extended event period.

What the action accomplishes:

Approves the special event application.

2. Agenda:

- Consent
- Administrative

3. Requirement/Purpose:

- Resolution
- Ordinance
- Other

4. Submitter of Information:

- Council
- Town Staff - Public Works
- Town Attorney

5. Background:

The Town Council provided authorization to the Town Manager to approve all special event applications unless the application included the service of alcohol beyond three days and/or the event extends beyond a three day time period.

The 26th Annual Sand Sculpting Championship is proposed for a ten day period between November 16 – 25, 2012 on the beach adjacent to the Holiday Inn at 6890 Estero Blvd. The applicants intend to provide alcoholic beverages in conjunction with the event which will be handled through an extension of premises submitted by Pincher's Restaurant. In addition this application also includes a request to lift the open container ordinance during the event for public areas within the boundaries of the event.

Attached is a memo providing additional background information and copy of the permit application for Council's review and consideration.

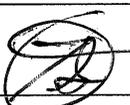
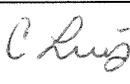
6. Alternative Action:

Deny the Special Event Permit Application.

7. Management Recommendations:

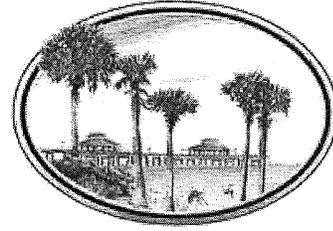
Approve the application.

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director		Town Clerk
						

9. Council Action:

- Approved
- Denied
- Deferred
- Other



Town of Fort Myers Beach

Memo

To: Cathie Lewis
Cc:
From: Jeff Richard, Public Services Supervisor
Date: October 9, 2012
Re: 26th Annual Sand Sculpting Competition

The 26th Annual Sand Sculpting Competition is slated to run November 16 – 25, 2012. The Special Event Application was received on September 28, 2012. This event needs to be approved by Town Council for the fact that it is an event with a duration longer than three days which includes the service of alcohol.

The second item that needs to be approved by Council is the Extension of Premises Application submitted by Pincher's Restaurant to serve alcohol through the duration of the event. 34-1264(d)(3)c of the alcohol section of the zoning chapter of the land development code allows for a business or non-profit to serve alcohol during an event for no longer than ten(10) days.

The third item is the request from the applicant to have the Open Container Ordinance lifted in all public areas adjacent to the event for the duration as per Town Ordinance 99-15 sec.5 (f). Applicant was instructed to provide a legal survey to determine delineation of public/private areas. Applicant would be responsible for placement of signs that designate the allowable areas of alcohol consumption.

The Town mailed a notification to residents of the Sand Caper at 6900 Estero Blvd. instructing them of their right to object to the amplified music/sound generated by this event.

SEP 28 2012

Town of Fort Myers Beach
Special Event Application

RECEIVED BY



Describe event including times, dates, activities and general overview of event.
(Include separate page if needed). American Sawo Sculpting
CHAMPIONSHIPS; November 16-25, 2012
Holiday Inn Fort Myers Beach, 6890 Estero Blvd.

For special events requesting public assistance-define Public Purpose
(Include separate page if needed).

Date(s) and times of event	NOV. 16-25, 2012 10AM-5PM
Name of event	26 th ANNUAL American Sand Sculpting
Address of event	6890 Estero Blvd. (Beach) CHAMPIONSHIPS
Expected # of participants	50,000 - 80,000
Organization	Pinchers Beach BAR + Grille / Big C Event
Organization address	28089 VANDERBILT Dr. Suite 102
Contact Person	JASON CAMP Bonita Springs, FL 34134
Contact Phone #	239-253-2206
Fax #	239-221-8797
E-mail	jason@pincherscrabshack.com
Request for Public Assistance	Yes <input type="radio"/> No <input checked="" type="radio"/>
Amount of Request (If applicable)	

This permit is subject to the applicant meeting all requirements contained in Fort Myers Beach Ordinance #12-04 and compliance with all items in the special event application

FOR GROUPS REQUESTING FINANCIAL ASSISTANCE:
Four (4) copies of the application and all supporting documents must be submitted to the Finance Department no later than April 30th. The request will be considered for inclusion in the next FY budget (October-September).

Office Use Only:

Date Received: _____ Amount Paid: _____

By: _____ Cash/Check #: _____

Applicant to Complete:

Company managing trash removal: Big C Events / Veolia

No. of dumpsters: 2 Type of dumpsters: Veolia Roll-off

Who is responsible for clean-up and payment: Big C Events

City right-of-way Parking Use: _____ Number of spaces: Parking @ Lovers Key

Request to hang banner(s): Yes No → November 1 - 26, 2012
Road Closure: Yes No
Bridge Closure: Yes No

Required Approvals

FMB Public Works:

Tel (239)765-0202

Fax (239)765-0909

Public Works remarks: _____

FMB-Public Works approval: _____ Date: _____

Florida DEP: Jennie Cowart
Pager 1-850-488-7708

Tel (239)344-5627 Fax (850)412-0590
email: Jennifer.cowart@dep.state.fl.us

Florida DEP remarks: _____

Florida DEP approval: _____ Date: _____



→ Requested on 8/1/12 and is pending Approva.

FMB Environment Science: Keith Laakkonen Tel (239)765-0202 Fax (230)765-0591

FMB Environmental Sciences remarks: _____

FMB approval: _____ Date: _____

Turtle Time Inc: Eve Haverfield

Tel (239)481-5566 eve@turtletime.org

Turtle Time remarks: _____

Turtle Time approval: _____ Date: _____

LEE COUNTY SHERIFF'S DEPT Tel (239)477-1830 Fax (239)432-0268
15650 Pine Ridge Road, Fort Myers, FL 33908

Parking: As per Permit

Deputies (how many?) 2 deputies daily

Traffic Control: VOICE, Private, traffic control devices

Fees: \$14410.00 ^{see attached} cost sheet. **Call 477-1000**

Jen Hilary 477-1199 **For Assistance**

Special Arrangements: **Event is not to exceed**
the Ordinance Decibel _____ **Call 911**
Level. _____

L. M. Cobano _____ M. [Signature] _____ 8-8-12
Print Name Approval Signature Date

- Please check Fee Schedule before applying.

FORT MYERS BEACH FIRE DEPT
 17891 San Carlos Blvd., Fort Myers Beach, FL 33931

Tel (239)590-4242
 Fax (239)463-6761

Fire Guards: (how many?) None

Fee: \$110.00

Flammable Vegetation: None

First Aid Equipment: Contact CERT for Hydration Station

Fire Extinguishing Equipment: See Guidelines

Special Arrangements: _____

LT. Martin
 Print Name

Ronald L. Martin
 Approval Signature

Digitally signed by Ronald L. Martin
 DN: cn=Ronald L. Martin, o=Fort Myers Beach
 Fire Central District, ou=Fire Prevention,
 email=rlmartin@fmbfire.org, c=US
 Date: 2012.09.24 08:28:42 -0400

9/26/2012
 Date

Bridget Martin
Detail Coordinator
Office: 239-477-1171
Cell: 239-240-6435
bmartin@sheriffleefl.org



Jennifer Hillery
Detail Coordinator
Office: 239-477-1199
Cell: 239-707-6456
Jhillery@sheriffleefl.org

Sheriff Mike Scott
Lee County Sheriff's Office
14750 Six Mile Cypress Pkwy
Ft. Myers, Fl. 33912

Extra Duty Detail Request

Business Name: Big C Events
Billing address: 28009 Vanderbilt #102 City BS St Zip 34134
Business Phone: 221-8800 Fax: 221-8797
Email: Jason@punchscrabshack.com
Applicant Name: Jason Camp Cell/Phone: 253-2206
Address of Event: Holiday Inn 6890 Estero Blvd FMB 33931
Type of Event: Security + presence @ sand sculpting championships
Contact person at event: Jason Camp Cell/Phone: 253-2206
Start Date: 11/16/12, 11/17/12, 11/18/12, 11/22/12, 11/23/12, 11/24/12, 11/27
Start Time: @ 10a-5p
Number of Deputies requested: 2 each Uniformed: Plain Clothes:
Marked Vehicle Requested: N Unmarked Acceptable? N
Deputy Duties & Information: Security + presence on foot @ Holiday Inn & surrounding areas which contests take place. VOICE members may be present for traffic. (477-1422) Permits signed off upon duty change - Detail filled thru another list
Applicant's Signature: _____ Date: _____
(Note: Faxed copy of signature acts as the original)

Marked Vehicle Rate:
Marked Boat Rate:

\$15.00 per detail
\$15.00 per hour

Paid Date: _____
Paid Amount: _____
Cashiers Ck Money Ord Cash

Detail Rates:

All details are a minimum of 4 hours except a Boat Detail which is 6 hours.
Details cancelled with 24 hours or less notice will be charged the minimum of 4 hours per Deputy, for each detail date.

Security:	\$40 hr <input checked="" type="checkbox"/>	Funeral:	\$40 hr <input type="checkbox"/>
Security Supervisor:	\$50 hr <input type="checkbox"/>	Boat:	\$40 hr <input type="checkbox"/>
Traffic:	\$50 hr <input type="checkbox"/>	Prisoner Transport:	\$60 hr <input type="checkbox"/>
Traffic Supervisor:	\$60 hr <input type="checkbox"/>	Standby:	\$60 hr <input type="checkbox"/>
Holiday:	\$60 hr <input checked="" type="checkbox"/> 11/22/12	Escort:	\$40 hr <input type="checkbox"/>
Last Minute Detail:	\$60 hr <input type="checkbox"/>		

Holidays Include: Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, Christmas Day, New Years Eve, New Years Day.

We must receive a cashiers check or money order payable to "Lee County Sheriff's Office Details"
In the amount of: \$ 4410⁰⁰/00 Before the date: 11/9/12 Bill Out

PLEASE SIGN AND DATE THIS REQUEST AND FAX BACK TO: 239-477-1177
(We must receive this signed copy back before we can fill your detail)

To:
Fax:
Date:

From: Extra Duty Details
Fax: 239-477-1177
Date: 8/10/12

Job Number: _____

Town of Fort Myers Beach Special Event Application

American SandSculpting Championships

November 16 – 25, 2012

Describe Event, Times, dates, activities, and general overview:

As a group, a partnership has been formed between The Greater Fort Myers Beach Area Chamber of Commerce, Holiday Inn Fort Myers Beach, Pinchers Beach Bar & Grille, The Sand Lovers and Big C Events. As a team, we have been able to come to an agreement to work together to put on the 26th Annual American Sandsculpting Championships. This is a tremendous opportunity for the town to host a major national competition that has a twenty-five year history steep in tradition. The event should draw top Master Sculptors from around the World to compete at the highest level.

The event is scheduled to be open to the public Friday, November 16 – Sunday, November 25, 2012. The 10-day event will take place on the south end of the island, on the sandy beach behind the Fort Myers Beach Holiday Inn at 6890 Estero Blvd and slightly north to the edge of the Sandarac Condos at 6666 Estero Blvd. This will be a fun-filled event that will include World Master Sand Sculptors, a child activity area and various art and craft vendors. We are also planning to have sandsculpting demonstrations/lessons, Quick Sand and Amateur competitions as well as wood carving demonstrations.

The competition will be divided into two parts. The first weekend will be a single sandsculpting competition with approximately 16 sculptors with awards given out on Sunday, November 18. The second weekend will be a doubles competition with awards being given out on the final day, Sunday, November 25. Attendees will have the opportunity to view up to 30 works of art on display throughout the week. On Saturday November 24th, we will also host an amateur competition, with as many as 200 amateurs competing.

We will be partnering with local charities including the Greater Fort Myers Beach Area Chamber of Commerce and various Kiwanis clubs throughout Lee and Collier County. We will also have other participating charities such as the Friends of Lover's Key, and various youth organizations. We expect the event to attract 50,000 – 80,000 individuals over the ten days.

The majority of the parking will be on Lover's Key with shuttles provided to the Holiday Inn Fort Myers Beach. We have also secured additional/VIP parking on-site at the Holiday Inn Fort Myers Beach and at Fish Tale Marina. This time of year hosts a great need for our local businesses and hospitality industry. This will have a tremendous, positive financial impact on our community. It is estimated that this event could have a \$13.5 Million Economic Impact over the two weeks.

We will also be requesting approval of open containers of alcohol in public areas, as provided in Ordinance 99-15, Chapter 62, Section 5(F) and understand that we need to go before the Town Council. We will look to be put on the agenda for an upcoming council meeting.

Organizer: Big C Events & Pinchers Beach Bar & Grille

Contact Person: Jason Camp

Contact Phone #: 239-253-2206

Fax #: (239) 221-8797

Contact E-Mail: Jason@BigCEvents.com

Tentative Schedule of Events:

Friday November 16th - Event open 10:00am to 5:00pm

- Sand Sculpting 9:00am to 5:00pm
- Background music from 10:00am to 5:00pm
- Quick Sand 12:00 and 2:00pm
- Demos/Lessons: 11:00am and 1:00pm
- Chainsaw Carving - 3:00pm
- "Flying Colors" by John Gowdy – 4:00pm

Saturday November 17th - Event open 10:00am to 5:00pm

- Sand Sculpting 9:00am to 5:00pm
- Background music from 10:00am to 5:00pm
- Quick Sand 12:00 and 2:00pm
- Demos/Lessons: 11:00am and 1:00pm
- Chainsaw Carving - 3:00pm
- "Flying Colors" by John Gowdy – 4:00pm

Sunday November 18th - Event open 10:00am to 5:00pm

- Sand Sculpting 9:00am to 5:00pm
- Amateur Contest 10am to 2:00pm
- Background music from 10:00am to 5:00pm
- Quick Sand 12:00 and 2:00pm
- Demos/Lessons: 11:00am and 1:00pm
- Chainsaw Carving - 3:00pm
- Awards Ceremony – 3:30pm
- "Flying Colors" by John Gowdy – 4:00pm

Monday November 19th – Thursday November 22nd - Event open 10:00am to 5:00pm

- Background music from 10:00am to 5:00pm
- Demos/Lessons -1:00pm
- Quick Sand - 2:00pm
- Chainsaw Carving - 3:00pm

Friday November 23rd - Event open 10:00am to 5:00pm

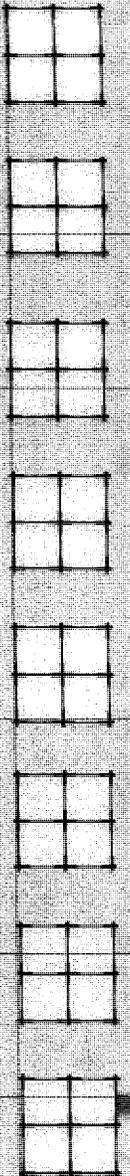
- Sand Sculpting 9:00am to 5:00pm
- Advanced Amateur Contest 10am to 5:00pm
- Background music from 10:00am to 5:00pm
- Quick Sand 12:00 and 2:00pm
- Demos/Lessons: 11:00am and 1:00pm
- Chainsaw Carving - 3:00pm
- "Flying Colors" by John Gowdy – 4:00pm

Saturday November 24th - Event open 10:00am to 5:00pm

- Sand Sculpting 9:00am to 5:00pm
- Advanced Amateur Contest 10am to 5:00pm
- Background music from 10:00am to 5:00pm
- Quick Sand 12:00 and 2:00pm
- Demos/Lessons: 11:00am and 1:00pm
- Chainsaw Carving - 3:00pm
- "Flying Colors" by John Gowdy – 4:00pm

Sunday November 25th - Event open 10:00am to 5:00pm

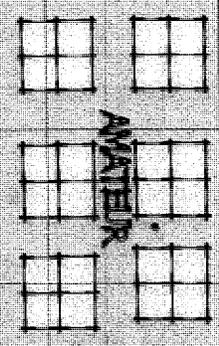
- Sand Sculpting 9:00am to 5:00pm
- Advanced Amateur Contest 10am to 1:00pm
- Background music from 10:00am to 5:00pm
- Quick Sand 12:00 and 2:00pm
- Demos/Lessons: 11:00am and 1:00pm
- Chainsaw Carving - 3:00pm
- Awards Ceremony – 3:30pm
- "Flying Colors" by John Gowdy – 4:00pm



VENDOR SPACES



AMATEUR

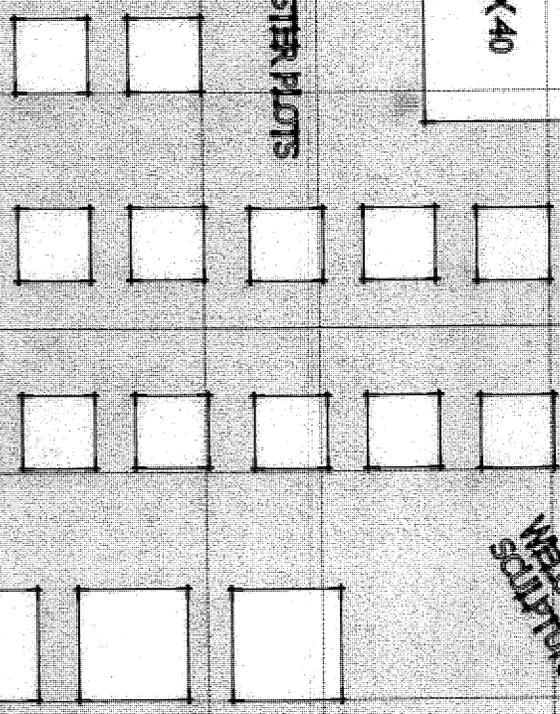


ADVANCED AMATEUR



60 X 40

MASTER PLOTS



WELCOME SCULPTURE

ENTRANCE



100X20

PHOTO OP



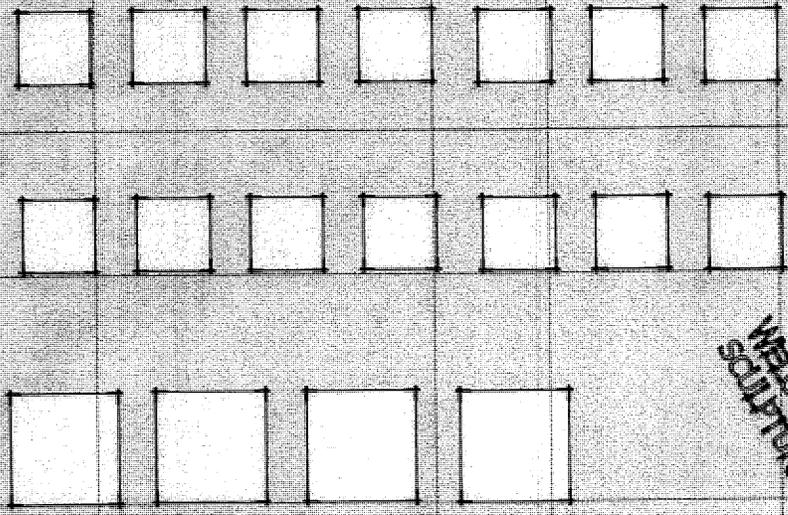
LOGO PILE

EXIT

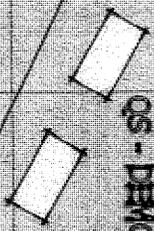
MAINT AREA



MAINT GATE

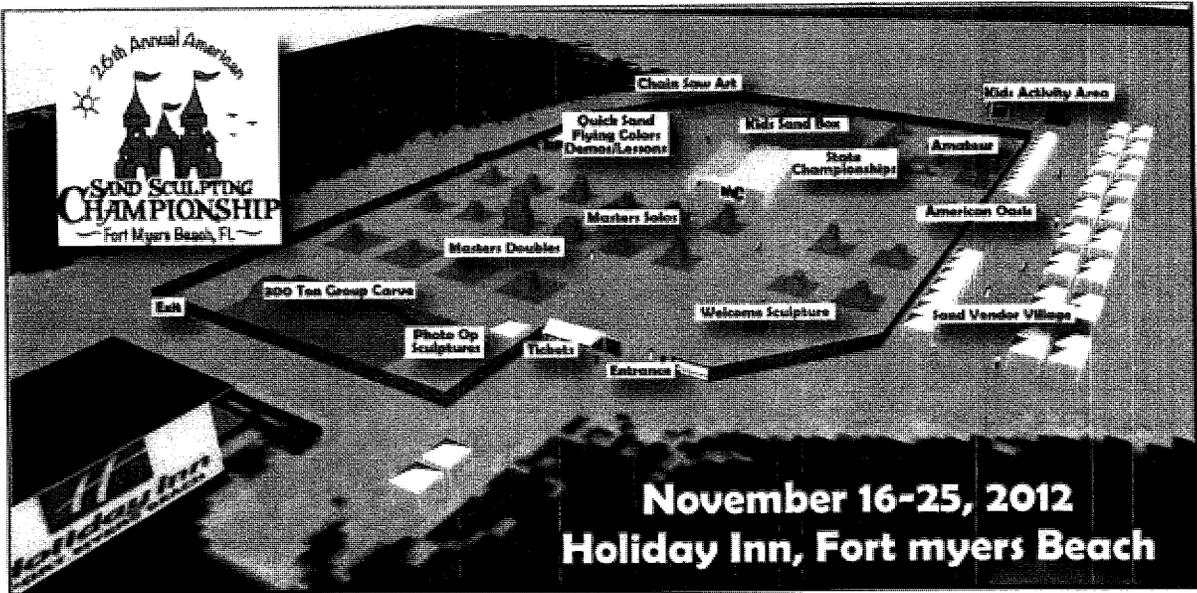


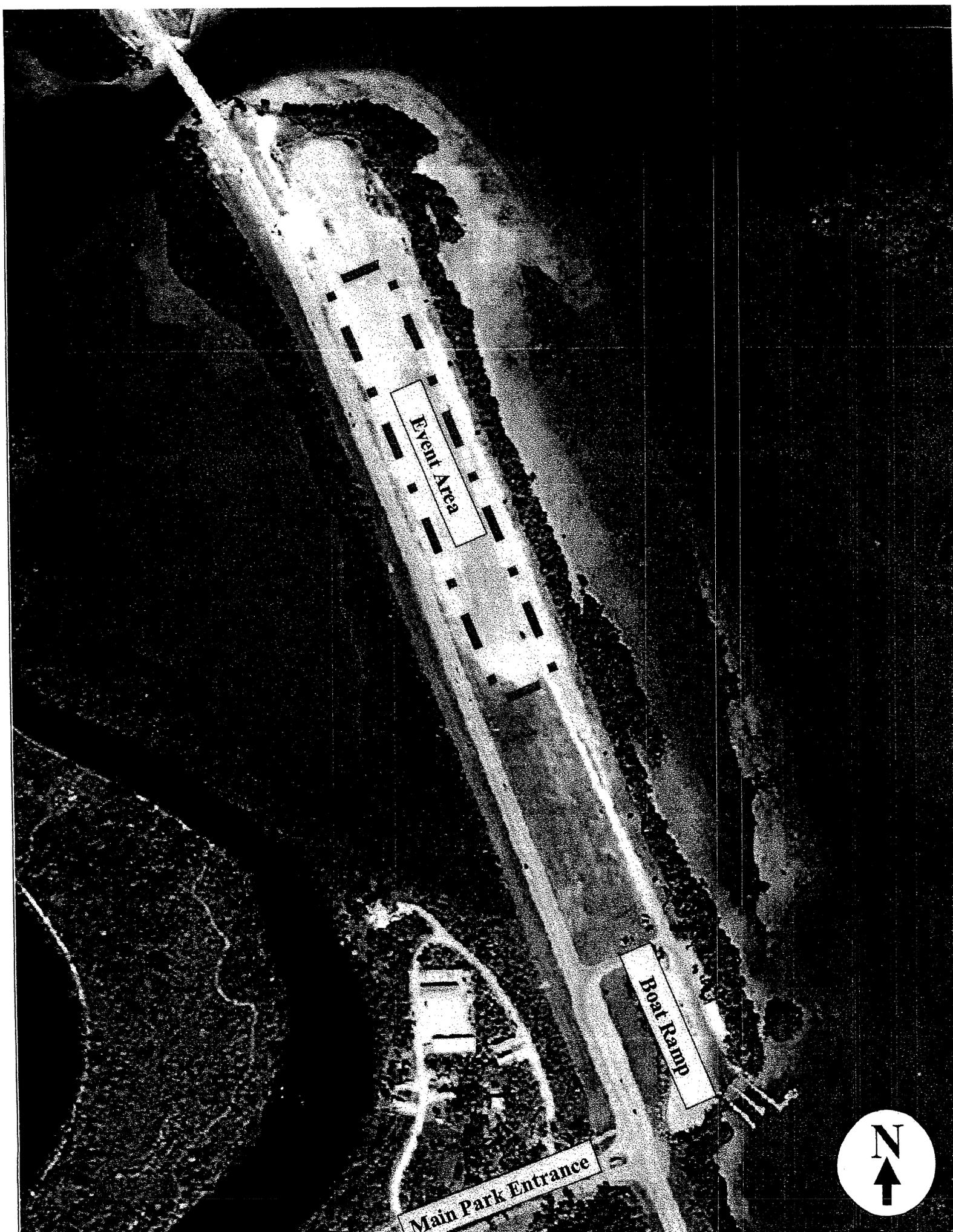
OS - DEMO - FC



50'







Event Area

Boat Ramp

Main Park Entrance



Holiday Inn
6290 Estero Boulevard
Fort Myers Beach, FL 33951
Tel: 239.463.5711
Fax: 239.463.7038
1.800.HOLIDAY
fortmyersbeachhi.com



July 30, 2012

To Whom It May Concern:

Pincher's Crab Shack/Big C Events has our permission to hold the American Sandsculpting event on the beach at the Holiday Inn Fort Myers Beach. If you should have any questions, please do not hesitate to call.

Sincerely,

Michael Patterson

General Manager

Holiday Inn Fort Myers Beach



THE SANDARAC ASSOCIATION'S, INC.
6666 ESTERO BOULEVARD
FORT MYERS BEACH, FL 33931
Phone (239)463-6080 Fax (239)463-6090

Pinchers Crab Shack
Attention: Jason Camp
28089 Vanderbilt Drive
Bonita Springs, FL. 34134

RE: 2012 American Sandsculpting Championship

Pinchers Crab Shack has our permission to hold the American Sandsculpting event on the beach adjacent to the Sandarac property on November 6th thru November 26th, 2012 providing the following items are submitted to our office, and agreed to from our meeting last month.

What we, the Sandarac Associations, expect for the use of our property:

- A Certificate of Liability Insurance listing Sandarac I & II as the certificate holders
- 25' from our sea wall is to be roped off, and no one is to be using our sea wall as a place to sit, or to place items such as coolers, and so on.
- No one is to enter our properties from the beach other than owners, and guest of the owners.
- The Sandarac's would like to some recognition, as we are allowing these events to take place on our properties.
 - o Signs to place on the Sandarac properties to be placed just inside our sea walls. (Coordinate with the Sandarac Property Manager)
 - o To be included in any flyers that might be handed out.
 - o To be included in all newspaper adds that promote these events.
 - o To receive some complimentary tickets to the events.

Thank You,
Bill Watson
Property Manager
Sandarac I & II Associations
Off. 239-463-6080
Fax 239-463-6090

DBPR ABT-6029 – Division of Alcoholic Beverages and Tobacco Application for Extension of Licensed Premises or Amended Sketch of Licensed Premises

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**DBPR Form
ABT-6029
Revised 09/2010**

NOTE – This form must be submitted as part of an application packet
If you have any questions or need assistance in completing this application, please contact the Department of Business and Professional Regulation or your local district office. Please submit your completed application to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's page of the DBPR web site at the link provided below.

http://www.myflorida.com/dbpr/abt/district_offices/licensing.html

SECTION 1 - CHECK TRANSACTION REQUESTED	
Transaction Type:	
<input checked="" type="checkbox"/> Temporary Extension	<input type="checkbox"/> Amended Sketch
<input type="checkbox"/> Permanent Extension	

SECTION 2 - LICENSE INFORMATION			
Licensee (as listed on alcoholic beverage license) <i>Pincher Beach Bar + Grill Inc / FmBH LLC</i>			
Business Name (D/B/A) <i>Pincher Beach Bar + Grill</i>			
Location Address (Street) <i>6890 Estero Blvd.</i>			
City <i>Fort Beach</i>	County <i>Lee</i>	State <i>FL</i>	Zip Code <i>33931</i>
Beverage License Number <i>BEV4603896</i>	Series <i>4COP</i>	Type <i>S</i>	
Contact Person <i>JASON CAMP</i>	Business Phone Number <i>239-221-8800</i>	Home/Mobile Phone Number <i>239-253-2206</i>	
<u>FOR TEMPORARY EXTENSIONS ONLY:</u>			
Date(s) of Extension:			
<i>NOV. 16-25, 2012</i>			

SECTION 3 - ZONING APPROVAL	
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION (This section only applies to a permanent or temporary extension of licensed premises)	
Are there outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
The above extension of the licensed premises as shown in the sketch <input type="checkbox"/> does comply or <input type="checkbox"/> does not comply with zoning requirements for the sale of alcoholic beverages pursuant to this application.	
Signed: _____	Title: _____ Date: _____

**SECTION 4 - AFFIDAVIT OF APPLICANT
NOTARIZATION REQUIRED**

Business Name (D/B/A)

"I, the undersigned individually, or if a registered legal entity for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the extended licensed premises and agree that the place of business may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the sheriff, his deputies, and police officers for the purposes of determining compliance with the beverage and cigarette laws."

I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes that the foregoing information is true and correct."

If applying for a temporary extension, check the box to confirm the following statement:

"I understand that the premises must be restored to its original form at the conclusion of the authorized temporary event."

STATE OF Florida

COUNTY OF Lee

[Signature]
APPLICANT SIGNATURE

APPLICANT SIGNATURE

The foregoing was () Sworn to and Subscribed OR (X) Acknowledged Before me this 26th Day of September, 2012, By Grant Orlan who is (X) personally (print name(s) of person(s) making statement)

known to me OR () who produced _____ as identification.

[Signature] Commission Expires: _____
Notary Public



SECTION 5 – DESCRIPTION OF PREMISES TO BE LICENSED

Business Name (D/B/A)

Pinchers Beach BAR + Grill

Street Address

6890 Espero Blvd

City

Fort Myers Beach

County

Lee

State

FL

Zip Code

33931

- | | | | |
|----|--|--|---|
| 1. | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | Is the proposed premises movable or able to be moved? |
| 2. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is there any access through the premises to any area over which you do not have dominion and control? |
| 3. | Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show each floor plan. | | |

ATTACHED



CERTIFICATE OF LIABILITY INSURANCE

PHELA-1 OP ID: MN

DATE (MM/DD/YYYY)

08/08/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Dawson of Florida; Naples 6609 Willow Park Drive Naples, FL 34109 Dawson Insurance, Inc.	239-261-6116	CONTACT NAME:	
	239-261-2803	PHONE (A/C, No, Ext):	FAX (A/C, No):
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A : Westfield Companies	24112
INSURED Phelan Holdings, Inc. See Note Pad 28089 Vanderbilt Drive #102 Bonita Beach, FL 34134-7521	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			CMM4238934	02/28/12	02/28/13	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	<input checked="" type="checkbox"/>					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 150,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 10,000
	<input checked="" type="checkbox"/> Liquor Liab						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
							Emp Ben. \$ 1,000,000
A	AUTOMOBILE LIABILITY			CMM4238934	02/28/12	02/28/13	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/>	<input type="checkbox"/>				BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				PROPERTY DAMAGE (Per accident) \$
							\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/>		CMM4238934	02/28/12	02/28/13	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/>					AGGREGATE \$ 1,000,000
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$		NIL				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate Holders is an Additional Insured with respects to the Insured's participation in The American Sandsculpting Championship November 16-25, 2012 Form CG2026

CERTIFICATE HOLDER**CANCELLATION**

Town of Fort Myers Beach
2523 Estero Blvd.
Ft. Myers Beach, FL 33931

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Steven Brunel

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NOTEPAD

INSURED'S NAME **Phelan Holdings, Inc.**

PHELA-1
OP ID: MN

PAGE 2
DATE 08/08/12

Named Insured Schedule

Phelan Holdings, Inc. (holding company)

- Pinchers Crab Shack-McGregor, Inc.
- Pinchers Crab Shack of Fort Myers Beach, Inc.
- Pinchers Crab Shack-Waterfront Inc.
- Pinchers Crab Shack - Naples, Inc.
- Pinchers Crab Shack - Sarasota, Inc.
- Pinchers Beach Bar and Grill, Inc.
- Phelan Properties, LLC
- Phelan Properties of Ft. Myers Beach, LLC
- Pinchers Crab Shack of Bonita Springs, Inc.
- Texas Tony's BBQ, Inc.
- Pinchers Beach Bar and Grill Inc/FMBH LLC



CERTIFICATE OF LIABILITY INSURANCE

PHELA-1

OP ID: MN

DATE (MM/DD/YYYY)

08/08/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Dawson of Florida; Naples 6609 Willow Park Drive Naples, FL 34109 Dawson Insurance, Inc.	239-261-6116 239-261-2803	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL: ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : Westfield Companies		24112	
INSURED Phelan Holdings, Inc. See Note Pad 28089 Vanderbilt Drive #102 Bonita Beach, FL 34134-7521		INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR VYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	X		CMM4238934	02/28/12	02/28/13	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 150,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 10,000
	<input checked="" type="checkbox"/> Liquor Liab						PERSONAL & ADV INJURY	\$ 1,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREGATE	\$ 2,000,000
<input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC							PRODUCTS - COMP/OP AGG	\$ 2,000,000
							Emp Ben.	\$ 1,000,000
A	AUTOMOBILE LIABILITY			CMM4238934	02/28/12	02/28/13	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$
	<input checked="" type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB			CMM4238934	02/28/12	02/28/13	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE	\$ 1,000,000
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$							\$
								\$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							WC STATUTORY LIMITS	OTHER
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)							E.L. EACH ACCIDENT	\$
If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate Holders is an Additional Insured with respects to the Insured's participation in The American Sandsculpting Championship November 16-25, 2012 Form CG2026

CERTIFICATE HOLDER**CANCELLATION**

Holiday Inn of Fort Myers
 Beach
 6890 Estero Blvd.
 Fort Myers, FL 33931

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Steven Buehler

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NOTEPAD

INSURED'S NAME **Phelan Holdings, Inc.**

PHELA-1
OP ID: MN

PAGE 2
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- Phelan Properties of Ft. Myers Beach, LLC
- Pinchers Crab Shack of Bonita Springs, Inc.
- Texas Tony's BBQ, Inc.
- Pinchers Beach Bar and Grill Inc/FMBH LLC

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- Texas Tony's BBQ, Inc.
- Pinchers Beach Bar and Grill Inc/FMBH LLC



Special Event Application Checklist

TOWN USE
Confirmation/Date Received

- Name of Special Event and purpose _____
- Name(s) of person(s) or organization(s) sponsoring Special Event with address, telephone numbers and email addresses of all such persons or organizations _____
- Proposed date or dates of Special Event _____
- The specific location within the Town where the Special Event is to be held _____
- Site Plan describing the layout of the Special Event, including locations of all temporary structures including but not limited to; vendor(s), tent(s), cooking, port-a-let(s), streets and barricades _____
- Expected number of participants _____
- Description of how vehicle parking will be managed _____
- Request to use Town Right-of-Way Parking? If so, location(s), number of spots and date(s) and times. Payment received? _____
- Description of trash management including company or person(s) responsible for trash removal, type and number of trash receptacles utilized and party responsible for payment _____
- Request to close street(s)? If so, which street(s) and time of closure? _____
- Request to rent barricades for street closure and payment (if applicable) _____
- Request to close bridge(s)? If so, which bridge(s) and time of closure? _____
- yes* Request to hang banner(s) and payment? If so, what location(s) and dates? _____
- Application from Florida Department of Business and Professional Regulation, Division of Alcoholic Beverage and Tobacco submitted to serve alcohol at event (if applicable) _____
- Request to waive Open Container Ordinance in Town Right-of-Way? (if applicable) _____
- Details of entertainment provided, times and location(s) _____
- no* Municipal electric connection required and payment received? _____

Town of Fort Myers Beach
2523 Estero Blvd.
Fort Myers Beach, Florida 33931
(239) 765-0202 Fax (239) 765-0909

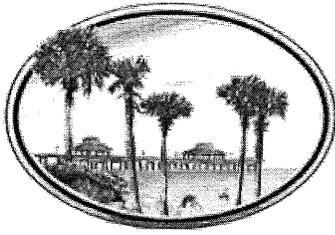


Special Event Application Checklist

TOWN USE
Confirmation/Date Received

- yes* Municipal water connection required and payment received? _____
- Proof of submittal to any and all applicable agencies _____
- yes* Application Fee _____
- Security Deposit (if applicable) _____
- yes* Certificate of Insurance naming Town of Fort Myers Beach as a Certificate Holder and an Additional Insured _____
- yes* Provide notice to home owners in residential areas within 500 feet of Special Event if any amplified sound will be included (if applicable) _____
- Town Council Approval (if applicable) _____

Town of Fort Myers Beach
2523 Estero Blvd.
Fort Myers Beach, Florida 33931
(239) 765-0202 Fax (239) 765-0909



Town of Fort Myers Beach

Bob Raymond

Mayor

Alan Mandel

Vice Mayor

Joe Kosinski

Councilmember

Jo List

Councilmember

Councilmember

October 17, 2012

The Sand Caper
6900 Estero Blvd.
Fort Myers Beach, Florida 33931

Residents of The Sand Caper,

This notice is to inform you of the upcoming 26th Annual Sand Sculpting Competition held at the Holiday Inn adjacent to your property. Town Ordinance 12-04 requires notification be given to any residential properties within a 500' perimeter of a Special Event when amplified sounds and/or music are produced. The Ordinance also makes a provision for any resident who objects to the noise to submit that objection in writing to the Town Manager. Please see below:

Town Ordinance 12-04 Sec. 22-8(5)

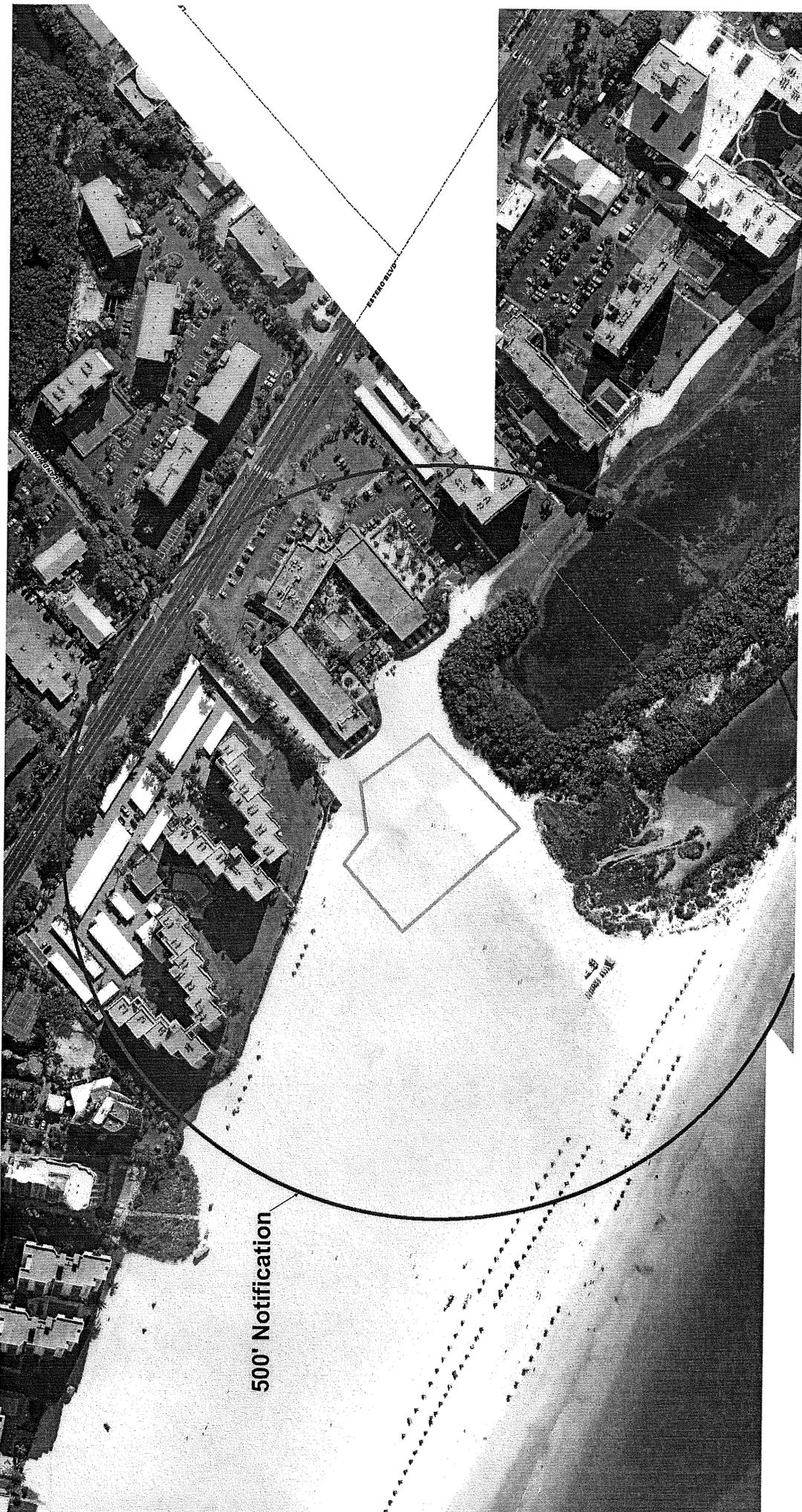
(5) In instances where a proposed special event will be held within 500 feet of residential property and will include any amplified sound, the applicant shall provide notice to such owners and advise them of the nature of the event and the dates and times when the event will be held. The 500 feet shall be measured from the perimeter of the site where the special event will take place and for condominium properties, a single written notification to the condominium association shall be sufficient. The notification shall advise the owner(s) of their right to submit a letter of objection to the Town Manager and shall include the date by which any such letter of objection must be submitted.

Please submit any letters of objections to the Town Manager by the end of the business day on Thursday October 25, 2012. I will be happy to answer any questions you may have regarding this letter or the special event application.

Sincerely,

Jeff Richard
Public Services Supervisor
Town of Fort Myers Beach
2523 Estero Blvd.
Fort Myers Beach, Florida 33931
(239) 765-0202 ext. 103
jeff@fortmyersbeachfl.gov

2523 Estero Boulevard • Fort Myers Beach, Florida 33931
Telephone 239-765-0202 • Facsimile 239-765-0909 • Voice Mail 239-765-0919
Website www.FortMyersBeachFL.gov



500' Notification

500' Notification