

1. Requested Motion:

Meeting Date: April 21, 2014

Approve request for the "19th Annual Taste of the Beach and Blues" Special Event Permit to be held on Sunday, May 4, 2014 at Old San Carlos Boulevard and authorize open containers of alcohol at this event in the designated area of the Town Right-of-Way pursuant to Ordinance #99-15.
(In addition, applicant is seeking approval to play amplified music at this event pursuant to Ordinance 12-04 and the use of Bayside Park at Town's current fee rate of \$71.24 per day. Applicant is also seeking a waiver of fees for parking meters and barricades.)

Why the action is necessary:

Ordinances 99-15 and 12-04 require that Town Council approve all requests for open containers and amplified sound during such an event.

What the action accomplishes:

Allows staff to issue the Special Event Permit and the applicant to move forward with the event.

2. Agenda:

- Consent
- Administrative

3. Requirement/Purpose:

- Resolution
- Ordinance
- Other Special Events Permit

4. Submitter of Information:

- Council
- Town Staff – Public Works
- Town Attorney

5. Background:

The Greater Fort Myers Beach Chamber of Commerce will be hosting the 19th Taste of the Beach and Blues scheduled for Sunday, May 4, 2014, from 12 noon to 6:00 pm held along Old San Carlos Boulevard and including the Bayside Park. This event will require the closing of Old San Carlos Boulevard from First Street to Third Street. Alcohol will be served and live music will be provided. Residents within a 500 foot radius have been notified of this event and the amplified sound, pursuant to Ordinance 12-04. The Greater Fort Myers Beach Chamber of Commerce Foundation will be obtaining a one-day temporary extension of premises permit to provide for the service and consumption of alcohol within the boundaries of the event. This event will raise money for several charities. Please see the attached Special Events Permit Application, site plan and resident property list within 500 feet.

6. Alternative Action:

Council directs staff to deny the event.

7. Management Recommendations:

Staff supports this application of the 19th Annual Taste of the Beach and Blues.

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Park & Recreation Director	Town Clerk
						

9. Council Action:

- Approved
- Denied
- Deferred
- Other

TOWN of FORT MYERS BEACH SPECIAL EVENT APPLICATION



Describe event including times, dates, activities and general overview of event.
19TH ANNUAL TASTE OF THE BEACH
MAY 4, 2014
(SEE ATTACHMENT "A")

For special events requesting public assistance-define Public Purpose
(SEE ATTACHMENT "A")

Date(s) and times of event	<u>MAY 4, 2014 12pm to 6pm</u>
Name of event	<u>19TH ANNUAL TASTE OF THE BEACH & BLUES</u>
Address of event	<u>Old San Carlos Blvd between 3rd and 1ST ST.</u>
Expected # of participants	<u>2,000</u>
Organization	<u>FORT MYERS BEACH Chamber of Commerce</u>
Organization address	<u>1661 ESTERO Blvd STE. 8, FMB 33931</u>
Contact Person	<u>BUD NOCERA</u>
Contact Phone #	<u>239-454-7500</u>
Fax #	<u>239-454-7510</u>
E-mail	<u>bud@fmbchamber.com</u>
Request for Public Assistance	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Amount of Request (If applicable)	<u>Request for waiver of town fees for parking meters and barricades</u>

This permit is subject to the applicant meeting all requirements contained in Fort Myers Beach Ordinances #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: 3-11-14 Amount Paid: 200.00 permit & Banner
 By: T. Idon Copeland Cash/Check #: 15042

Attachment A

19th Annual Taste of the Beach

On May 4, 2014, the Greater Fort Myers Beach Area Chamber of Commerce will be hosting the 19th Annual Taste of the Beach on Old San Carlos Blvd, Fort Myers Beach, FL. The public purpose of this event is to promote business to beach restaurants and to promote awareness and visibility of Fort Myers Beach during the shoulder (off-peak) time of year. The event will raise money for the Fort Myers Beach Friends of the Arts, Shrine Club charities, and the Chamber.

The event will be open to the public from 12 p.m. until 6 p.m. with set up starting at 7 a.m. This event will be a gated street festival, requiring the closing of Old San Carlos from First Street to Third Street. First Street and Third streets will remain open during the event.

We request street barricades from the Town of Fort Myers Beach at Old San Carlos and Third Street, Old San Carlos and Second Street and Old San Carlos and First Street, two barricades each at 1st and 3rd, Streets; one barricade at 2nd Street.

Expected attendance is 2,000 persons. Lee County Sheriff's deputies will be employed for security. The Community Emergency response Team (C.E.R.T.) will be utilized in lieu of an ambulance on site. C.E.R.T. will be asked to provide 5 volunteers at the event.

This will be a gated, ticketed event. Beer and wine will be sold in addition to bottled water and soft drinks. All event entrants will be ID'd at the gates and will be required to wear a wrist band to purchase alcoholic beverages.

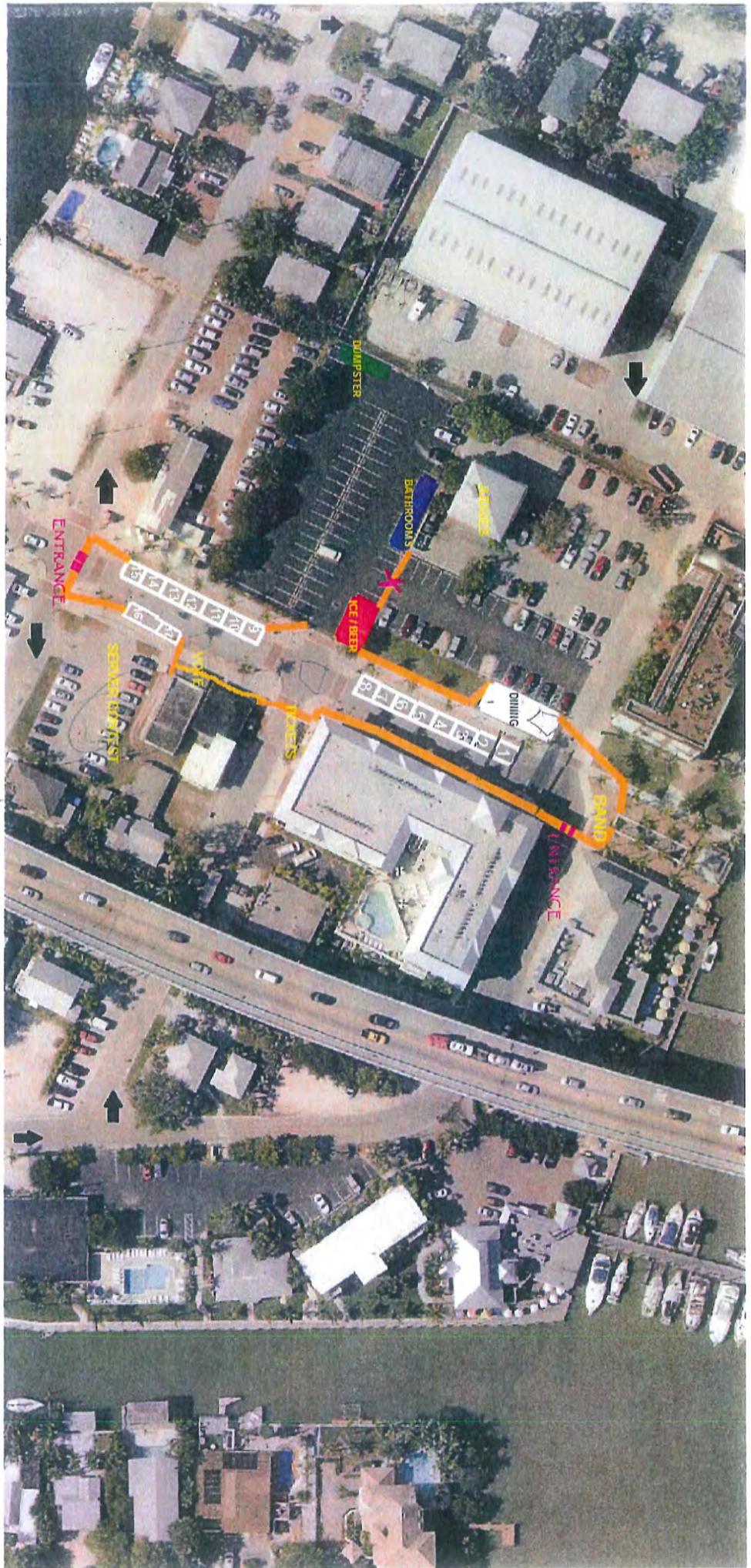
We are requesting a stage to be set up in the fountain plaza area with amplified music from noon until 5 p.m.

All waste and trash removal will be the responsibility of the Chamber. Advance Environmental Services will provide one 8 yard dumpster and 20 trash receptacles and liners.

We will have four (4) regular and two (2) ADA approved portable restrooms at the event. See site plan for placement.

All tented areas will be secured and licensed with flame certificates. Insurance for this event is secured through Fort Myer Beach Insurance Brokerage, naming town as co-insured.

We are requesting a waiver of town fees for the event.



Fort Myers Beach Fire Control District
100 Voorhis St
Fort Myers Beach, FL 33931

Invoice #	1403182568500	PB
Invoice Date	3/18/2014	
Balance Due	\$100.00	
Due Date	5/2/2014	

All Fire Prevention fees are due prior to inspections services being rendered. All invoices billed directly to a client, shall be due at time of service, all invoices must be paid within (45) days of service provided.

CHAMBER OF COMMERCE
1661 Estero Boulevard
Suite 8
FT MYERS BEACH FL 33931

Fort Myers Beach Fire Control District Invoice

CHAMBER OF COMMERCE
1661 Estero Boulevard
Suite 8
FT MYERS BEACH FL 33931

Invoice #1403182568500
3/18/2014

Description	Amount Owed	Amount Paid	Date Paid
Special Event Permit (Inspection) INSPECTION REQUIRED DUE TO HOT FOOD VENDORS	\$100.00	\$0.00	
Subtotal:	\$100.00	\$0.00	
Balance Due:	\$100.00		

PB

Please remit payment by the due date listed above. Please make checks payable to **Fort Myers Beach Fire Control District**.

LEE COUNTY SHERIFF'S DEPARTMENT
14750 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33912
(239) 477-1000

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE
BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL
REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

SPECIAL EVENT PERMIT

Parking: N/A

Deputies: Two (2) deputies. 1100-1900 hours.

Fee:

Special Arrangements: Event is not to exceed Ordinance decibel level.

Capt.. Scott Lucia

PRINT NAME of PERSON SIGNING

Scott Lucia

SIGNATURE

Detail Unit Commander
Lee County Sheriff's Office

TITLE

1 April 2014

DATE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/28/2014

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 Ft Myers Beach Insurance Brokerage 1661 Estero Blvd # 16 Ft Myers Beach FL 33931	CONTACT NAME: Rich Karger	FAX (A/C, No):	
	PHONE (A/C, No, Ext): 239-233-8264		
INSURED Ft Myers Beach Chamber of Commerce 1661 Estero Blvd Suite 8 Ft Myers Beach FL 33931	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Nautilus		
	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	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	A		JLNYQ	05/04/2014	05/05/2014	EACH OCCURRENCE \$ 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50000 MED EXP (Any one person) \$ 1000 PERSONAL & ADV INJURY \$ 1000000 GENERAL AGGREGATE \$ 2000000 PRODUCTS - COMP/OP AGG \$ incl
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 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)

TASTE OF THE BEACH 2014 --- Paid in Full

CERTIFICATE HOLDER Town of Ft Myers Beach 2523 Estero Blvd Ft Myers Beach FL 33931	CANCELLATION 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 Richard Karger



Town of Fort Myers Beach

Alan Mandel
Mayor

Joe Kosinski
Vice Mayor

Dan Andre
Council Member

Jo List
Council Member

Bob Raymond
Council Member

Date: 4/3/2013

To Property Owner,

Re: Notification of Amplified Sound

This notice is to inform you of an upcoming Special Event to be held at the Bayside Park and along Old San Carlos Boulevard between First and Third streets. The event is called, "Taste of the Beach and Blues 2014", hosted by The Fort Myers Beach Chamber of Commerce. This event is scheduled for May 4, 2014 from 12:00 pm – 6:00 pm Sunday.

"Town Ordinance 12-04 Sec. 22-8(b)(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 should you have any comments, questions or objections please submit them in writing no later than April 20, 2014.

Thank You.

Tildon Copeland
Public Services Supervisor
Town OF Fort Myers Beach
2523 Estero Boulevard
Fort Myers Beach, FL 33931
Phone: 239-765-0202 ext. 103

John Richard
340 San Carlos Blvd.
Fort Myers Beach, FL 33931

Julie Ourian
432 Bonita Street
Fort Myers Beach, FL 33931

Harbour House at the Inn
450 Old San Carlos
Fort Myers Beach, FL 33931

Joseph & Christine Nappo
1011 Third Street
Fort Myers Beach, 33931

William Cushing
438 Bonita Street
Fort Myers Beach, FL 33931

Leo Salvatori
414 Crescent Street
Fort Myers Beach, FL 33931

William & Colleen Freeman
939 Third Street
Fort Myers Beach, 33931

Gwen Horn
923 Third Street
Fort Myers Beach, 33931

George Freeland
450 Harbor Court
Fort Myers Beach, FL 33931

John & Marsha Gardner
935 Third Street
Fort Myers Beach, 33931

Kric Investments Inc.
645 Old San Carlos Blvd.
Fort Myers Beach, FL 33931

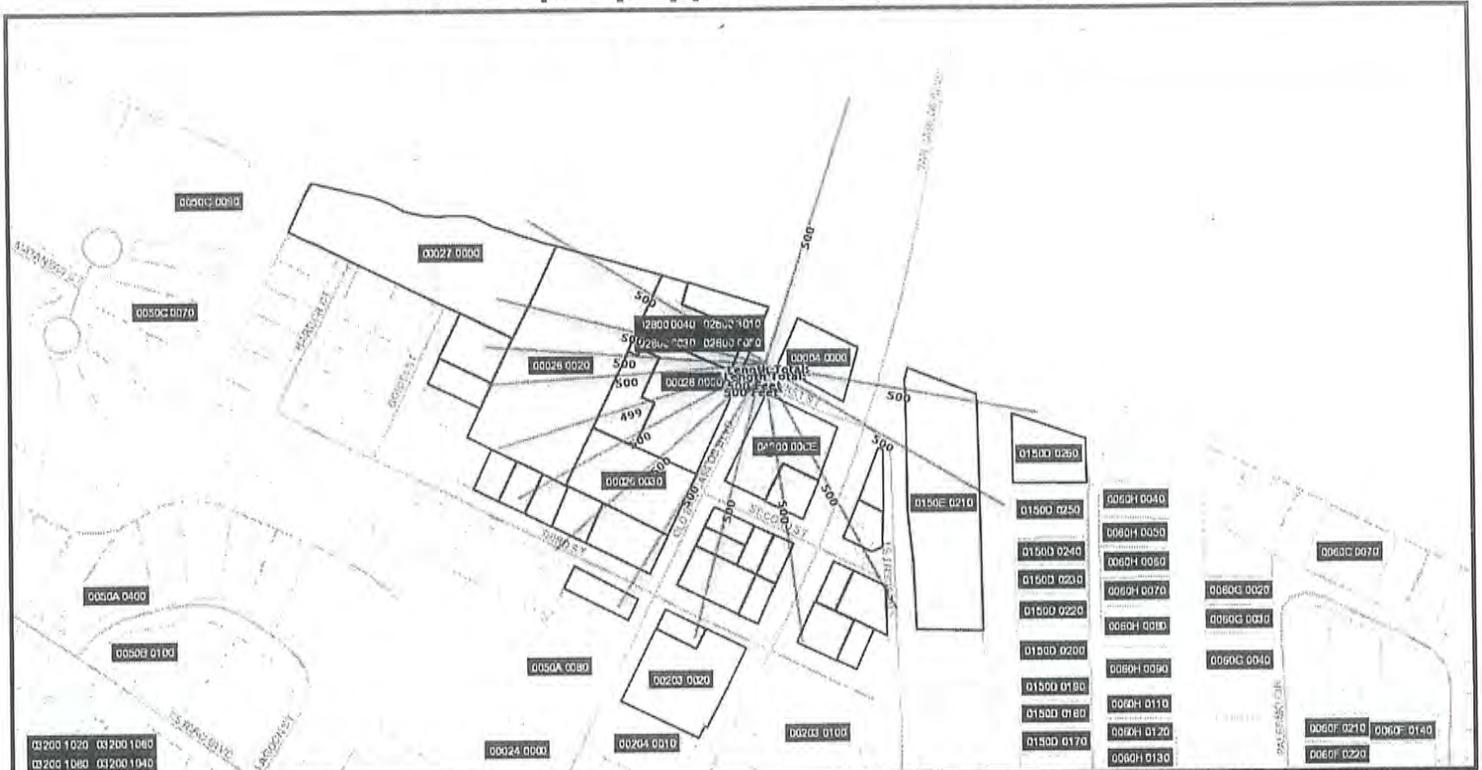
Thomas & Melinda Kolar
277 Primo Drive
Fort Myers Beach, FL 33931

Rachel Turturro
929 Third Street
Fort Myers Beach, 33931

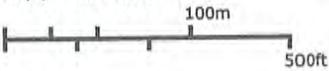
Mailing List

*Taste of The Beach & Bloss 2014
May 4, 2014 Event DATE*

Lee Property Appraiser GeoView Map



Map printed: 3/19/2013 3:53 PM



Disclaimer: Maps and documents made available to public by the Lee County Property Appraiser's office are not legally recorded maps or surveys and therefore are not intended to be used as such. The maps and documents are created as part of a Geographic Information System (GIS) that compiles records, information and data from various departments, cities, county, state and federal sources. The source data may contain errors. Users are encouraged to examine the documentation or metadata associated with the data on which the map is based for information related to its accuracy, currentness, and limitations.

Parcels and Streets

-  Parcel Lines
-  Street Centerlines
-  Delinquent Tax Parcels

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

STATE OF FLORIDA
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR Form
 ABT-6029
 Revised 02/2013

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application and required fee(s) 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 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"/> Permanent Extension	<input type="checkbox"/> Amended Sketch

SECTION 2 - LICENSE INFORMATION			
Licensee (as listed on alcoholic beverage license) NERVOUS NELLIE'S INC			
Business Name (D/B/A) NERVOUS NELLIE'S CRAZY WATERFRONT EATERY			
Location Address (Street) 1131 FIRST ST.			
City FT MYERS BEACH	County LEE	State FL	Zip Code 33931
Alcoholic Beverage License Number BEV 4605377	Series 4EOP	Type/Class	
Business Telephone Number 239-403-8077 ext.		Email Address (Optional)	
FOR TEMPORARY EXTENSIONS ONLY:			
Date(s) of Extension:			
5/4/14			

ABT District Office Received / Date Stamp

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)			
Location Street Address 1131 FIRST ST.			
City FT. MYERS BEACH	County LEE	FL	Zip Code 33931
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			
<input type="checkbox"/> The PERMANENT extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.			
<input type="checkbox"/> The TEMPORARY extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.			
Signed: _____ Title: _____ Date: _____			
This approval is valid until _____			

SECTION 4 - HEALTH TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS OR COUNTY HEALTH AUTHORITY OR DEPARTMENT OF HEALTH OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES	
The above establishment complies with the requirements of the Florida Sanitary Code.	
Signed _____	Date _____
Title _____	
Agency _____	
This approval is valid until _____	

SECTION 5 - AFFIDAVIT OF APPLICANT
NOTARIZATION REQUIRED

Business Name (D/B/A)

NEARVOUS Nellies Crazy WATERFRONT Eatery

"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 _____

COUNTY OF _____

APPLICANT SIGNATURE

APPLICANT SIGNATURE

The foregoing was () Sworn to and Subscribed OR () Acknowledged Before me this _____ Day

of _____, 20____, By _____ who is () personally
(print name(s) of person(s) making statement)

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

Notary Public Commission Expires: _____

SECTION 6 - DESCRIPTION OF PREMISES TO BE LICENSED

Business Name (D/B/A)

Nervous Nellies Crazy Waterfront Eatery

- | | | | |
|----|------------------------------|--|--|
| 1. | Yes <input type="checkbox"/> | No <input checked="" 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. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there more than 3 separate rooms or enclosures with permanent bars or counters? |
| 4. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the business located within a Specialty Center? If yes, check the applicable statute:
<input type="checkbox"/> 561.20(2)(b)1, F.S. or <input type="checkbox"/> 561.20(2)(b)2, F.S. |

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 the details of each floor.

