

RESOLUTION NUMBER 15 -02

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, DIRECTING THE TOWN MANAGER TO HOLD ISSUANCE OF STREET PERFORMER PERMITS UNTIL FURTHER NOTICE; PROVIDING FOR APPEALS; AND PROVIDING FOR AN AFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town Council finds the existing number of street performer permits are leading to potential congestion and safety issues for the traveling public in the Times Square area; and

WHEREAS, the Town Council is currently reviewing the standards of approval and regulations of the Town relating to street performers; and

WHEREAS, the Town Council desires time to review the issue and implement appropriate regulations; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of Fort Myers Beach that the Town Council amend the Chapter 10, Article VII Street Performers.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:


Section 1. Interim Moratorium. The Town Manager is hereby directed to withhold approval and renewals of permits under Chapter 10, Article VII Street Performers, of the Code until further notice while amendments are considered to the Town's Street Performer regulations. Any aggrieved party may petition the Town Council for relief.

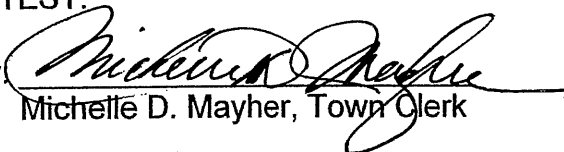
Section 2. Effective Date. This resolution shall take effect immediately upon its adoption by the Town Council.

The foregoing Resolution was adopted by the Town Council upon a motion by Vice Mayor Andre and seconded by Council Member Hosafros, and upon being put to a vote, the result was as follows:

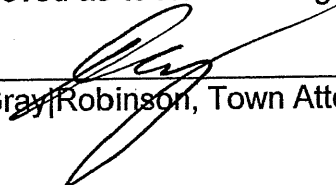
Anita Cereceda, Mayor	aye	Dan Andre, Vice Mayor	aye
Alan Mandel	aye	Rexann Hosafros	aye
Summer Stockton	aye		

DULY PASSED AND ADOPTED THIS 16th DAY OF FEBRUARY 2015, BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH.

By: 
Anita T. Cereceda, Mayor

ATTEST:
By: 
Michelle D. Mayher, Town Clerk

Approved as to form and legal sufficiency:

By: 
Gray Robinson, Town Attorney