

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING A REQUEST FOR AN APPEAL OF THE TERMINATION OF PRIVILEGE TO SELL, OFFER FOR SALE OR DELIVER OR PERMIT TO BE CONSUMED ON THE PREMISES ANY LIQUOR, BEER OR WINE BEYOND 12 MIDNIGHT ON ANY DAY OF THE WEEK AT CLUB MEGA VAULT, INC., PURSUANT TO SECTION 113.25 OF THE CITY CODE.

WHEREAS, Section 113.25(A)(3), City Code, authorizes the Chief of Police to issue a notice of suspension or termination of privilege of selling, offering for sale, delivering or permitting to be consumed on the premises of an establishment any liquor, beer or wine, regardless of the alcoholic content, on any day of the week beyond the hour of 12 midnight, upon a determination that a person or vendor is operating in a manner harmful to the public health, safety or welfare of the residents based on the provisions of Section 113.26 (B), City Code; and

WHEREAS, the Chief of Police has determined that the amount of law enforcement activities and incidents occurring on or about Club Mega Vault, Inc. ("Club Mega Vault") located at 2801 Greene Street, Hollywood, Florida, 33020, beyond 12 midnight on any day of the week, is harmful to the health, safety and welfare of the residents of the City; and

WHEREAS, Club Mega Vault was duly notified of the termination of the privilege of selling, offering for sale, delivering or permitting to be consumed on the premises any liquor, beer or wine beyond 12 midnight on any day of the week; and

WHEREAS, in accordance with Section 113.25 (4), Club Mega Vault timely requested a hearing before the City Commission to appeal the termination of the privilege; and

WHEREAS, in accordance with Section 113.25 (A)(4), notice of the City Commission hearing was publicly advertised in a newspaper of local circulation, and written notice of the date, time and place of the hearing was sent to Club Mega Vault, its counsel, and to the owners of all properties located within 300 feet of Club Mega Vault, at least 14 days prior to the hearing; and

WHEREAS, on December 6, 2023, the City Commission met and held a *de novo* hearing to consider Club Mega Vaults's appeal of the decision to terminate the privilege of selling, offering for sale, delivering or permitting to be consumed on the premises of an establishment any liquor, beer or wine beyond 12 midnight on any day of the week, based on the criteria in Section 113.26 (B).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That following a review of the Staff Summary report, supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers, and consideration of the criteria set forth in Section 113.26 (B) of the City Code, the City Commission finds that the criteria have/have not been met, and the privilege of selling, offering for sale, delivering or permitting to be consumed on the premises of an establishment any liquor, beer or wine beyond 12 midnight on any day of the week at Club Mega Vault is restored/ terminated/ suspended/ conditioned or restricted.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2023.

RENDERED this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY