

RESOLUTION NO _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, ESTABLISHING A ONE (1) YEAR PILOT PROGRAM FOR FOOD AND BEVERAGE SERVICE ON PORTIONS OF HOLLYWOOD BEACH, BY BEACH RESORT HOTELS; PURSUANT TO SECTION 99 OF THE HOLLYWOOD CODE OF ORDINANCES.

WHEREAS, Hollywood Municipal Beach, consisting of the beach and Broadwalk, is owned and governed by the City of Hollywood; and

WHEREAS, the beach is designated for use by the general public for leisure land and aquatic activities and does have specified prohibitions as outlined in the Hollywood Code of Ordinances; and

WHEREAS, Section 99.02(A)(2) of the Hollywood Code of Ordinances allows non-alcoholic beverages and snacks on the sandy beach. However, in areas of the sandy beach where the Broadwalk wall is located, the area where non-alcoholic beverages and snacks are permitted shall commence ten (10) feet eastward of the Broadwalk wall. When such beverages are contained in coolers, such coolers shall not exceed 36 inches in length. No food or drinks may be placed upon or near the Broadwalk wall; and

WHEREAS, Section 99.02(B)(5) of the Hollywood Code of Ordinances allows open consumption of alcoholic beverages along the Broadwalk and beach only on the occasion of limited duration during special events approved in advance by the City Manager or his /her designee, the Director of Parks, Recreation and Cultural Arts, on a case by case basis pursuant to Section 99.02(C) or by patrons at a sidewalk café as permitted under Chapter 124 of the Code of Ordinances and Florida statutes. The use of glass containers for any beverages is prohibited at all times; and

WHEREAS, Beach Resort Hotels shall be defined as a structure with 100 or more hotel rooms; without kitchen facilities, with east property boundaries abutting the sandy beach or Broadwalk, that maintain food, non-alcoholic and alcoholic beverage restaurant service and convention facilities within the structure named as Beach Resort Hotel; and

WHEREAS, it is desired that a variance pursuant to Section 99.02(C) be granted to create a one (1) year trial period to allow Beach Resort Hotels, (currently, properties located at 2501 N. Ocean Drive (named Hollywood Beach Marriott), 1111 N. Ocean Drive (named Margaritaville Beach Resort), and 3555 S. Ocean Drive (named Diplomat Resort & Spa)), to operate food and beverage concessions for consumption along the Broadwalk and beach; and

WHEREAS, the three (3) identified Beach Resort Hotels will provide all licenses and insurance, as required by Federal, State and/or Local Ordinances, to the City of Hollywood; and

WHEREAS, all participating Beach Resort Hotels will be required to abide by the attached Rules and Regulations, as may be amended from time to time, within the one (1) year trial permit; and

WHEREAS, after the one (1) year trial period, the Department of Parks, Recreation and Cultural Arts will conduct an assessment and present a recommendation to the Hollywood City Commission, as to whether an Ordinance should be prepared to allow the Beach Resort Hotel Food and Beverage Concession to continue;

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

Section 1: That it hereby approves and authorizes a variance, for a one (1) year pilot program, for food and beverage service on Hollywood Beach by Beach Resort Hotels, pursuant To Section 99.02(C) of the Hollywood Code of Ordinances.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2016.

JOSHUA LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida

JEFFREY P. SHEFFEL, CITY ATTORNEY