

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 AMSTERDAM BAR AND RESTAURANT, PURSUANT TO SECTION 113.25 OF THE CITY OF HOLLYWOOD CODE OF ORDINANCES.

WHEREAS, Section 113.25(A)(3), City of Hollywood Code of Ordinances, authorizes the Chief of Police to issue a notice of suspension or termination of the 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 of Hollywood Code of Ordinances; and

WHEREAS, the Chief of Police has determined that the amount of law enforcement activities and incidents occurring on or about Amsterdam Bar and Restaurant, owned by Amsterdam Bar and Restaurant, Inc. (hereinafter "Amsterdam") and located at 113 S. 20<sup>th</sup> Avenue, Hollywood, Florida, more particularly described as follows:

That portion of Lots 45, 46, 47 and 48, in Block 25, TOWN OF HOLLYWOOD, according to the Plat thereof, as recorded in Plat Book 1, Page 21, of the Public Records of Broward County, Florida, described as follows:

Beginning at the SW corner of Lot 48, of Block 25, of the TOWN OF HOLLYWOOD; thence run northerly along the West line of said Block a distance of 46 feet; thence East parallel to the North line of said Block a distance of 85 feet; thence South parallel to the West line of said Block a distance of 46 feet; thence West a distance of 85 feet to the Point of Beginning,

beyond 12 midnight on any day of the week is harmful to the health, safety and welfare of the residents of this City; and

WHEREAS, Amsterdam 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), Amsterdam 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 Amsterdam, its counsel, and to the owners of all properties located within 300 feet of Amsterdam, at least 14 days prior to the hearing; and

WHEREAS, on February 17, 2021, City Commission met and held a *de novo* hearing to consider Amsterdam'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 the consideration of the criteria set forth in Section 113.26 (B) of the City of Hollywood Code of Ordinances, 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 Amsterdam is hereby restored/ terminated/ suspended/ conditioned or restricted.

Section 3: That the City shall record this Resolution in the public records of Broward County, Florida.

Section 4: That this Resolution shall be in full force and effect upon its passage and adoption.

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 AMSTERDAM BAR AND RESTAURANT, PURSUANT TO SECTION 113.25 OF THE CITY OF HOLLYWOOD CODE OF ORDINANCES.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

RENDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY for the use and reliance  
of the City of Hollywood, Florida, only.

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DOUGLAS R. GONZALES  
CITY ATTORNEY