RESOLUTION 08-12070

A RESOLUTION DETERMINING LIVE ENTERTAINMENT RENEWAL FOR HANDSOME HARRY’S THIRD STREET BISTRO, LOCATED AT 1205 THIRD STREET SOUTH, MORE FULLY DESCRIBED HEREIN, SUBJECT TO THE CONDITIONS LISTED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 56-125(i) of the Land Development Code provides for the annual renewal of live entertainment permits; and

WHEREAS, Resolution 07-11652 was approved June 6, 2007, granting approval of a live entertainment permit for Handsome Harry’s Third Street Bistro, located at 1205 Third Street South; and

WHEREAS, Jerry Alajajian, petitioner, has been authorized by Neapolitan Enterprises, the owner of the property, to file the petition for live entertainment under the same conditions adopted in Resolution 07-11652; and

WHEREAS, the Police and Emergency Services Department and the Code Enforcement Division have reported two (2) documented noise complaints for the establishment relating to live entertainment in the past year; and

WHEREAS, City Council finds that the renewal of the live entertainment permit should therefore be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the renewal of a live entertainment permit is hereby granted for live entertainment at Handsome Harry’s Third Street Bistro located at 1205 Third Street South, more fully described as:

All that part of Government the west ¼ of Lot 8, and all of lots 9, 10, 11, and 12 of Section 9, Township 50, Range 25, Collier County, Florida being bounded as follows: On the north by the south right-of-way line of 12th Avenue South;

On the east by lot 7 and the east ¼ of lot 8 of Section 9, Township 50, Range 25, Collier County, Florida; On the south by an easterly extension of a public access alley; and,

On the west by the east right-of-way line of 3rd Street South.

Section 2. That this approval is subject to the following conditions:

1. Live entertainment is limited to a maximum of two indoor or outdoor amplified performers on Sunday through Thursday nights from 6:00 p.m. to 10:00 p.m. and Friday through Saturday nights from 7:00 p.m. to 11:00 p.m.
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2. All window openings at the bar and other windows and doors shall be closed at 11:00 p.m.

3. Noise levels shall comply with the Code Section 22-37, "Noise."

4. This live entertainment approval shall expire annually and may be renewed annually.

5. In addition to any other enforcement action or penalty provided by ordinance or law, failure to comply with the conditions contained herein may subject the holder to revocation of the permit, in accordance with the City of Naples Revocation Ordinance (No. 02-9778).

Section 3. That this resolution shall take effect immediately upon adoption.


Bill Barnett, Mayor

Attest: Tara A. Norman, City Clerk

Approved as to form and legality:

Robert D. Pritt, City Attorney

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Date filed with City Clerk: 6-5-08