RESOLUTION 08-12081

A RESOLUTION DETERMINING RENEWAL OF LIVE ENTERTAINMENT PERMIT APPROVAL FOR VERGINA, LOCATED AT 700 5TH AVENUE 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 annual renewal of live entertainment permits; and

WHEREAS, Resolution 07-11651 was approved June 6, 2007, granting renewal of a live entertainment permit for Vergina, located at 700 5th Avenue South; and

WHEREAS, Rimaco Corporation, dba Vergina, has requested renewal of the live entertainment permit under the same conditions adopted in Resolution 07-11651; and

WHEREAS, Fifth Avenue of Naples, Inc., owner of the subject property, has authorized Lou Vlasho to file this petition; and

WHEREAS, the Police and Emergency Services Department and the Code Enforcement Division have reported one (1) noise complaint related to live entertainment for the location in the past year; and

WHEREAS, City Council finds that 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 Vergina, located at 700 Fifth Avenue South, more particularly described as:

Lot 7, Block B, LAKEVIEW TERRACE REPLAT, according to the plat thereof as recorded in Plat Book 2, Page 90, of the Public Records of Collier County, Florida.

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

1. Live entertainment shall be limited to three indoor performers between the hours of 5:00 p.m. and 11:30 p.m.

2. All noise levels shall comply with the Code Section 22-37, "Noise."

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

4. 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
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accordance with the City of Naples Revocation Ordinance (No. 02-9778).

6. All side and back doors and windows shall be closed when music is being played other than for egress.

Section 3. This resolution shall take effect immediately upon adoption.


Bill Barnett, Mayor

Attest:

Tara A. Normab, City Clerk

Robert D. Pritt, City Attorney

Date filed with City Clerk: 6/17/08