



City of Hallandale Beach City Commission Agenda Cover Memo

| Meeting Date: | Item Type: | | 1 st Reading | 2 nd Reading |
|---|---|---|--------------------------------|--|
| 8/10/2022 | <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other | Ordinance Reading | N/A | N/A |
| | | Public Hearing | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Advertising Required | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Quasi-Judicial: | <input type="checkbox"/> | <input type="checkbox"/> |
| File No.: | | | | |
| 22-263 | | | | |
| Fiscal Impact (\$): | Account Balance (\$): | Funding Source: | Project Number: | |
| 72,232 | 73,654 | 2420 | n/a | |
| Contract/P.O. Required | RFP/RFQ/Bid Number: | Sponsor Name: | Department: | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | N/A | Vanessa Leroy, Director | Sustainable Development | |
| Strategic Plan Focus Areas: | | | | |
| <input type="checkbox"/> Finance & Budget | | <input checked="" type="checkbox"/> Organizational Capacity | | <input type="checkbox"/> Infrastructure/Projects |
| Implementation Timeline: | | | | |
| Estimated Start Date: 8/10/2022 Estimated End Date: 8/10/2022 | | | | |

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING THE RENEWAL OF 4:00 A.M. AND 6:00 A.M. NIGHTCLUB LICENSES FOR BUSINESSES LISTED IN EXHIBIT 1A FOR FISCAL YEAR 2022-2023; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The City Commission considers the renewal of all Hallandale Beach nightclub licenses which expire at 11:59 p.m. on September 30 of each year. The current Resolution authorizes the renewal of nightclub licenses for the attached list of nightclubs in Hallandale Beach.

Background:

Pursuant to Section 5-9 of the City's Code of Ordinances, annual nightclub licenses will be considered by the City Commission. Such approval may be made by Resolution (Exhibit 1). All relevant code sections referenced in this agenda cover memo are attached (Exhibit 2).

On August 18, 2021, the City Commission considered the renewal of Nightclub Licenses for FY 20-22 for eight (8) establishments, namely Chapultepec Mexican Bar & Restaurant; Fate; Tatiana Restaurant & Nightclub; Flanigan's Seafood Bar & Grill; Orchid Concessions, Inc. (Gulfstream Park); 831 Federal Highway Acquisition LLC (The Big Easy Casino); Ocean's 11 Lounge South; and The Cheetah. There were no objections regarding the renewals for the eight (8) nightclubs as the deficiencies reported were not significant so as to preclude the renewal of the licenses.

On June 23, 2022, the City Commission approved Amsterdam Restaurant Inc. for a 6:00 a.m. closing nightclub license, increasing the total number of nightclubs to nine (9).

For FY 22-23 nine (9) establishments are being considered for annual Nightclub License renewal. They are included in the renewal process. (Exhibit 3).

Current Situation:

Licenses to sell alcoholic beverages are issued by the State; however, hours of sale are controlled by the City. Section 5-4(a) of the Hallandale Beach Code of Ordinances specifies establishments shall not sell alcoholic beverages between the hours of 2:00 a.m. and 7:00 a.m. on weekdays and Saturdays, or between 2:00 a.m. and 1:00 p.m. on Sundays unless a nightclub license and/or a special permit has been issued by the City.

The criteria for issuance and renewal of nightclub licenses (Section 5-9 of the Code of Ordinances) include, but are not limited to, the amount of off-street parking available, the amount and degree of law enforcement activity generated by the extra hours of operation, and any adverse effects the operation may have on neighboring properties.

Listed below are the results from inspections conducted by the Police Department, Fire Rescue at Broward Sheriff's Office, and Department of Sustainable Development (Building, Code and Planning & Zoning Divisions) for eight (8) of the nine (9) establishments seeking renewal of their nightclub licenses. New inspection reports were not provided for Amsterdam Restaurant Inc. as they were recently approved by the City Commission on June 23, 2022.

Various City departments have provided detailed reports: Police (Exhibits 4); Fire (Exhibit 5); Code Compliance (Exhibit 6); Building (Exhibit 7); and Planning and Zoning (Exhibit 8). It should be noted that the deficiencies were not significant to preclude the renewal of the nightclub licenses. Staff has noted these deficiencies as conditions of approval and will ensure they are brought to compliance prior to October 1, 2022. Inspection results for eight (8) of the nine (9) establishments are compiled in Exhibit 9.

Why Action is Necessary:

Section 5-9(d) of the City of Hallandale Beach Code of Ordinances states all nightclub licenses expire at 11:59 p.m. on September 30th of each year and the City Commission is required to consider the renewal of these licenses.

Such renewal may be made by Resolution. Pursuant to Section 5.01 of the City Charter, the approval of a Resolution can only be made by the City Commission.

The proposed action will authorize the annual renewal of two types of Nightclub Licenses known as the "4:00 a.m. Nightclub Licenses" and "6:00 a.m. Nightclub Licenses." These establishments must close at the specified hours of approval.

Cost Benefit:

Approval of the renewal of the nightclubs for FY 22-23 would generate approximately \$72,232 in revenues.

STAFF RECOMMENDATIONS:

Staff recommends the City Commission adopt the proposed Resolution which authorizes the renewal of the nine (9) nightclubs and allows for correction of fire and life safety code violations for 831 N. Federal Highway Acquisition LLC., The Big Easy Casino, and The Cheetah, correction of code and plumbing violations for Tatiana, correction of Mechanical violation by Orchid Concessions (Gulfstream) and correction of the code violation for Amsterdam Restaurant Inc. prior to October 1, 2022.

PROPOSED ACTION:

The City Commission consider the attached Resolution.

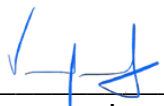
ATTACHMENT(S):

- Exhibit 1 – Proposed Resolution
- Exhibit 1A - Fiscal Impact and Conditions of Approval
- Exhibit 2 - Section 5-4 and 5-9 of Hallandale Beach Code of Ordinances
- Exhibit 3 - List of Nightclubs
- Exhibit 4 - Police Department – Comparison of Calls for Service & Reported Incidents
- Exhibit 5 - Fire Rescue – Broward Sheriff's Office–Memorandum & Inspection Reports
- Exhibit 6 - Code Compliance Memorandum
- Exhibit 7 - Building Division – Nightclub Inspections Report
- Exhibit 8 - Planning & Zoning Division Report
- Exhibit 9 - Inspection Results for Nightclub Renewals

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