



Hallandale Beach
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400 South Federal Hwy
Hallandale Beach, FL 33009

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	August 7, 2019		Item Type: <i>(Enter X in box)</i>	Resolution <div style="text-align: center;">X</div>	Ordinance	Other <div style="text-align: center;">CONSENT</div>		
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading <div style="text-align: center;">N/A</div>		2nd Reading <div style="text-align: center;">N/A</div>		
	X			Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
					X			
Funding Source:	N/A		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No		
Account Balance:	N/A		Quasi Judicial: <i>(Enter X in box)</i>	Yes		No		
						X		
Project Number :	N/A		RFP/RFQ/Bid Number:	N/A				
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: <i>(Enter X in box)</i> <div style="display: flex; justify-content: space-between;"> <div>Safety</div> <input checked="" type="checkbox"/> </div> <div style="display: flex; justify-content: space-between;"> <div>Quality</div> <input checked="" type="checkbox"/> </div> <div style="display: flex; justify-content: space-between;"> <div>Vibrant Appeal</div> <input type="checkbox"/> </div>					
		X						
Sponsor Name:	Greg Chavarria, City Manager		Department: Development Services		Vanessa Leroy, Acting Director			

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 FY 19-20; 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 at the first City Commission meeting in August of each year. 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 1, 2018, the City Commission considered renewal of Nightclub Licenses for FY 18-19 for Nine (9) 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; The Cheetah and Upper Deck. There were no objections regarding the renewals for the nine (9) nightclubs as the deficiencies reported were not significant so as to preclude the renewal of the licenses.

For FY 19-20 nine (9) establishments are being considered for annual Nightclub License renewal (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 which 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 Department and Development Services Department (Building, Code and Planning & Zoning Divisions) for the nine (9) establishments seeking renewal of their nightclub licenses.

Various City departments have provided detailed reports: Police (Exhibits 4 & 5); Fire (Exhibit 6); Code Compliance (Exhibit 7); Building (Exhibit 8); and Planning and Zoning (Exhibit 9). It should be noted that the deficiencies were not significant so as 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, 2019.

Inspection results for all nine (9) establishments are compiled in Exhibit 10.

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 30 of each year and the City Commission is required to consider renewal of these licenses at the first regular meeting in August.

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

Fiscal Impact:

Fiscal Impact and Conditions of Approval for the nine (9) establishments are listed in Exhibit 1A.

PROPOSED ACTION:

Staff recommends renewal of the Nightclub Licenses for three (3) establishments; 831 Federal Highway Acquisition LLC, Ocean's 11 Lounge South and The Cheetah. Six (6) establishments have electrical violations, namely, Chapultepec Mexican Bar & Restaurant, Fate, Flanigan's Seafood Bar & Grill, Gulfstream Park Food & Beverage (Orchid Concessions), Tatiana Restaurant & Nightclub and Upper Deck.

Renewals for the six (6) establishments with violations should be contingent upon correction of those violations prior to October 1, 2019.

ATTACHEMENT(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 Memorandum - Comparison of calls for Service
- Exhibit 5 - Police Department calls for service and reported incidents
- Exhibit 6 - Fire Department Memorandum
- Exhibit 7 - Code Compliance Memorandum
- Exhibit 8 - Building Division – Nightclub Inspections report
- Exhibit 9 - Planning & Zoning Division Comments
- Exhibit 10 - Inspection Results for Nightclub Renewals