

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING, WITH CONDITIONS, A TEMPORARY USE PERMIT FOR HILDEBRAND AMUSEMENT RIDES, INC., FOR PERMISSION TO HOLD "A SPRING FAIR" AT 1000 NORTH STATE ROAD 7, FROM MARCH 15, 2024 THROUGH MARCH 31, 2024; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 10, 2024, the Margate Community Redevelopment Agency ("MCRA") approved use of MCRA property for Hildebrand Amusement Rides, Inc. ("APPLICANT") to hold 'A Spring Fair,' at 1000 N State Road 7, finalized through a Temporary Use Agreement; and

WHEREAS, on January 24, 2024, APPLICANT submitted a Temporary Use Permit ("TUP") application to the Margate Development Services Department for a fair to be held at 1000 North State Road 7 from March 15, 2024 through March 31, 2024; and

WHEREAS, Section 40.630 of the Margate Unified Land Development Code (ULDC) provides that TUP's for a fair shall be reviewed by the City Commission, and that the City Commission may approve the application by resolution and may impose reasonable conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

SECTION 2: That APPLICANT has requested and the City Commission, of the City of Margate, Florida, agrees to waive the following Code requirements:

- A. Section 40.630 of the ULDC requires TUP applications for fairs to be submitted to the Development Services Department no less than 90 days prior to the start of said event. APPLICANT submitted a TUP application 51 days prior to the event; and
- B. Section 40.630 of the ULDC requires TUP events to close by 10 P.M., unless approved for a later time by the City Commission. APPLICANT has requested permission to operate a fair until 12 A.M. midnight; and

C. Section 40.630 of the ULDC limits duration of TUP events to a total of 21 consecutive calendar days, such that an event may utilize up to three days for set-up prior to the commencement of an event, up to 15 days to hold the event, and up to three days after the close of an event for tear down and clean-up. APPLICANT has requested use of the property for a total of 29 days for the event, including 6 days for set-up, 16 days for the event, and 5 days to clean up and clear out; and

D. Section 40.630 of the ULDC requires TUP applicants to provide appropriate food vendor or catering licenses from the Florida Department of Business and Profession Regulations prior to the event. APPLICANT has not provided this information, but notes, "Appropriate food vendor or catering licenses will be forwarded prior to opening day"; and

SECTION 3: That the City Commission of the City of Margate, Florida, hereby approves, with conditions, a Temporary Use Permit granting permission to Hildebrand Amusement Rides, Inc. to hold a fair at 1000 North State Road 7 from March 15, 2024 through March 31, 2024, subject to the staff comments of the Temporary Use Permit review, application number 24-00400002.

SECTION 4: That all representations by the applicant are incorporated as part of the conditions for this Temporary Use Permit (TUP).

SECTION 5: That this Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2024.

ATTEST:

JENNIFER JOHNSON
CITY CLERK

TOMMY RUZZANO
MAYOR

RECORD OF VOTE

Caggiano _____
Simone _____
Arserio _____
Schwartz _____
Ruzzano _____