

CITY OF MARGATE, FLORIDA

RESOLUTION NO. 25-069

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A TEMPORARY USE PERMIT FOR HILDEBRAND AMUSEMENT RIDES, INC., FOR PERMISSION TO HOLD 'THE FAIR AT MARGATE' AT 1000 NORTH STATE ROAD 7, FROM NOVEMBER 21, 2025 THROUGH DECEMBER 7, 2025; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 10, 2025, the Margate Community Redevelopment Agency ("MCRA") approved use of MCRA property for Hildebrand Amusement Rides, Inc. ("APPLICANT") to hold 'The Fair At Margate,' at 1000 N State Road 7, finalized through a Temporary Use Agreement; and

WHEREAS, on September 23, 2025, 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 November 10, 2025 through December 15, 2025; 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 the City Commission, of the City of Margate, Florida, waives 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 48 days prior to the requested event setup date; 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 Sundays - Thursdays, and until 1 AM the following morning on Fridays and Saturdays; 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 36 days for the event, including 11 days for set-up, 17 days for the event, and 8 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 Professional Regulations prior to the event. APPLICANT has not provided this information.

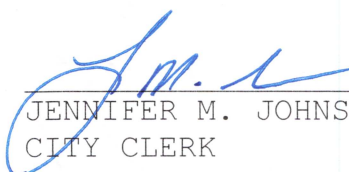
SECTION 3: That the City Commission of the City of Margate, Florida, hereby approves with conditions a Temporary Use Permit granting permission to Hildebrand Amusement Rides, Inc. to hold a fair at 1000 North State Road 7 from November 21, 2025 through December 7, 2025, subject to the staff comments of the Temporary Use Permit review, application number 25-00400064, and receipt of deposits for police and fire detail services of \$100,000 on November 21, 2025 and \$25,000 on December 1, 2025 by 4:00 PM (the "Deposits"). If the APPLICANT does not pay the Deposits as provided herein, this Temporary Use Permit shall be null and void, and the APPLICANT shall cease all operations at the fair. The APPLICANT shall pay all additional costs for police and fire detail services no later than 30 days after receipt of the City's invoice for the police and fire detail services. In the event the APPLICANT does not pay the City's invoice for police and fire detail services, interest at the highest rate allowed by law shall accrue on the unpaid balance until such time as the APPLICANT pays the invoice in full.

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

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

PASSED, ADOPTED AND APPROVED THIS 8th DAY OF OCTOBER, 2025.

ATTEST:



JENNIFER M. JOHNSON
CITY CLERK



ARLENE R. SCHWARTZ
MAYOR

RESOLUTION 25-069

RECORD OF VOTE

Ruzzano	<u>YES</u>
Caggiano	<u>YES</u>
Simone	<u>NO</u>
Arserio	<u>YES</u>
Schwartz	<u>ABSENT</u>