



Item No. 14f

# AGENDA ITEM MEMORADUM

**Development Services**

**Bud Bentley**

Department

Department Director

<b>COMMISSION MEETING DATE (*) - 7:00 PM</b>	<b>Deadline to Town Clerk</b>
<input checked="" type="checkbox"/> <b>February 14, 2012</b>	

*\*Subject to Change*

- |                                       |   |  |                                       |
|---------------------------------------|---|--|---------------------------------------|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports        | <input checked="" type="checkbox"/> <b>Consent</b> | <input type="checkbox"/> Ordinance    |
| <input type="checkbox"/> Resolution   | <input type="checkbox"/> Quasi-Judicial | <input type="checkbox"/> Old Business              | <input type="checkbox"/> New Business |

**FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC**

**SUBJECT TITLE: Music-By-The-Sea: Change of Event Time for St Patrick's Day, March 17, 2012**

**EXPLANATION:** The annual permit for the Saturday night Music-By-The-Sea events sponsored by Athena's By the Sea was approved by the Commission on March 22, 2012. The events are held every Saturday night between 6:00 p.m. and 10:30 p.m. Since St. Patrick's Day occurs this year on Saturday March 17<sup>th</sup>, Athena's has requested the event time be changed to 2:00 p.m. to midnight. The event area will be reopened by 1:00 a.m. There is no change in the event area.

There is another St. Patrick's Day special event application on the February 14<sup>th</sup> agenda from The Village Grille and 101 Ocean. The two events are requesting the same event times of 2:00 p.m. to midnight.

**RECOMMENDATION:** We recommend approval with the following additional conditions to their annual permit:

1. The applicants shall provide notice of the event to the businesses in the Oceanfront Center and to all properties on A1A within one block of the event site within one week of approval by the Commission.
2. The event, which includes live and recorded music, shall end at midnight. Setup may start at 1:00 p.m. and the event site shall be clean and reopened to the public by 1:00 a.m.
3. The maximum sound level shall be within the requirements of the Town's Code at all time, which provides in Section 13-6, that the noise level shall not exceed 90 dba or 95 dbc between the hours of 7:00 am and 10:00 pm or 75 dba and 75 dbc after 10:00 pm.
4. The Police Chief shall specify the number of detail officers needed for traffic and crowd control.

Reviewed by Town Attorney  
 Yes  No

Town Manager Initials CB  
*by BB*