

**RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 17-05**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING AND APPROVING THE ACCEPTANCE OF FUNDS FROM THE TIMES SQUARE MERCHANTS; USING SAID FUNDS TO PURCHASE A NEW OUTDOOR STAGE FOR THE USE OF TIMES SQUARE MERCHANTS FOR THE SUNSET CELEBRATION; CHARGE A SET UP FEE FOR THE USE OF THE STAGE FOR ONE YEAR.**

**WHEREAS,** Times Square Merchants reserves the right to utilize the outdoor stage for the Sunset Celebration at a cost associated with a set-up fee as determined by the Fee Schedule;

**WHEREAS,** The Town of Fort Myers Beach will own and maintain the outdoor stage for the life of the stage;

**WHEREAS,** The Town of Fort Myers Beach reserves the right to deny the use of the stage if a more prominent purpose arises as deemed by the Town Council;

**WHEREAS,** The length of this agreement will not exceed one year from the date of execution;

**WHEREAS,** The Times Square Merchants will obtain a Special Event Application and maintain a Special Event Application for the duration of the use of the stage and the agreement;

**WHEREAS,** If the Special Event Permit is revoked, the use of the outdoor stage will not be permitted for the appropriate fee as listed above and referenced in the fee schedule;

**WHEREAS,**

**THE FOREGOING RESOLUTION** was adopted by the Town Council upon a motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and upon being put to a vote the results was as follows:

Dennis Boback  
Vacant  
Vacant  
Vacant  
Tracey Gore

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of March, 2017.

ATTEST:

FORT MYERS BEACH TOWN COUNCIL

By: \_\_\_\_\_  
Michelle D. Mayher, Town Clerk

By: \_\_\_\_\_  
Dennis C. Boback, Mayor

Approved as to legal sufficiency:

\_\_\_\_\_  
Peterson Law Group, Town Attorney

DRAFT