

**CITY OF SANIBEL
RESOLUTION 21-074**

A RESOLUTION DETERMINING THE RENEWAL OF AN ENTERTAINMENT LICENSE AT FOUR COCONUTS, INC D/B/A 400 RABBITS MEXICAN KITCHEN AND TEQUILARIA LOCATED AT 975 RABBIT ROAD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Four Coconuts, Inc. d/b/a 400 Rabbits Mexican Kitchen and Tequilaria has filed an application on March 3, 2021 requesting an indoor musical entertainment license to provide entertainment as described in Section 1 below; and

WHEREAS, the Council adopted Resolution 21-038 approving an entertainment license which will expire on September 30, 2021; and

WHEREAS, this Council has duly heard and considered the renewal request for the entertainment license.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanibel, Florida:

SECTION 1. The application of an entertainment license for Four Coconuts, Inc. d/b/a 400 Rabbits Mexican Kitchen and Tequilaria, 975 Rabbit Road, Sanibel, is hereby approved with the following conditions:

- a. Performances under this approval are limited to no more than two musicians.
- b. All performances must be inside the 400 Rabbits Mexican Kitchen and Tequilaria building.
- c. Entertainment only permitted between 6:00 P.M. and 9:00 P.M.
- d. Compliance with Sanibel Code Section 30-63 and any other applicable Sanibel Code noise limitations during applicable hours.
- e. The annual entertainment business receipt tax is \$262.50 per year, unless revised by Council resolution or ordinance.
- f. Unless the City Manager refers the matter to Council due to excessive noise, non-compliance with City laws and regulations, or other issues related to the license, the license may be renewed annually, at the time other business tax receipts are issued, without further Council action. In the event that the City Manager refers the matter to City Council for any reason set forth herein, the entertainment license shall only be renewed upon review and approval by City Council, and without such approval, such license shall terminate at the end of the license year, unless terminated earlier by action of the City in accordance with the City's Local Business Tax Ordinance and this Resolution.

SECTION 2. Effective Date.

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida this 13th day of September 2021.

AUTHENTICATION:

Holly Smith, Mayor

Scotty Lynn Kelly, City Clerk

APPROVED AS TO FORM:

John Agnew, City Attorney

Date

Vote of Councilmembers:

Smith _____

Johnson _____

Crater _____

Henshaw _____

Miller _____

Date filed with City Clerk: _____