

TOWN OF LAKE PARK
535 Park Avenue
Lake Park, Florida 33403
Phone (561) 881-3318
Fax (561) 881-3323

Zoning Certificate



FOR COMMERCIAL LOCATIONS ONLY

A **NON-REFUNDABLE** ADMINISTRATIVE FEE OF \$125.00 AND ZONING INSPECTION FEE OF \$50 IS DUE AT TIME OF SUBMITTAL (TOTAL = \$175). APPLICATION PROCESS MUST BE COMPLETED WITHIN 30 DAYS OF BUSINESS OPENING. BUSINESSES OPERATING IN VIOLATION OF THE TOWN CODE OF ORDINANCES WILL BE SUBJECT TO ENFORCEMENT ACTIONS. **ALL FIELDS ARE REQUIRED – INSERT N/A IF NOT APPLICABLE.**

- **FOOD ESTABLISHMENTS** MUST SUBMIT THE STATE FOOD INSPECTION REPORT *PRIOR* TO OPENING
- **ALL BUSINESS ESTABLISHMENTS** MUST SUBMIT THE FIRE & ZONING INSPECTION SHEET *PRIOR* TO OPENING
- ALL APPLICABLE UTILITY APPROVALS MUST BE SECURED *PRIOR* TO OPENING

DATE: _____ BUSINESS LOCATION _____

Business Information:

New Business Ownership Transfer and/or Name Change Location Transfer Additional Business

(Select Location transfer only if business is transferring from an existing Lake Park Address)

DATE BUSINESS OPENED: _____

E-Mail Address: _____ (required to receive Town e-mail updates)

Name of Business: _____

Name of Business Owner: _____

Mailing Address: _____

Business Telephone: _____ Business Website Address: _____

Property Owner:

Property Owner Name: _____

Property Owner Address: _____

Property Owner E-Mail Address: _____ Telephone: _____

Business Details:

Type of Business Proposed: _____

Is this an Accessory Use to another business? Yes No Hours of Operation: _____

Please explain proposed business operation in detail: _____

Unit Size (Sq. ft.): _____ Max. Number of Employees: _____ Number of Parking Spaces: _____

NOTE: SECURITY MEASURE/SECURITY CAMERA SYSTEM REQUIREMENTS PURSUANT TO TOWN ORDINANCE NO. 01-2020, (ATTACHED) WILL BE ENFORCED – PLEASE COMPLETE THE FOLLOWING IN ITS ENTIRETY PRIOR TO SUBMITTING THIS APPLICATION:

A CONVENIENCE BUSINESS THAT OFFERS POINT-OF-SALE TERMINAL/CASH REGISTER TRANSACTIONS AT ANY POINT BETWEEN THE HOURS OF 11:00 P.M. AND 5:00 A.M.

(EXCLUSIONS = Restaurants; Businesses with at least 10,000 square feet of retail space; Businesses that have a minimum of 5 employees on duty at ALL times between 11:00 A.M. and 5:00 A.M.; and buildings operated with 24-hour onsite security, or 24-hour camera monitoring of the building, including parking areas).

- (1) **Do you offer point-of-sale terminal/cash register transactions OR are you a retail or commercial business that is open for business to the public at any time between the hours of 11:00 p.m. and 5:00 a.m. (which does not meet any exclusion provided above):** Yes No (If you answer NO, you may stop here)
- (2) If you responded **YES** to Question #1 and based on the descriptions provided, will you be providing a security camera system per the requirements listed below (Note: it will be inspected by PBSO since this is a requirement):
 Yes No
- (3) If you responded **NO** to Question #2, please explain why: _____

SECURITY CAMERA SYSTEM REQUIREMENTS – YOUR SECURITY CAMERA SYSTEM MUST ADHERE TO THE FOLLOWING:

- (a) Required security measures for Businesses with a Point-of-Sale Terminal or cash registers. The following security measures are required for all Point-of-Sale Terminals equipped businesses and Late-night businesses, except for Late-night Businesses located within Secured Buildings.
 - (1) Every business that is open to the public with a Point-of-Sale Terminal or cash registers shall maintain a video or security camera system that is capable of monitoring, recording and retrieving clear and identifiable images and videos to assist law enforcement personnel in offender identification and apprehension. Said system shall comply with all of the following standards:
 - i. Be operable at all times;
 - ii. Be readily available for viewing by employees;
 - iii. At least one camera shall be maintained on site which is capable of surveilling the interior of the business;
 - iv. At least one camera shall be maintained on site which is capable of surveilling the business' parking areas; and
 - v. Retain and produce upon the request of law enforcement any recording for a period of 72 hours from the date of recording;
 - (2) All Late-night businesses shall maintain a clear and unobstructed view from outside of the building of the cash register and sales transaction area.
 - (3) Establishments that meet the requirements of a Convenience Business as set forth in F. S. § 812.171, are hereby exempt from the requirements of this section.

Please provide each of the following, if applicable:

- Fictitious Name Registration or proof of exemption
- Corporation Registration/Articles of Incorporation/LLC
- State Business or Professional License(s), if applicable

**FOR OFFICIAL USE ONLY
TO BE COMPLETED BY STAFF**

Business Name: _____

Business Address: _____

ZONING APPROVALS

Initial Zoning Use: Approved N/A Date _____ Init _____

Zoning District: _____ Section Citation: _____

Use: _____

Description: _____

Additional Zoning
Conditions: _____

Public Works/Sanitation Approved N/A Date _____ Init _____

INSPECTIONS *

**** Units must be set up and ready for inspection prior to inspections being scheduled – ALL inspections must be scheduled at least 24 hours in advance****

Palm Beach County Fire-Rescue
(billed separately through PBCFR) Approved N/A Date _____ Init _____

Zoning
(included within Application Fee) Approved N/A Date _____ Init _____

(To include landscaping, parking, height, setbacks, as applicable)

IF additional approvals are required, please explain:

Community Development Zoning Certificate Approval

By: _____

Title: _____

Date: _____

****A copy of the completed Zoning Certificate Application will be e-mailed to Applicant****

Version: 07/24/2018. All previous versions are obsolete

ORDINANCE NO. 01-2020

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE V OF CHAPTER 78 OF THE TOWN CODE TO CREATE NEW SUPPLEMENTARY REGULATIONS AT SECTION 78-154 PERTAINING TO THE IMPLEMENTATION OF SECURITY MEASURES FOR CERTAIN TYPES OF BUSINESSES; PROVIDING FOR PENALTIES FOR THOSE BUSINESSES WHICH FAIL TO COMPLY WITH THE PROVISIONS CONTAINED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (“Town”) is a duly constituted municipality having such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town’s law enforcement agency the Palm Beach County Sherriff’s Office (PBSO) has in the furtherance of the public’s health, safety and general welfare, recommended that the Commission adopt regulations pertaining to certain business categories which are operating or may operate in the Town ; and

WHEREAS, a public hearing before the Town Commission was held at which the Commission considered this ordinance and invited public comment from businesses or individuals regarding it; and

WHEREAS, the Town Commission has determined that the PBSO’s recommended amendments to the Town Code would further the public’s health, safety and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are hereby incorporated as the legislative findings of the Town Commission.

SECTION 2. Chapter 78, Article V, entitled “Supplemental Regulations” is hereby amended to create a new Section 78-154, entitled, “Business Security,” to read as follows:

Sec. 78-154 — Business Security.

- (a) Purpose and intent. It is the purpose and intent of this section to protect the public’s health, safety, and welfare of residents and visitors to the Town by requiring that certain businesses in the town which are open to the public and have a Point-of-Sale Terminal or cash registers, and which are exempt from the standards in F. S. § 812.173, to use security cameras for the protection of employees and the invitees to those businesses from robbery, burglary, injury, other violent crimes, and credit card theft.
- (b) Definitions. For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Convenience business shall mean a place of business that is primarily engaged in the retail sale of limited groceries and/or gasoline, and that is open for business at any time between the hours of 11:00 p.m. and 5:00 a.m. A Convenience Business shall not include:

- (1) A business that is solely or primarily a restaurant.
- (2) A business that always has at least five employees on the premises after 11:00 p.m. and before 5:00 a.m.
- (3) A business that has at least 10,000 square feet of retail floor space.

Late night business shall mean a place of retail or commercial business that is open for business to the public at any time between the hours of 11:00 p.m. and 5:00 a.m. and which does not meet the definition for a Convenience Business.

Point of sale shall mean the “point” where a transaction is finalized or the moment where a customer tenders payment in exchange for a good or service.

Secured building shall mean a building operated with 24-hour on-site security or 24-hour camera monitoring of the building, including parking areas.

- (c) Required security measures for Businesses with a Point-of-Sale Terminal or cash registers. The following security measures are required for all Point-of-Sale Terminals equipped businesses and Late-night businesses, except for Late-night Businesses located within Secured Buildings.

- (1) Every business that is open to the public with a Point-of-Sale Terminal or cash registers shall maintain a video or security camera system that is capable of monitoring, recording and retrieving clear and identifiable images and videos to assist law enforcement personnel in offender identification and apprehension. Said system shall comply with all of the following standards:
 - i. Be operable at all times;
 - ii. Be readily available for viewing by employees;
 - iii. At least one camera shall be maintained on site which is capable of surveilling the interior of the business;
 - iv. At least one camera shall be maintained on site which is capable of surveilling the business' parking areas; and
 - v. Retain and produce upon the request of law enforcement any recording for a period of 72 hours from the date of recording;
- (2) All Late-night businesses shall maintain a clear and unobstructed view from outside of the building of the cash register and sales transaction area.
- (3) Establishments that meet the requirements of a Convenience Business as set forth in F. S. § 812.171, are hereby exempt from the requirements of this section.

(d) Compliance. All new businesses applying for a Town business tax receipt (BTR), which are required by this section to have a security camera system, shall comply with the regulations set forth in this section prior to the issuance of their BTR.

(e) Failure to comply. Failure to comply with the provisions of this section by a property owner whose property is subject to this section shall constitute a violation of the town code. The Town Magistrate is authorized to enforce the terms of this section.

Section 3. **Severability.** If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 4. **Repeal of Laws in Conflict.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. **Codification.** The provision of this Ordinance shall become and be made a part of the Code of Ordinances for the Town of Lake Park. The Sections of the Ordinance maybe renumbered or re-lettered to accomplish such.

Section 6. **Effective date.** This Ordinance shall take effect immediately upon execution.

Upon First Reading this 29 day of January, 2020, the foregoing Ordinance was offered by Commissioner Linden, who moved its approval. The motion was seconded by Commissioner Flaherty and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 26 DAY OF January, 2020

Upon Second Reading this 5 day of February, 2020, the foregoing Ordinance, was offered by Commissioner Michaud who moved its adoption. The motion was seconded by Commissioner Linden and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>Absent</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 01-2020 duly passed and adopted this 5 day of February, 2020.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, Michael O'Rourke

ATTEST:

Approved as to form and legal sufficiency:

[Signature]
Town Clerk, Vivian Mendez
SEAL (Town Seal)

[Signature]
Town Attorney, Thomas J. Baird

FLORIDA



Application For Palm Beach County Local Business Tax Receipt

BUSINESS INFORMATION (To be completed by applicant):

****Instructions & checklist on reverse side****

Check Applicable Box: New Business Transfer of Address Transfer of Ownership Business Name Change
 New Business Tax Receipt Other _____

Current Business Tax Receipt # (if applicable): _____

Business/DBA/Trade Name: _____
(Division of Corporations requires registration of a fictitious name. Copy of registration must accompany this application)

Corporation / Business Name: _____

Owners Name: _____

Federal Employer ID #: _____ ****OR**** Social Security #: _____

Business Address: _____ City: _____ State: _____ ZIP: _____

Date in business at this location: _____ Business Phone Number: _____

Mailing Address (if different above): _____ City: _____ State: _____ ZIP: _____

E-Mail address: _____

Nature of Business: _____ ****OR**** Profession: _____
(Landscape, Cleaning Service, etc.) (Doctor, Lawyer, etc.)

Maximum Number of: Employees: _____ Machines _____ Rooms: _____ Restaurant seating: _____

Were you issued a Notice of Non-Compliance? Yes _____ No _____

I certify, under penalty of law, that the above information is true and correct, and I understand that any false statements could result in penalties as provided by law.

Signature: _____ Title: _____
(Agent, Owner, Rep.)

PLEASE NOTE: ZONING APPROVAL MUST BE COMPLETED PRIOR TO APPLICATION SUBMITTAL ****See reverse side for details on zoning****

Municipal/City Zoning Approval: _____ Title: _____

****OR**** Unincorporated Zoning Approval/
Planning Zoning & Building Approval: _____ Title: _____

PZ&B - Place initials in box if approval from department is required*** Regulator Signature required on line, when approval has been meet ***

<input type="checkbox"/> Zoning (U No.) _____	<input type="checkbox"/> Fire Marshall _____
<input type="checkbox"/> Compliance _____	<input type="checkbox"/> Health Department _____
<input type="checkbox"/> Building _____	<input type="checkbox"/> Hotel & Restaurant _____
<input type="checkbox"/> NAICS Code _____	<input type="checkbox"/> Prior Use of Bay/Bldg. _____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Cnty Home Based Affidavit _____

FOR TCO OFFICE USE ONLY (Signature and title designates approval)

LBTR#/Account #: _____ Branch Office: _____ CURRENT YR

Till number: _____ State/County License Cert #: _____ 1 YR

NAICS Code: _____ Receipt #: _____ 2 YR

Cust. Relations Guide/ CRA: _____ 3 YR

Date: _____ Field Service Approval: _____ 4 YR

TOTAL FEE DUE : \$ _____ 5 YR





Application Requirement Guide for Local Business Tax Receipt

APPLICATION REQUIREMENT GUIDE (CHECKLIST)

****Please complete application on reverse side.****

- COMPLETE APPLICATION (first box on reverse side)**
- ATTACH A COPY OF FICTITIOUS NAME REGISTRATION (if applicable):** www.sunbiz.org
- OBTAIN ZONING APPROVAL (one of the following):**
 - Municipal/City Business Tax Receipt (If business is located within city limits, submit this application to the city for zoning approval). ****OR****
 - Unincorporated - Palm Beach County Zoning Approval (If business is located in unincorporated Palm Beach County) submit this application to Palm Beach County Planning, Zoning & Building for approval [2300 N. Jog Rd. West Palm Beach-Vista Center 561-233-5200].
- COPIES OF STATE OR COUNTY CERTIFICATIONS/LICENSE (if applicable):**
 - Dept. of Business and Professional Regulation (850-487-1395)
 - Child Care Facilities must be registered by Palm Beach County Dept. of Health (561-840-4500)
 - State of Florida Dept. of Health (850-488-0595)
 - Certified Contractors must be licensed by Palm Beach County Construction Industry Licensing Board (561-233-5525) or Department of Business and Professional Regulation (850-487-1395)
 - State of Florida, Dept. of Agriculture and Consumer Services (800-435-7352) for food outlets, auto repair, health and dance studios, telemarketers and travel agencies must provide permit, registration or exemption.
 - Restaurateurs and mobile food unit operators must provide a copy of approved inspection report from the Division of Hotel & Restaurants (850-487-1395) or obtain an authorizing signature on the application (reverse side).
 - Banks, mortgage brokers, finance companies, and stockbrokers must be registered with the State of Florida Office of Financial Regulation (850-410-9805).

NOTE: Price quotes are only valid if received and posted in the Tax Collector's computer system within the same month of quote.

Palm Beach County Local Business Tax Receipt is in addition to, not in lieu of, any license required by law or municipal ordinance (County Ordinance 72-7).

Further information can be obtained by calling (561) 355-2272 or visiting our website: www.taxcollectorpbc.com

Mail completed application to:
 Palm Beach County Tax Collector
 Attn: Business Tax Department
 P.O. Box 3353
 West Palm Beach, FL 33402-3353

****OR****

Visit one of our locations with the completed application: (Monday – Friday 8:15 am to 5:00 pm)

Belle Glade Service Center
 PBC Glades Office Building
 2976 State Road 15
 Belle Glade, FL

Lake Worth Service Center
 3551 South Military Trail
 Lake Worth, FL

Royal Palm Beach Service Center
 200 Civic Center Way
 Royal Palm Beach, FL

Delray Beach/South County Service Center
 501 South Congress Ave
 Delray Beach, FL

Palm Beach Gardens/NE County Courthouse Service Center
 3188 PGA Blvd
 Palm Beach Gardens, FL

West Palm Beach/Downtown Service Center
 301 North Olive Avenue
 West Palm Beach, FL



Commercial Zoning Certificate and Business Tax Receipt (BTR) INSTRUCTIONS:



1. Complete and submit the attached Town of Lake Park Zoning Certificate Application and pay the \$175.00 application fee. Upon submittal, you will receive an Inspection Approval Form which you will need to keep for Step #3 below. Wait for a call from the Town indicating your Zoning Use has been approved. (This does not mean that your overall Zoning Certificate has been approved).
 2. Once you are notified that your Zoning Use has been approved, come back to Town Hall to pick-up your Palm Beach County (PBC) Local Business Tax Receipt Application form (keep this with your paperwork as you will later need to submit a copy to the Town) and take it to a local PBC Courthouse in order to obtain a PBC Business Tax Receipt.
 3. Inspection Approval Form. Once your unit is all setup for your proposed business, you will need to schedule two (2) inspections in the following order:
 - a. Call PBC Fire-Rescue (PBCFR) at 561-233-0050 in order to schedule your BTR inspection for the next available date. Upon approval, the Fire Inspector will sign off on your Inspection Approval form. You will be billed a \$75.00 fee by PBCFR for this inspection.
 - b. Call the Town at 561-881-3318 in order to schedule your Zoning Inspection for the next available date. Upon approval, the Zoning Department representative will sign off on your Inspection Approval form. *The \$50 zoning fee will already be collected with the initial zoning application.*
- If you pass your inspections, each Inspector will sign off on your Inspection Approval Form (please take note that failed inspection fees may apply – see Inspection Approval Form). Once you pass all of your inspections, please move on to Step #4.
4. Complete the attached Town Business Tax Receipt (BTR) Application, gather the following documents and return to Town Hall with the entire packet and a blank check/cash/credit card to process the BTR payment:
 - Inspection Approval Form, signed by the Fire Inspector, Building Inspector & Zoning Inspector
 - Copy of Articles of Incorporation – OR - Registration of Fictitious Name or Exemption (whichever is applicable-see sunbiz.org)
 - Copy of your Palm Beach County Business Tax Receipt
 - Copy of your State of Florida License(if applicable-see Palm Beach County Application)
 - State Food Inspection Report(food establishments only)

All of the above items must be completed in order for your Business Tax Receipt to be issued. Upon completion, your application will be processed by the Finance Department and your Town of Lake Park Business Tax Receipt will be sent via U.S. Mail within 7-10 days to the business owner mailing address provided on your application.



BUSINESS TAX RECEIPT DOCUMENT CHECKLIST

- ZONING CERTIFICATE APPLICATION WITH \$125.00 ADMINISTRATIVE FEE AND \$50.00 ZONING INSPECTION FEE
- INSPECTION SHEET : **Only schedule when business is all set up**
 - FIRE INSPECTION: BILLED SEPARATELY THROUGH PALM BEACH COUNTY FIRE-RESCUE
 - ZONING INSPECTION: CAN BE SCHEDULED AFTER FIRE INSPECTION IS APPROVED BY CALLING 561-881-3318
- COPY OF PALM BEACH COUNTY BUSINESS TAX RECEIPT
- COPY OF ARTICLES OF INCORPORATION - OR - FICTITIOUS NAME REGISTRATION
- COPY OF STATE OF FLORIDA PROFESSIONAL OR BUSINESS LICENSE
(If applicable)
- PUBLIC WORKS SANITATION OWNER/TENANT AGREEMENT
(As determined by the Town's Public Works Department)
- BUSINESS TAX RECEIPT APPLICATION AND PAYMENT