

Agenda Item # C - 6

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

APPROVAL OF A SEASONAL VENDOR PERMIT FOR OUR LADY QUEEN OF THE APOSTLES CATHOLIC CHURCH TO HOLD THEIR ANNUAL PUMPKIN PATCH FUNDRAISER AT 100 CRESTWOOD BOULEVARD FROM OCTOBER 14, 2022 THROUGH OCTOBER 31, 2022; BY CHRIS WINTERS.

Issue:

The applicant is requesting a Seasonal Vendor permit in order to hold a Pumpkin Patch Fundraiser at Our Lady Queen of the Apostles Catholic Church, located at 100 Crestwood Boulevard from October 14, 2022 through October 31, 2022, Friday October 14th 12:00 p.m. to 8:00 p.m.; Monday through Friday from 1:00 p.m. to 8:00 p.m.; and Saturdays and Sundays from 8:30 a.m. to 8:00 p.m. The applicant has not requested any road closures for this event. The Church is requesting a special no fee permit for non-profit organizations. The applicant has submitted all necessary information and forms to the Village. Staff has reviewed this application and determined that the proposed use will not adversely affect the immediate area.

Recommended Action:

Approval of Seasonal Vendor Permit, subject to the attached conditions (Exhibit A).

Initiator:	Village Manager Approval	Agenda Date	Village Council Action
Director of P & Z		9/15/22	

EXHIBIT A

1. The event may only occur from October 14, 2022 through October 31, 2022, Friday October 14, 2022 from 12:00 p.m. to 8:00 p.m., Mondays through Fridays from 1:00 p.m. to 8:00 p.m.; and Saturdays and Sundays from 8:30 a.m. to 8:00 p.m.
2. Any tents used shall be flame resistant.
3. A Business Tax Receipt is required and permits must be obtained for all temporary electrical services, generators or temporary power poles and must be inspected prior to commencement of sales.
4. All electrical circuits shall be GFI protected.
5. Signage shall be set back at least 10 feet from the property line and shall not interfere with sight lines along public roadways and shall conform to the requirements of Sec. 20-73 of the Village Code of Ordinances.
6. A clearly defined paved parking area must be provided.
7. The applicant shall provide for portable restroom facilities including at least one handicapped accessible facility if public facilities are not within 500' of accessibility.
8. Adequate trash receptacles shall be provided for tree trimming and other debris, which may accumulate on site.
9. If trailer is to be used on site for security purpose, the applicant shall obtain temporary trailer permit from the Village Building Department. This trailer may trailer permit from the Village Building Department. This trailer may not be used for overnight sleeping purposes.
10. No parking will be allowed in the swales of Crestwood Boulevard.
11. Adequate provision shall be made for overflow parking
12. The applicant shall be responsible for traffic safety, and shall coordinate traffic control with the Palm Beach County Sherriff.
13. Limitations. Permits for temporary seasonal vendors are limited as follows:
 - a. Sale must be located on a surfaced area as defined in subsection (b)(1) b. hereinabove with sufficient parking for the proposed sale;
 - b. Ingress and egress must be by means of an approved existing roadway;

- c. No more than two seasonal vendor's permits may be issued per location per year;
- d. Permits are allowed for seasonal retail sales only as defined in subsection (b)(1) a. hereinabove; no wholesale sales are allowed by this type of permit;
- e. Applicant must pay for additional police officers to patrol area, if deemed necessary by the village council;
- f. Any temporary services needed will be paid for by the applicant;
- g. Sale shall be limited to thirty (30) days' maximum for Christmas tree sales and fourteen (14) days for all other sales;
- h. Sale shall be located on private property zoned for retail sales. No sale shall be permitted on road right-of-ways.

AUG 16 2022

Time _____

A FULLY COMPLETED APPLICATION MUST BE SUBMITTED TO THE VILLAGE CLERK 30 DAYS IN ADVANCE OF THE EVENT. FAILURE TO SUBMIT A COMPLETE APPLICATION MAY RESULT IN REJECTION OF THE APPLICATION.

VILLAGE OF ROYAL PALM BEACH
SEASONAL VENDOR PERMIT APPLICATION

DATE: August 10, 2022

I/We Rev. Laurent Assenga, Our Lady Queen of the Apostles Catholic Church

(Name of applicant)

of 100 Crestwood Blvd. S., Royal Palm Beach, FL 33411

(Mailing address)

Name, phone number and contact person: Chris Winters

Email address: Chrisw@olqa.cc

on behalf of Our Lady Queen of the Apostles

(Name of person, corporation, organization, etc.)

hereby request a Seasonal Vendor Permit from the Village of Royal Palm Beach in order to:

Pumpkin Patch which we held in in 2017, 2018, and 2019 but due to

Covid we did not do the last two years. We sell pumpkins and have photo

opportunities for families.

In support of such application, I submit the following information:

1. Proposed location: Parish Property in the field. See attached layout

(Owner's written consent and affidavit of responsibility is attached.)

2. Proposed date, time of commencement and duration of temporary sales permit:

Starting Oct. 14 noon to 8 pm. October 15, 16, 22, 23, 29, and 30 Saturday and Sunday from 8:30 - 8 pm. weekdays from

1 pm - 8 pm October 17 - 21, 24 - 28, and 31st.

3. Items to be sold: Pumpkins, pumpkin bread, water, soda, coloring books

4. Number of sales persons involved: 25

5. Insurance company and policy number: Catholic Mutual Relied Society of America

(Copy of Certificate of Insurance showing general liability & property damage coverage is attached.)

6. Will state, municipal or county controlled property be involved? Yes ☐ No ☒.

If yes, please describe: _____

(State, municipal or county permit or written consent, if applicable,
to utilize the above property is attached.)

7. What temporary services will be needed? If none, so state.

none

8. Sales tax number: tax exempt 85-8012702249-c-8

(A copy of sales tax number certificate is attached)

9. Site plan for proposed temporary sales location showing layout of all facilities, including parking and size and location of signage, is attached hereto along with a fully executed Hold Harmless Agreement as required by Section 16-12(b) of the Village Code of Ordinances.

10. Have any other seasonal vendor permits been issued for this location within the past year? Yes ☒ No ☐

If yes, please indicate date: December 3, 4, 5, 10, 11, 12

11. Please address the following items:

A. How will you assure that the proposed temporary sale will have no adverse vehicular or pedestrian traffic impacts which cannot be prevented by the imposition of conditions?

Church parking lot

B. How will you assure that the proposed temporary sale will have no adverse impacts on adjacent properties and will not be detrimental to their use and peaceful enjoyment of their property?
No noise expected open mostly during the daytime.

C. How will you assure that the proposed temporary sale will not cause objectionable noise, vibrations, fumes, odors, glare or physical activity which cannot be prevented by the imposition of conditions?

none expected

D. How is the proposed temporary sale compatible with the character of the location for which it is proposed?

Hasn't been an issue in the past. Everything faces Crestwood Blvd.

12. In addition to depicting proposed temporary signage on the provided site plan, please list below all signs to be displayed as part of the seasonal event. Please include sign type, dimensions, square footage and proposed location(s) (See Village Code Section 20-73).

I affirm that all facts set forth herein are true and correct and understand that the Village of Royal Palm Beach may impose reasonable conditions upon the Seasonal Vendor Permit in order to reduce adverse impacts and to protect the health, safety and welfare of all.

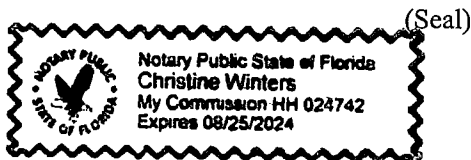
LA Assenga
Signature of Applicant

FR. LAURENT ASSENGA
Printed Name of Applicant

THE STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 10th day of August, 2022, by Rev. Laurent Assenga, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath (circle one).

Christine Winters
NOTARY PUBLIC
STATE OF FLORIDA



VILLAGE OF ROYAL PALM BEACH, FLORIDA
OWNER'S AFFIDAVIT OF CONSENT AND RESPONSIBILITY
DO NOT COMPLETE FOR EVENTS ON VILLAGE PROPERTY

DATE: August 8th, 2022

APPLICATION FOR: Seasonal Vendor Permit

PROPOSED LOCATION FOR TEMPORARY SALE:

100 Crestwood Blvd. S.
Royal Palm Beach, FL 33411

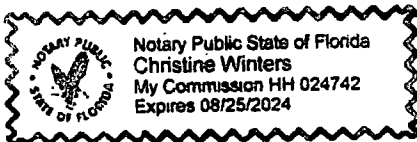
I/We, Rev. Laurent Assenga, Our Lady Queen of the Apostles, own the property referenced above and hereby grant my/our consent for our parishioners to utilize the property for Pumpkin Patch acknowledging that I/we will be responsible for the activities conducted thereon.

Laurent Assenga
Affiant

Affiant

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 10th day of August, 2022 by Rev. Laurent Assenga and, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath (circle one).



(Seal)

Christine Winters
Notary Public
State of Florida

HOLD HARMLESS AGREEMENT FOR APPLICANT

The undersigned hereby requests a Seasonal Vendor permit (circle one) from the Village of Royal Palm Beach, Florida ("Village").

NOW, THEREFORE, for and in consideration of the issuance of the permit by the Village and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/we agree as follows:

1. I/we hereby agree to abide by all regulations set forth in the VILLAGE OF ROYAL PALM BEACH Code of Ordinances and all other laws.

2. I/we hereby agree that I/we will indemnify and hold the Village harmless from and against any and all claims, demands, lawsuit, settlements, damages, costs and expenses, including attorneys' fees, suffered or incurred by the Village and arising out of or in connection with the Temporary Sale or Seasonal Vending conducted.

Executed this 10th day of August, 2022.

WITNESSES

Arline Laquerre
Signature

Arline Laquerre
Printed Name

Sharyn Garcia
Signature

Sharyn Garcia
Printed Name

FR. LAURENT ASSENCA
Applicant

FR. LAURENT ASSENCA
Printed Name

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [☐] online notarization this 10th day of August, 2022 by Sharyn Garcia and Arline Laquerre, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath (circle one).



(Seal)

Christine Winters
Notary Public
State of Florida

HOLD HARMLESS AGREEMENT FOR OWNER OF PROPERTY
(IF DIFFERENT FROM APPLICANT)
DO NOT COMPLETE FOR EVENTS ON VILLAGE PROPERTY

The undersigned is the owner of the real property to be utilized for the proposed Temporary Sale. The undersigned has granted the Applicant permission to apply for a Seasonal Vendor permit from the Village of Royal Palm Beach, Florida ("Village"), to use the undersigned's property for this purpose, and acknowledges responsibility (owner's affidavit is attached hereto).

NOW, THEREFORE, for and in consideration of the issuance of the permit by the Village and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/we agree as follows:

1. I/we hereby agree to abide by all regulations set forth in the VILLAGE OF ROYAL PALM BEACH Code of Ordinances and all other laws.

2. I/we hereby agree that I/we will indemnify and hold the Village harmless from and against any and all claims, demands, lawsuit, settlements, damages, costs and expenses, including attorneys' fees, suffered or incurred by the Village and arising out of or in connection with the Temporary Sale or Seasonal Vending conducted.

Executed this 10th day of August, 2022.

WITNESSES:

Arlene Laguerre
Signature
Arlene Laguerre
Printed Name
Sharyn Garcia
Signature
Sharyn Garcia
Printed Name

Laurent Assenga
Owner of Property
Laurent Assenga
Printed Name

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 10th day of August, 2022 by Rev. Laurent Assenga, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath (circle one).



(Seal)

Christine Winters
Notary Public
State of Florida

**AFFIDAVIT FOR SPECIAL NO FEE PERMIT
NON-PROFIT, CHARITABLE, VETERANS' ORGANIZATIONS
AND/OR OTHERS ENTITLED TO EXEMPTIONS**

DATE: August 10, 2022

I/We Rev. Laurent Assenga,
(Name of Applicant)

of 100 Crestwood Blvd. S. Royal Palm Beach, FL 33411,
(Mailing Address of Applicant)

on behalf of Our Lady Queen of the Apostles Parish,
(Non-profit, Charitable, Veterans' Organization or others entitled to exemptions)

hereby request a special no fee permit or reduced rate occupational license from the VILLAGE OF ROYAL PALM BEACH in accordance with Section 16-8 of the Village Code in order to operate the business as described below or to hold the following fundraising project and/or sale at the following location:

100 Crestwood Blvd. S.
Royal Palm Beach, FL 33411

1. The Church (Our Lady Queen of the Apostles)

(Non-profit, Charitable, Veterans' Organization or others entitled to exemptions)
is a bona fide Non-Profit, Charitable, Veterans' Organization or other person/entity entitled to an exemption which operates without private profit for a civic, charitable, youth, service, fraternal or religious purpose. Attached is documentation to support this statement, i.e. incorporation certificate; 501c(3) status, etc.

2. Parishioners

(Name of persons involved in project)

are bona fide members of the _____
organization and will not receive any compensation, whatsoever, for the operation of the project.

3. The Our Lady Queen of the Apostles Parish

(Name of Organization or Person)

will abide by all regulations set forth in the VILLAGE OF ROYAL PALM BEACH Code of Ordinances.

4. I understand that all facts stated herein may be investigated by the VILLAGE OF ROYAL PALM BEACH and that if there are any misrepresentation stated herein, any permit or occupational license issued on the basis of this Affidavit shall be automatically revoked. I hereby swear that all facts stated herein are true and correct.

Laurent Assenga
Signature of Applicant

FR. LAURENT ASSENGA
Printed Name of Applicant

STATE OF FLORIDA)
)ss:
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [] online notarization this 10th day of August, 2022 by Rev. Laurent Assenga, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath (circle one).



(Seal)

Christine Winters
Notary Public
State of Florida

Certificate of Coverage

Date: 3/1/2022

Certificate Holder

The Roman Catholic Diocese of Palm Beach, Inc.
9995 North Military Trail
Palm Beach Gardens, FL 33410-9650

This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.

Company Affording Coverage

THE CATHOLIC MUTUAL RELIEF
SOCIETY OF AMERICA
10843 OLD MILL RD
OMAHA, NE 68154

Covered Location

Our Lady Queen of the Apostles Catholic Church
100 Crestwood Blvd. South
Royal Palm Beach, FL 33411

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
Property				Real & Personal Property	
D. General Liability	9149	4/1/2022	4/1/2023	Each Occurrence	2,000,000
<input checked="" type="checkbox"/> Occurrence				General Aggregate	2,000,000
<input type="checkbox"/> Claims Made				Products-Comp/OP Agg	
				Personal & Adv Injury	
				Fire Damage (Any one fire)	
				Med Exp (Any one person)	
Excess Liability				Each Occurrence	
				Annual Aggregate	
Other				Each Occurrence	
				Claims Made	
				Annual Aggregate	
				Limit/Coverage	

Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)
Coverage only extends to the Village of Royal Palm Beach for Our Lady Queen of the Apostles Catholic Church's permit application for the term of the certificate.

Holder of Certificate

Additional Protected Person(s)

Village of Royal Palm Beach
1050 Royal Palm Beach Blvd.
Royal Palm Beach, FL 33411

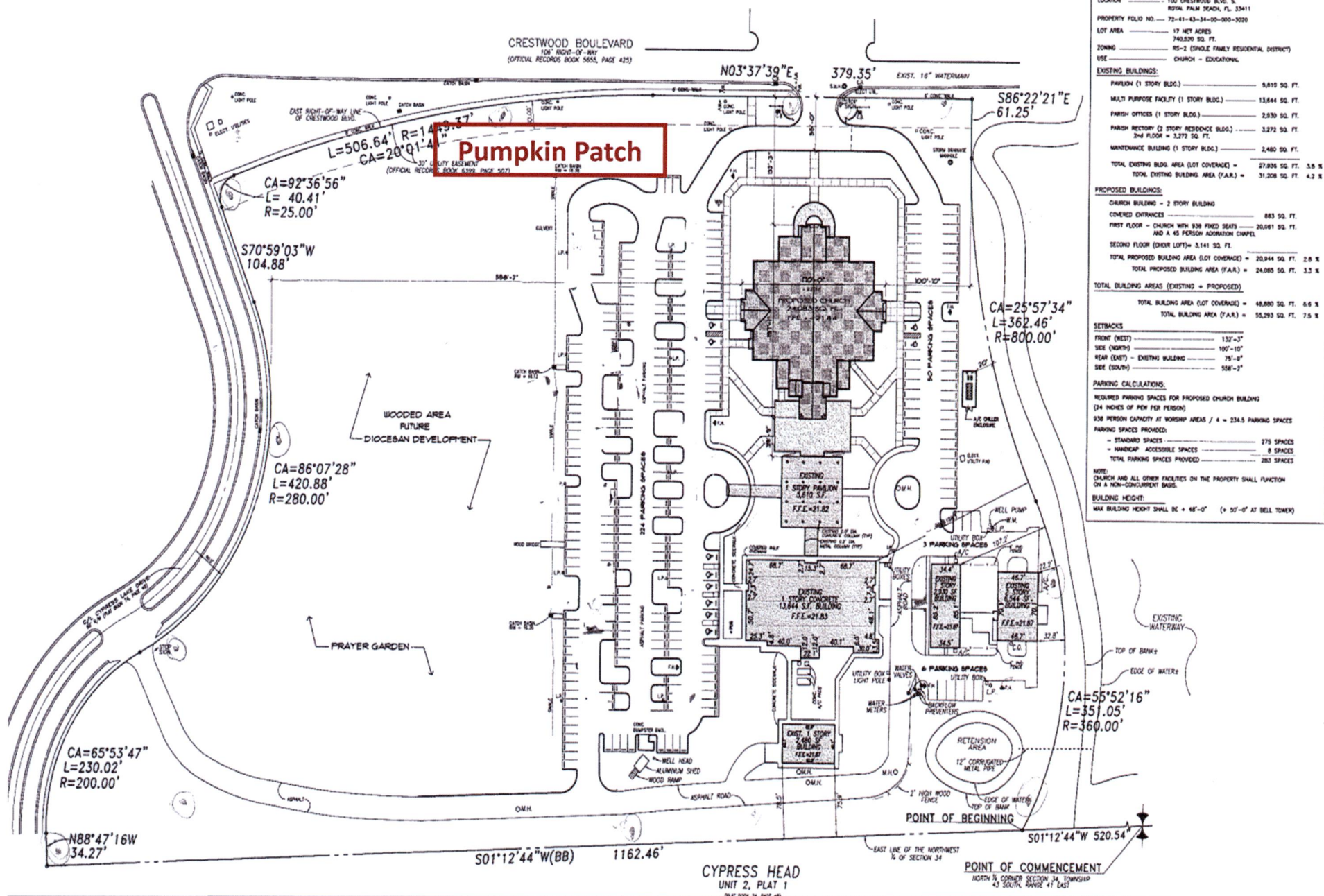
Cancellation

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

0833000441

Michael A. Antunovich





Department of the Treasury
Internal Revenue Service
ATLANTA, GA 39901

DATE OF THIS NOTICE: 07-18-88 CP 575
EMPLOYER IDENTIFICATION NUMBER: 65-0057159

07086340

B W

For assistance you may
call us at:

1-800-424-1040

OUR LADY QUEEN OF THE APOSTLES
CATHOLIC CHURCH
8895 N MILITARY TRAIL SUITE 201 C
PALM BEACH GARDENS FL 33410

or you may write to us at the
address shown to the left. If you
write, be sure to attach the bottom
part of this notice.

Notice of New Employer Identification Number Assigned

Thank you for your Form SS-4, Application for Employer Identification Number (EIN). The number assigned to you is shown above. This number will be used to identify your business account and related tax returns and documents, even if you do not have employees.

Please keep a copy of this number in your permanent records. Use this number and your name, exactly as shown above, on all Federal tax forms that require this information, and refer to the number on all tax payments and tax-related correspondence or documents. Incomplete information or any variation used when filing tax returns, making FTD payments or subsequent payments may result in improper or delayed posting of payments to your account and/or the assignment of more than one EIN.

If your business is a partnership which must obtain prior approval for its tax year, the tax year you entered in Block 3 of your Form SS-4 does not establish a tax year. For guidance in determining if you must request prior approval and the method of doing so, see IRS Publication 538, Accounting Periods and Methods, available at most IRS offices.

Please note that the assignment of this number does not grant tax-exempt status to nonprofit organizations. Any organization (other than a private foundation) having annual gross receipts normally of not more than \$5,000 is exempt by statute if it meets the requirements of section 501(c)(3) of the Internal Revenue Code. These organizations are not required to file Form 1023 (Application for Recognition of Exemption) or file Form 990 (Return of Organization Exempt from Income Tax). However, if the organization wants to establish its exemption with the Internal Revenue Service and receive a ruling or determination letter recognizing its exempt status, it should file Form 1023 with the Key District Director. For details on how to apply for this exemption, see IRS Publication 557, Tax-Exempt Status for Your Organization, available at most IRS offices.

Thank you for your cooperation.