

Agenda Item # C - 13

**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, 2023 THROUGH OCTOBER 31, 2023; BY CHRIS WINTERS.**

**Issue:**

The applicant is requesting a Seasonal Vendor Permit request by Our Lady Queen of Apostles Catholic Church to hold a Pumpkin Patch Fundraiser at 100 Crestwood Boulevard S. on October 14, 2023 from 12:00 pm to 7:00 pm; October 15, 21, 22, 28 and 29, 2023 from 8:30 am to 7:00 pm; October 17-20, 2023 from 1:00 pm to 7:00 pm; October 24-28, 2023 from 1:00 pm to 7:00 pm; and October 31, 2023 1:00 pm to 4:00 pm. 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		9/21/23	

## **EXHIBIT A**

1. The event may only occur from October 14, 2023 through October 31, 2023, October 14, 2023 from 12:00 pm to 7:00 pm; October 15, 21, 22, 28 and 29, 2023 from 8:30 am to 7:00 pm; October 17-20, 2023 from 1:00 pm to 7:00 pm; October 24-28, 2023 from 1:00 pm to 7:00 pm; and October 31, 2023 1:00 pm to 4:00 pm.
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.

**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

VILLAGE OF ROYAL PALM BEACH  
SEASONAL VENDOR PERMIT APPLICATION

AUG 29 2023

DATE: 08/28/2023

Time \_\_\_\_\_

I/We Rev. Andy Rudnicki, 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 (561) 798-5661 ext. 103

Email address: Chrisw@olqa.cc

on behalf of Our Lady Queen of the Apostles Catholic Church

(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 2017, 2018, 2019 and 2022. We sell pumpkins and  
have a photo opportunities.

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 on October 14 noon to 7pm. October 15, 21, 22, 28, 29: 8:30am to 7:00pm  
October 17-20 1pm- 7pm, October 24-28 1pm-7pm October 31st 1-4 pm

3. Items to be sold: pumpkins, pumpkin bread, water, soda, coloring books, halloween items.

4. Number of sales persons involved: 25

5. Insurance company and policy number: See attached

(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 2, 3, 4, 9, 10, and 11.

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 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.

Rev. Z. Andy Rudnicki

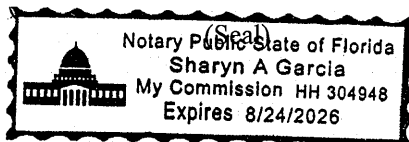
Signature of Applicant

Rev. Z. Andy Rudnicki

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 28 day of August, 2023, by Rev. Z Andy Rudnicki, 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).



Sharyn A Garcia

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 28 day of August, 2023.

WITNESSES:

Chris Winters  
Signature

Chris Winters  
Printed Name

Arline Laquerre  
Signature

Arline Laquerre  
Printed Name

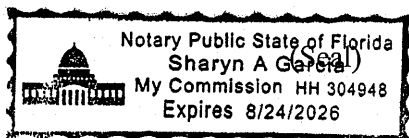
Rev. Z. Andy Rudnicki  
Applicant

Rev. Z. Andy Rudnicki  
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 28 day of August, 2023 by Chris Winters 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).

Sharyn A. Garcia  
Notary Public  
State of Florida



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

DATE: 08/28/2023

I/We Rev. Z. Andy Rudnicki,  
(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 Catholic Church,  
(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 Our Lady Queen of the Apostles Catholic Church  
(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 Our Lady Queen of the Apostles Catholic Church  
organization and will not receive any compensation, whatsoever, for the operation of the project.

3. The Our Lady Queen of the Apostles Catholic Church  
(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.

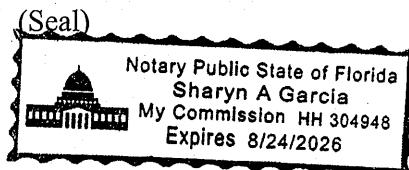
Rev. Z. Andy Rudnicki  
Signature of Applicant

Rev. Z. Andy Rudnicki  
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 28 day of August, 2023 by Rev. Z. Andy Rudnicki, 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).

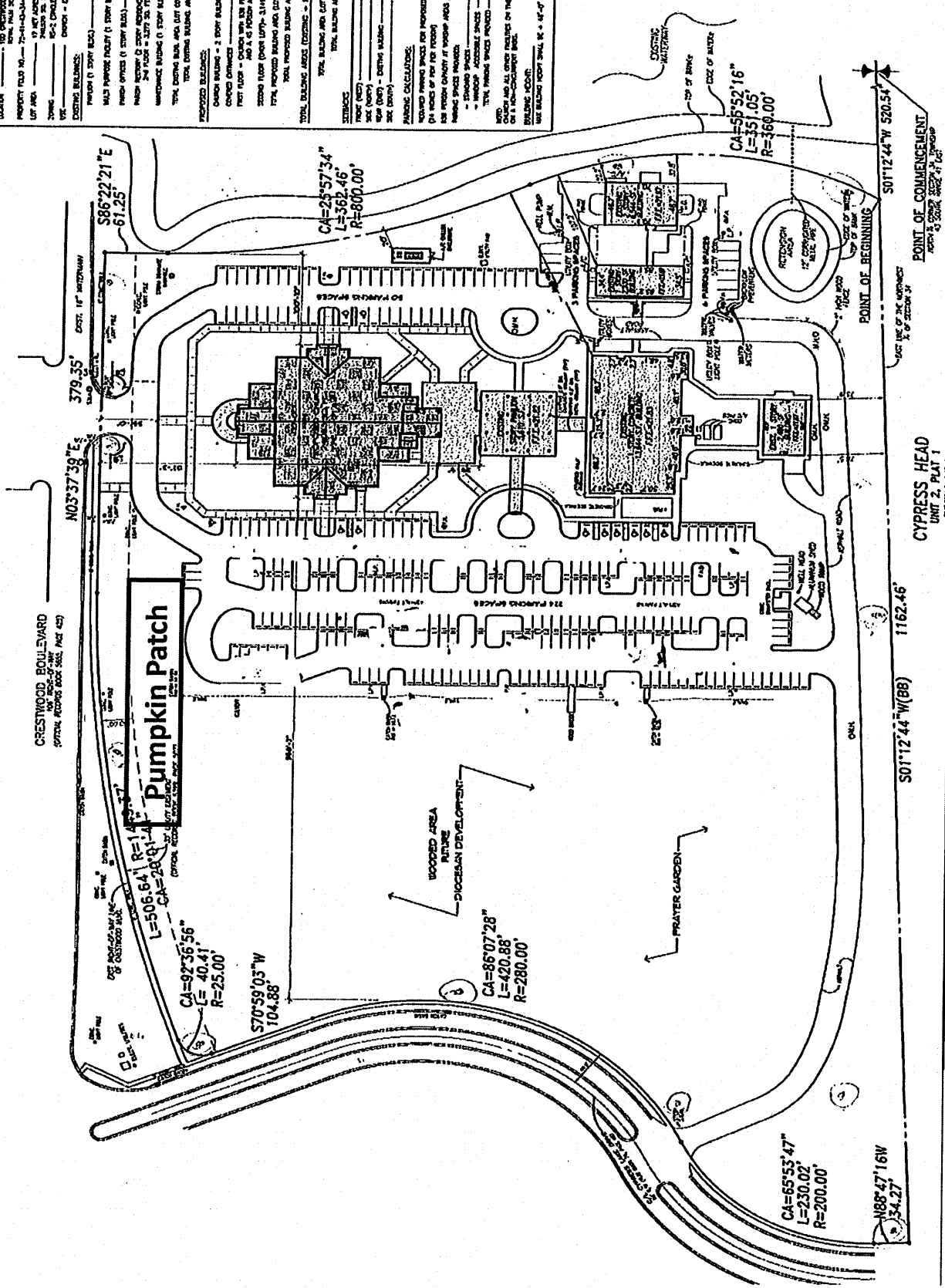
Sharyn A Garcia  
Notary Public  
State of Florida



Building	Year	Value
PERKINS (1 STORY BLDG.)	1912	\$1,175.00
MILLS PERKINS POLY (1 STORY BLDG.)	1914	\$1,644.00
PERKINS OFFICE (1 STORY BLDG.)	1919	\$2,550.00
PERKINS POLY (2 STORY BLDG.)	1922	\$2,772.00
2nd FLOOR - 1922 TO 1923		
MANUFACTURING BUILDING (1 STORY BLDG.)	1923	\$2,400.00

[illegible]

11:00A MARCH  
0-30 + 26 TIME LOCK DURING IN  
(0-30 TO 0-30-0)



# Certificate of Coverage

Date: 2/14/2023

**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	4/1/2023	4/1/2024	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**

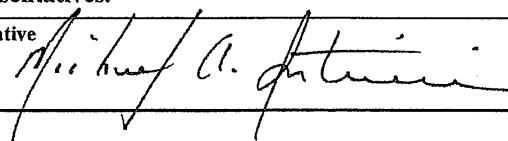
**Cancellation**

**Additional Protected Person(s)**

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

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



## Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14  
R. 01/18

85-8012702249C-8	07/31/2021	07/31/2026	RELIGIOUS-PHYSICAL PLACE
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

OUR LADY QUEEN OF THE APOSTLES  
CATHOLIC CHURCH  
100 CRESTWOOD BLVD S  
ROYAL PALM BEACH FL 33411-4701

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



## Important Information for Exempt Organizations

DR-14  
R. 01/18

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions about your exemption certificate, please call Taxpayer Services at 850-488-6800. The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.