



Agenda Item #   C   - 3

**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 ON OCTOBER 12, 2019 THROUGH OCTOBER 31, 2019; BY JIM DUEMIG.**

**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 12, 2019 through October 31, 2019 Mondays through Saturdays from 11:00 a.m. to 7:00 p.m.; and Sundays from 9:00 a.m. to 7:30 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).

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Initiator:	Village Manager Approval	Agenda Date	Village Council Action
Director of P & Z		10/17/19	

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## EXHIBIT A

1. The event may only occur from October 12, 2019 through October 31, 2019 Mondays through Saturdays from 11:00 a.m. to 7:00 p.m.; and Sundays from 9:00 a.m. to 7:30 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.

**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

RECEIVED BY:  
Village of Royal Palm Beach

SEP 13 2019

DATE: September 13, 2019

Time \_\_\_\_\_

I/We Rev. Z. Andy Rudnicki, Pastor, Our Lady Queen of the Apostles Catholi

(Name of applicant)

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

(Mailing address)

Name, phone number and contact person Jim Duemig (561) 798-5661

Email address: jim@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:

**Hold our 6th Annual Pumpkin Patch Fundraiser**

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

1. Proposed location: Southwest Field of Property

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

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

October 12, 2019 through October 31, 2019 (Monday through Saturday

11AM - 7 PM and Sundays 9AM - 7:30 PM)

3. Items to be sold: Pumpkins / pumpkin bread/ water/

4. Number of sales persons involved: 3 per shift

5. Insurance company and policy number: The Catholic Mutual Relief 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 **X**\_\_\_\_\_.

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: **85-8012702249C-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 16-12B. of the Village Code of Ordinances.

10. Have any other seasonal vendor permits been issued for this location within the past year? Yes **X**\_\_\_\_\_ No \_\_\_\_\_

If yes, please indicate date: **Last year same event**

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?

**Shouldn't have any impact on traffic. (didn't last year)**

\_\_\_\_\_

\_\_\_\_\_

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?

**Pumpkin Patch will be located at quite a distance from any other**

**property and this is not a loud or noisy event.**

\_\_\_\_\_

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?

Same as B

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

Sale of pumpkins is a fundraiser used for our general operating budget

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

Print name and office held, if applicable

THE STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 13 day of September, 2019, 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.



*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: September 13, 2019

APPLICATION FOR: Special Events Permit \_\_\_\_\_ OR Seasonal Vendor Permit x

PROPOSED LOCATION FOR SPECIAL EVENT OR TEMPORARY SALE:

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

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

Rev. Z. Andy Rudnicki

Affiant

\_\_\_\_\_ Affiant

STATE OF FLORIDA

COUNTY OF PALM BEACH

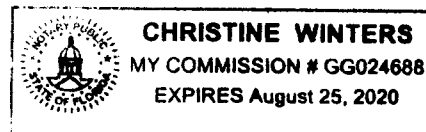
The foregoing instrument was acknowledged before me this 13 day of September, 2019 by Rev. Z. Andy Rudnicki and \_\_\_\_\_, who is personally known to me or who has produced a Florida driver's license as identification and who did/did not take an oath.

Christine Winters

Notary Public

State of Florida

(Seal)



HOLD HARMLESS AGREEMENT FOR APPLICANT

The undersigned hereby requests a Special Events/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 Special Event, Temporary Sale, or Seasonal Vending conducted.

Executed this 13 day of September, 2019.

WITNESSES:

Arline Laguerre  
Signature

Arline Laguerre  
Printed Name

Sharyn Garcia  
Signature

Sharyn Garcia  
Printed Name

Rev. Z. Andy Rudnicki

Applicant

Rev. Z. Andy Rudnicki, Pastor

Printed Name

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 13 day of September, 2019 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.

Christine Winters

Notary Public  
State of Florida  
(Seal)





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 Special Event or Temporary Sale. The undersigned has granted the Applicant permission to apply for a Special Events/Seasonal Vendor permit (circle one) 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 Special Event or Seasonal Vending conducted.

Executed this 13 day of September, 2019.

WITNESSES:

*Arline Laguerre*  
Signature

Arline Laguerre  
Printed Name

*Sharyn Garcia*  
Signature

Sharyn Garcia  
Printed Name

*Rev. Z. Andy Rudnicki*  
Owner of Property

Rev. Z. Andy Rudnicki, Pastor  
Printed Name

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 13 day of September, 2019 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.

*Christine Winters*  
Notary Public  
State of Florida  
(Seal)



2. Parish Volunteers

(Name of persons involved in project)

are bonafide 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

Pastor  
\_\_\_\_\_

Office Held, if applicable

STATE OF FLORIDA )

)ss:

COUNTY OF PALM BEACH )

The foregoing instrument was acknowledged before me this 13 day of September, 2019 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.

*Christine Winters*  
\_\_\_\_\_

Notary Public  
State of Florida  
(Seal)



# Certificate of Coverage

Date: 9/13/2019

**Certificate Holder**  
 The Roman Catholic Diocese of Palm Beach  
 9995 North Military Trail  
 Palm Beach Gardens, FL 33410-9650

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

**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

**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 <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made	9149	4/1/2019	4/1/2020	Each Occurrence	2,000,000
				General Aggregate	2,000,000
				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 is verified for claims arising out of Our Lady Queen of the Apostles Catholic Church's Pumpkin Patch from October 12-31, 2019.

**Holder of Certificate** **Cancellation**

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

0833000959

**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 *Michael A. Antonini*