



Agenda Item # C - 8

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

Agenda Item:

APPROVAL OF A SEASONAL VENDOR PERMIT APPLICATION FOR LOWE'S HOME IMPROVEMENT TO SELL CHRISTMAS TREES AND RELATED CHRISTMAS ITEMS FROM NOVEMBER 23, 2019 THROUGH DECEMBER 22, 2019, DURING REGULAR BUSINESS HOURS LOCATED AT 103 SOUTH STATE ROAD 7; BY BRENDA DE JESUS.

Issue:

The applicant is requesting a Seasonal Vendor Permit in order to sell Christmas trees and wreaths at the Lowe's Home Improvement store located at the southwest corner of State Road 7 and Southern Boulevard. The sales will run from November 23, 2019 through December 22, 2019 during normal business hours. The applicant has provided the Village with all necessary documentation including insurance.

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			11/21/2019

EXHIBIT A

1. The event may only occur from November 23, 2019 through December 22, 2019, during regular business hours.
2. All signage must comply with Village Code which included any signage on trailers.
3. Any tents used shall be flame resistant.
4. 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.
5. All electrical circuits shall be GFI protected.
6. 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.
7. A clearly defined parking area must be provided.
8. The applicant shall provide for portable restroom facilities including at least one handicapped accessible facility if public facilities are not within 500' of accessibility.
9. Adequate trash receptacles shall be provided for tree trimming and other debris, which may accumulate on site.
10. 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.
11. 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 not be used for overnight sleeping purposes.

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

OCT 15 2019

DATE: 10-15-2019

Time 12:10 pm

I/We Lowe's Home Improvement

(Name of applicant)

of 103 South State Road 7 Royal Palm Beach FL 33411

(Mailing address)

Name, phone number and contact person Brenda De Jesus 561-795-3808 x4181

Email address: brenda.l.dejesus@store.lowes.com

on behalf of Lowe's Corporation

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

hereby request a Seasonal Vendor Permit from the Village of Royal Palm Beach in order to:
Erection of temporary canopy for Christmas Tree Sales (50x80)

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

1. Proposed location: Parking Lot

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

2. Proposed date, time of commencement and duration of temporary sales permit:
Nov 23, 2019 to Dec 22, 2019

3. Items to be sold: Christmas Trees and Wreath

4. Number of sales persons involved: 2-6

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 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: See attached

(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 _____ No X

If yes, please indicate date: _____

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?

Tent is placed in the parking lot. Will not affect traffic

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?

Sales of trees will increase sales to the adjacent businesses

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?

During Lowe's normal business hours

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

Christmas items for retail purchase (trees and wreath)

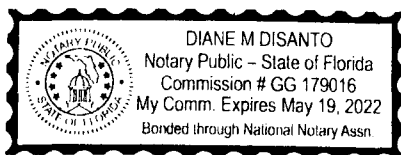
I affirm that all facts set forth herein are true and correct and understand that the Village of Royal Palm Beach may impose reasonable conditions upon the Seasonal Vendor Permit in order to reduce adverse impacts and to protect the health, safety and welfare of all.

Brenda De Jesus
Signature of Applicant

Brenda De Jesus
Print name and office held, if applicable

THE STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 15th day of October 20 19, by Brenda De Jesus, 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.



Diane M Disanto
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: 10.15.19

APPLICATION FOR: Special Events Permit _____ OR Seasonal Vendor Permit X

PROPOSED LOCATION FOR SPECIAL EVENT OR TEMPORARY SALE:

Lowe's Home Improvement
103 South State Road 7
Royal Palm Beach FL 33411

I/We, Lowe's Home Improvement, own the property referenced above and hereby grant my/our consent for Elite Tent Services to utilize the property for Temporary Tent acknowledging that I/we will be responsible for the activities conducted thereon.

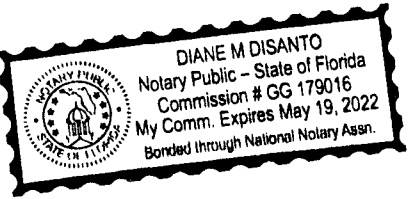
Brenda De Jesus
Affiant

Affiant

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 15th day of October, 2019 by Brenda De Jesus 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.

Diane M Disanto
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 15th day of October, 2019.

WITNESSES:

Josephine Shimbue-Dun
Signature

Josephine Shimbue-Dun
Printed Name

[Signature]
Signature

Eva Hernandez
Printed Name

Brenda De Jesus
Applicant

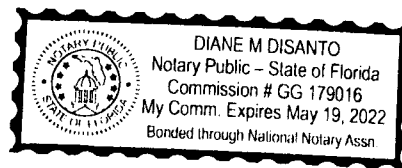
Brenda De Jesus
Printed Name

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 15th day of October, 2019 by Brenda De Jesus, 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.

[Signature]

Notary Public
State of Florida
(Seal)





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/02/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

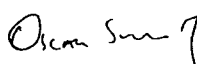
PRODUCER NSI Insurance Group LLC 8181 Northwest 154th Suite 230 Miami Lakes FL 33016		CONTACT NAME: Kathy Burris PHONE (A/C, No, Ext): (305) 556-1488 FAX (A/C, No): (305) 556-3680 E-MAIL ADDRESS: kathyb@nsigroup.org	
INSURED Jacey Investments, LLC, DBA: Elite Tent Company 2375 SW 58th Avenue Hollywood FL 33023		INSURER(S) AFFORDING COVERAGE INSURER A: Admiral Insurance Company NAIC # 24856 INSURER B: Natl Union Fire Ins Co PittsPA 19445 INSURER C: FCCI Insurance Co 10178 INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 18-19 GL/XS/WC **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD 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 INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			CA00001712107	11/01/2018	11/01/2019	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> OTHER:						PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> AUTOS ONLY						\$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			BE020338170	11/01/2018	11/01/2019	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 1,000,000
	DED \$ RETENTION \$						\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			Binder#1392974	11/01/2018	11/01/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A				E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Village of Royal Palm Beach is an additional Insured with respect to General Liability when required by written Contract.

CERTIFICATE HOLDER VILLAGE OF ROYAL PALM BEACH 1050 ROYAL PALM BEACH BLVD ROYAL PALM BEACH FL 33411	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

REGISTERED
FABRIC
NUMBER

F-140.01

Certificate of Flame Resistance

ISSUED BY

Elite Tent Co.

2375 S.W. 58TH Avenue, Hollywood, FL 33023

Date of Manufacture:

09/25/2014

This is to certify that the product herein have been manufactured from material inherently flame retardant as here after specified by the material supplier.

NAME: Elite Tent Company
CITY: Hollywood STATE: FL

Certification is hereby made that: The articles described on this certificate have been manufactured with an approved flame retardant chemical in compliance with California State Fire Marshall Code, NFPA-701, Underwriters Laboratory of Canada and have been tested in accordance with the Federal Test Method Specifications and meet or exceed the Military Flame Specifications of MIL-C-43006G.

- Meets Broward County F-108.8.1 Awnings, canopies, and similar products whether attached or detached from a building shall have a flame spread rating of 25 or less.

Type, Color and weight of material: PRV, White, 16 oz.

Description of item certified: 50' x 80' Canopy

**Flame Retardant Process Used Will Not Be Removed By Washing
And Is Effective For The Life of The Fabric**

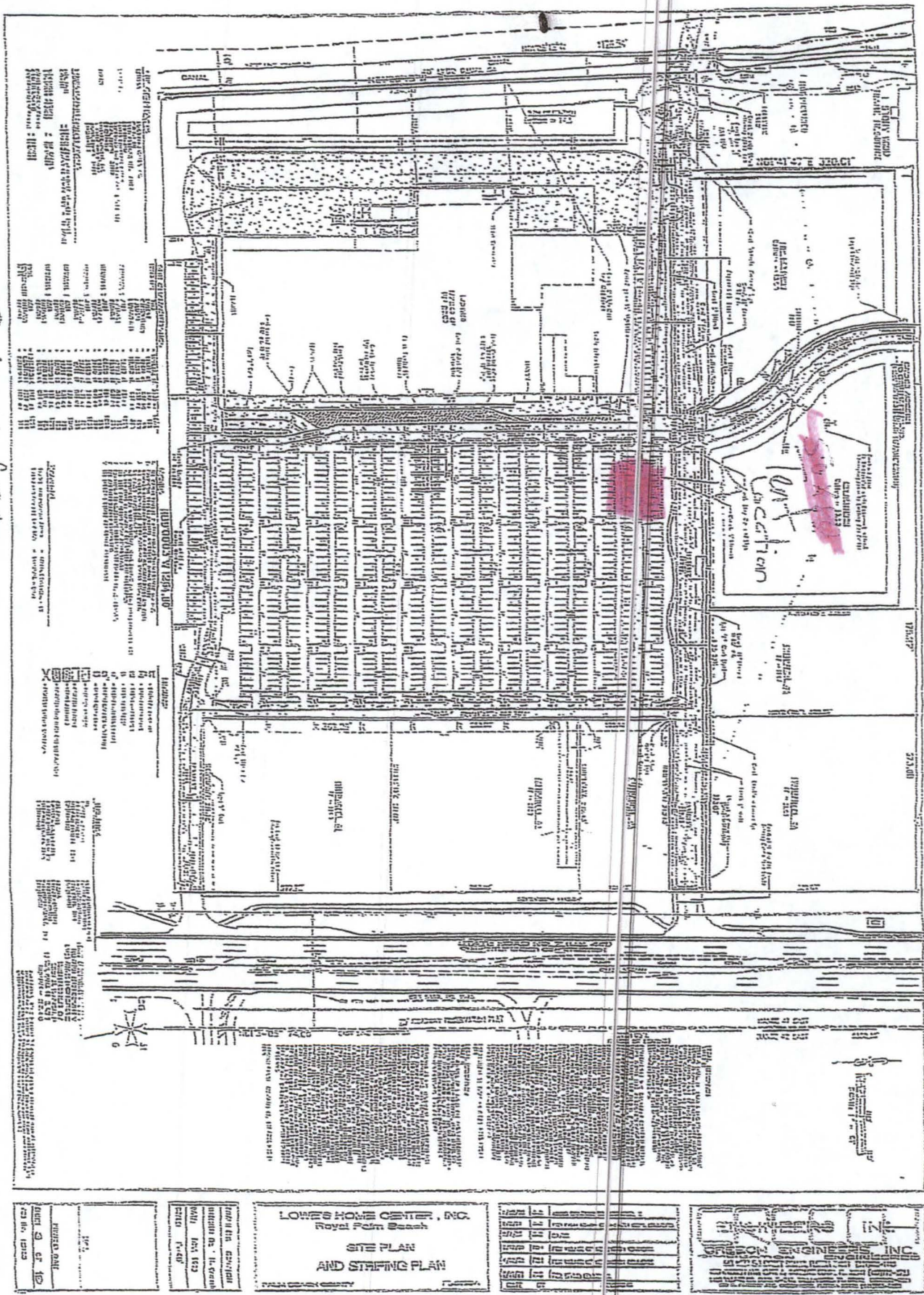
Snyder Manufacturing, Inc.

Manufacturing of Flame Retardant Vinyl Laminates

David Csuzdi

Tent Department
David Csuzdi, President

Royal Palm Bch. # 654



PROJECT: ROYAL PALM BEACH HOME CENTER
 LOCATION: 10000 N. W. 10th Ave., Royal Palm Beach, Florida
 CLIENT: ROYAL PALM BEACH HOME CENTER
 ARCHITECT: [Faded text]
 DATE: [Faded text]

SHEET NO. 1 OF 1
 SCALE: AS SHOWN
 DRAWN BY: [Faded text]
 CHECKED BY: [Faded text]

LEGEND:
 [Faded symbols and descriptions for site features]

NOTES:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

MATERIALS:
 [Faded list of materials and specifications]

CONSTRUCTION SPECIFICATIONS:
 [Faded list of construction details and standards]

PROJECT NO. 10000 N. W. 10th Ave.
 SHEET NO. 1 OF 1
 DATE: [Faded text]

TITLE: ROYAL PALM BEACH HOME CENTER
 SHEET NO. 1 OF 1
 DATE: [Faded text]

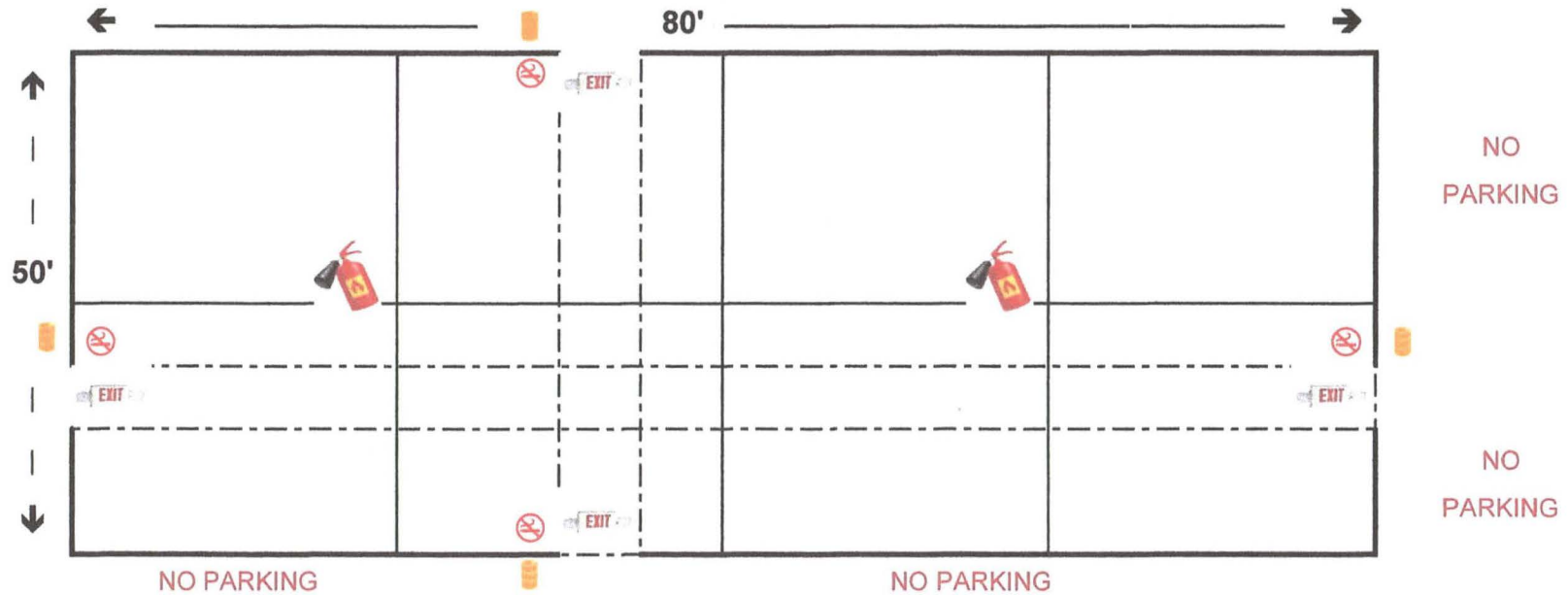
LORIS HOME CENTER, INC.
 Royal Palm Beach
**SITE PLAN
 AND STRIPING PLAN**

NO.	DESCRIPTION
1	AS SHOWN
2	AS SHOWN
3	AS SHOWN
4	AS SHOWN
5	AS SHOWN
6	AS SHOWN
7	AS SHOWN
8	AS SHOWN
9	AS SHOWN
10	AS SHOWN





Typical CANOPY SKETCH
GENERAL INFORMATION FIRE SAFETY



NO COOKING

NO Fabric Decoration

-  NO SMOKING SIGN
-  FIRE EXTINGUISHER (MIN. 4A 10BC) Per NFPA 10
-  CIGARETTE BUCKET WITH SAND
-  EMERGENCY LIGHTING "EXIT" SIGN (Battery Back Up)
-  15 FOOT ISLES TO BE MAINTAINED

NOTE: Electrical power to be supplied from main building

NOTE: Bathroom Facilities to be provided inside Lowes Store

NOTE: Perimeter Sidewall to be used for NIGHT Time Security ONLY and OPEN during day

****Structure to be staked in asphalt with 42" Steel Stakes and tied with 5/8" Rope****



Village of Royal Palm Beach

Business Tax Receipt
1050 Royal Palm Beach Blvd.
Royal Palm Beach, FL 33411

Tel: (561) 790-5128 Fax: (561) 790-5129

0654

LOWE'S HOME CENTERS LLC (STORE)
ATTN: TAX DEPT
1000 LOWES BLVD
MOORESVILLE NC 28117

Business Tax Receipt #: 20-00007630

Dear Business Owner:

This is your new Business Tax Receipt. Please keep the upper portion for your records and detach the bottom of this form. Verify the information and display it conspicuously at your place of business, open to the view of the public.

This Business Tax Receipt is in addition to and not in lieu of any other license or tax required by law or municipal ordinance and is subject to regulations of zoning, health, and any other lawful authority.

Business Tax Receipts may be transferred to a new **owner** when evidence of a sale is provided; the original Business Tax Receipt is surrendered and a transfer fee is paid.

Business Tax Receipts may be transferred to a new **location** when proof of zoning approval is provided; the original Business Tax Receipt is surrendered and a transfer fee is paid.

Business name changes require a new Business Tax Receipt.

This Business Tax Receipt expires on **September 30, 2020**. Renewal notices are mailed at the beginning of July. If you do not receive the notice by the end of July, please let us know.

We hope you have a successful year.

The Village of Royal Palm Beach

**** DETACH AND DISPLAY BOTTOM PORTION ****



VILLAGE OF ROYAL PALM BEACH
1050 ROYAL PALM BEACH BOULEVARD
ROYAL PALM BEACH, FL 33411

NO. 20-00007630

DATE: 7/29/19

LOCAL BUSINESS TAX RECEIPT
EXPIRES: SEPTEMBER - 30 - 2020

LOWE'S HOME CENTERS LLC (STORE)
ATTN: TAX DEPT
1000 LOWES BLVD
MOORESVILLE NC 28117

DESCRIPTION
MERCHANTS - RETAIL/WHOLESALE

TOTAL FEE
\$32,580.06

DISPLAY IN PLACE OF BUSINESS

LOCATION: 103 S ST RD 7



Village of Royal Palm Beach

Business Tax Receipt
1050 Royal Palm Beach Blvd.
Royal Palm Beach, FL 33411

Tel: (561) 790-5128 Fax: (561) 790-5129

0654

LOWE'S HOME CENTERS LLC
TAX DEPT
1000 LOWES BLVD
MOORESVILLE NC 28117

Business Tax Receipt #: 20-00008249

Dear Business Owner:

This is your new Business Tax Receipt. Please keep the upper portion for your records and detach the bottom of this form. Verify the information and display it conspicuously at your place of business, open to the view of the public.

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The Village of Royal Palm Beach

*** DETACH AND DISPLAY BOTTOM PORTION ***



VILLAGE OF ROYAL PALM BEACH
1050 ROYAL PALM BEACH BOULEVARD
ROYAL PALM BEACH, FL 33411

NO. 20-00008249

DATE: 7/29/19

REGISTRATION
LOCAL BUSINESS TAX RECEIPT
EXPIRES: SEPTEMBER - 30 - 2020

LOWE'S HOME CENTERS LLC
TAX DEPT
1000 LOWES BLVD
MOORESVILLE NC 28117

DESCRIPTION
CONTRACTOR - GENERAL

TOTAL FEE
\$.00

DISPLAY IN PLACE OF BUSINESS

LOCATION: OUTSIDE CITY LIMITS



Village of Royal Palm Beach

Business Tax Receipt
1050 Royal Palm Beach Blvd.
Royal Palm Beach, FL 33411
Tel: (561) 790-5128 Fax: (561) 790-5129

0654

LOWE'S HOME CETERS LLC 654
1000 LOWES BLVD
TAX DEPT
MOORESVILLE NC 28117

Business Tax Receipt #: 20-00017399

Dear Business Owner:

This is your new Business Tax Receipt. Please keep the upper portion for your records and detach the bottom of this form. Verify the information and display it conspicuously at your place of business, open to the view of the public.

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The Village of Royal Palm Beach

*** DETACH AND DISPLAY BOTTOM PORTION ***



VILLAGE OF ROYAL PALM BEACH
1050 ROYAL PALM BEACH BOULEVARD
ROYAL PALM BEACH, FL 33411

NO. 20-00017399

DATE: 7/29/19

LOCAL BUSINESS TAX RECEIPT
EXPIRES: SEPTEMBER - 30 - 2020

LOWE'S HOME CETERS LLC 654
1000 LOWES BLVD
TAX DEPT
MOORESVILLE NC 28117

DESCRIPTION
SPECIALTY SERVICES/MISCELLAN

TOTAL FEE
\$100.00

DISPLAY IN PLACE OF BUSINESS

LOCATION: 103 S ST RD 7