



## Temporary Use Permit Application

### General Instructions and Information:

- This application must be received by the Planning Department at least **30 days before** the start of the temporary use, to include the date of set-up.
- Refer to Page 4 of this application for information to be submitted with this application.
- If you have questions, please call the Planning Department.
- Make an appointment with the Planning Department by calling 850-892-8571, Ext. 116, to review this application with staff prior to submission.

### 1. TYPE OF TEMPORARY USE (Check the box beside the type of sales that most closely describes your request.)

Seasonal Sales (such as Christmas trees, pumpkins, etc.) (\$50.00 per day)

Car Wash Fund Raisers (\$50.00 per day)

Tangible Dealer Products (such as clothing, shoes, street artists/craftsmen, tool, etc.) with prices under \$100 (\$50.00 per day/requires City Council approval)

Fireworks (\$50.00 per day)

Tangible Dealer Products (such as clothing, shoes, street artists/craftsmen, tool, etc.) with prices above \$100 (\$100.00 per day)

Low-Speed Vehicle Rentals (\$100.00 per day)

Tangible Dealer Products (such as new and used cars) any product sold for more than \$1,000 (\$500.00 per day/requires City Council approval/\*Minimum of \$2,500 charge will apply for tangible dealer products of new/used vehicles)

### 2. APPLICANT INFORMATION

Name (Individual and Business): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Cell Number: \_\_\_\_\_ Alternate Number: \_\_\_\_\_

### 3. LOCATION EVENT WILL BE HELD (SUBJECT PROPERTY INFORMATION)

Physical Location of Property: \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Current Use of the Property: \_\_\_\_\_

Vicinity to local merchant dealing goods offered by the temp use (in feet): \_\_\_\_\_

### 4. OWNER OF SUBJECT PROPERTY (Note: If you are NOT the owner of the subject property then you must submit a completed, signed, and notarized original agent affidavit form.)

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Cell Number: \_\_\_\_\_ Alternate Number: \_\_\_\_\_

## 5. EVENT DETAILS

- A. Description of the Temp Use: \_\_\_\_\_
- B. Start Date (Including date of setup): \_\_\_\_\_
- C. Ending Date (Including date of breakdown): \_\_\_\_\_
- D. Hours of Operation: \_\_\_\_\_
- E. Will a Tent be used for the Temp Use?  Yes or  No (If yes, describe how you will secure the tent? \_\_\_\_\_  
\_\_\_\_\_)
- F. Will you be using port-a-lets?  Yes or  No  
If no, describe sanitary provisions? \_\_\_\_\_
- G. Describe power source (i.e. supplied on-site by owner, portable generator, large generator on flatbed, etc.) \_\_\_\_\_
- H. Will you supply 24-hour on-site security?  Yes or  No If yes, describe overnight on-site structures for accommodations (i.e. camper) to be provided and submit a photograph of the structure to be used.  
\_\_\_\_\_
- I. Describe plans for disposal of garbage generated by event: \_\_\_\_\_
- J. Estimate the number of vehicles associated with the event: \_\_\_\_\_
- K. Estimate the number of employees associated with the event: \_\_\_\_\_

## 6. Required Attachments (Staff cannot accept your application until all required attachments are submitted; the 30-day submission requirement begins when all attachments are received.)

Fee for Temporary Use

Proof of Ownership (copy of recorded deed) or Lease agreement with notarized signature of property owner and applicant, including location of event, dates of sales, and type of sale event to take place

Site Plan

Aerial view of property, illustrating portion of property to be used for event

Location of tent, trash receptacles, portable toilets

Interior vehicular circulation

Signage

Interior Floor Plan of Tent

Exits/Isles/Areas for Displays/Fire Extinguishers

Method of Securing Tent (stakes in-ground, barrels, weights, etc.)

Certificate of Flame Resistance for Tent

Portable Toilet Agreement (at least two required with one being handicapped accessible)

State of Florida Sales Tax/Resale Certificate

State of Florida Certification/Registration/License/Etc. (based on industry)

Insurance Certificate

Include the business name, temporary use type, location, and operation date(s)

Additional insured certificate holders:

City of DeFuniak Springs

Property Owner(s)

**7. SIGNATURE(S)**

By signing below, I hereby acknowledge the following:

- I have completed this application truthfully and to the best of my knowledge;
- I have provided the necessary attachments and/or information and understand that the computation of time does not begin until the application and attachments are received by staff;
- I understand that my application may require approval by City Council;
- I must be in receipt of a permit issued by city personnel prior to setting up for this event;
- I will schedule a life safety inspection with the DFS Fire Department, and correct any issues identified therein, prior to occupying the tent and/or conducting any sales for the event described in this application; and
- I understand that my permit is subject to revocation for violations to the terms and conditions under which it is issued and/or if staff determines that false, erroneous, or misleading information was provided.

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Applicant Signature

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Date of Signature

**For City Staff**

**City Review and Comments**

Date of Submission: \_\_\_\_\_ Temporary Use Permit# \_\_\_\_\_

Date Reviewed: \_\_\_\_\_ Attachments Received: \_\_\_\_\_

Date of Last Event: \_\_\_\_\_ Distance from Similar Vendor: \_\_\_\_\_ To Review Team: \_\_\_\_\_

Cost per day \$ \_\_\_\_\_ X # of days \_\_\_\_\_ = Total \$ \_\_\_\_\_  
(\*Min \$2,500 charge will apply for tangible dealer products/Max of 14 days/Max 4X per CY/Separation of 1 month between events)

Date Fee Paid: \_\_\_\_\_ Amount Paid: \_\_\_\_\_ Receipt # \_\_\_\_\_

Type of Event: \_\_\_\_\_ Council Approval Required? Yes or No

**Temporary Use Permit**

**Application Checklist and Process Guide**

Name of Applicant: \_\_\_\_\_ Event Dates: \_\_\_\_\_

File #: \_\_\_\_\_

\_\_\_\_\_ Application

Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

The application for a temporary use permit for all uses shall be filed at least 30 days prior to the date on which the permit is to take effect. Review application for completeness. Verify all attachments\* have been submitted.

\_\_\_\_\_ Date of applicant's last event

Verify date of last event, making sure there is at least one month between events.

\*Required Attachments:

\_\_\_\_\_ Fee

Date Deposited: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

Fees include day of setup and breakdown. Fee must be submitted at the time the application is submitted. Keep a copy of the check for the file. Deposit the check; file the receipt.

\_\_\_\_\_ Site Plan

Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

See section below on items required in site plan. Verify distance from similar merchants.

\_\_\_\_\_ Lease Agreement

Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

A notarized statement from the property owner(s) and lease (if applicable) that the temporary use is permitted on the property. The statement must include the temporary use dates (including setup and take-down), location, description type and the name of the company and representative designated by the property owner.

\_\_\_\_\_ License/Certification (see various types below)

Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

\_\_\_\_\_ Auto Sales: If the use requires a license from DOT, they must have one for the event that includes the dates for sales. DOT doesn't allow the sales event to last more than 10 days, but this time restriction does not include the days for strictly set up or breakdown. Region VII -Panama City Sub-Office (Responsible for Bay, Calhoun, Gulf, Jackson, Holmes, Walton and Washington Counties) Address = 6030 County Road 2321, Panama City, Florida 32404 Telephone = (850) 767-3660/FAX = (850) 872-7764  
Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

\_\_\_\_\_ Fireworks: Certification from State Fire Marshal  
Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

\_\_\_\_\_ Produce: May need a certificate from the Department of Ag – not if selling items grown by seller Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

\_\_\_\_\_ Insurance Certificate  
Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_  
An insurance certificate naming the **City of DeFuniak Springs, and the property owner(s) as additional insured** must be submitted. The certificate shall state the business name, temporary use type, operation date(s), and location. The mailing address for the city is 71 US Hwy 90 W; DeFuniak Springs FL 32433.

\_\_\_\_\_ Flame Retardant Certificate for Tent  
Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

\_\_\_\_\_ Port-a-Potty Agreement  
Date Submitted: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_  
The agreement must include the dates of the agreement and must have a minimum of two (2) port-a-potty's with at least one (1) of which is handicap accessible.

\_\_\_\_\_ Email of application review team (Include copy of email in file)

\_\_\_\_\_ Email of issued permit with dates to review team, requesting assistance if activity occurs prior to set up date (Include copy of email in file)

\_\_\_\_\_ Schedule date for City Council review      Date of Meeting: \_\_\_\_\_

\_\_\_\_\_ Prepare report to City Council/Include copy in file

\_\_\_\_\_ City Council decision: \_\_\_\_\_

\_\_\_\_\_ Notify applicant (if not present)

\_\_\_\_\_ Prepare TUP permit

\_\_\_\_\_ Date of life safety inspection/verify that they pass inspection

Fire Inspector Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Temporary Use is:      Approved                      Approved with Conditions                      Denied

Conditions: \_\_\_\_\_

Denial Reason: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_ Copy of City Council minutes      Date Provided: \_\_\_\_\_ Initials of Staff: \_\_\_\_\_

## Ordinance

Uses: The following temporary uses are allowed and subject to, but not limited to, the regulations contained in this article.

1. Seasonal sales ex: Christmas tree and pumpkin patch sales.
2. Tangible Dealer Products (clothing, shoes, street artists/craftsmen, tool, new and used car sales, etc.) - if in a specified location for more than a 24-hour period.
3. Low-Speed vehicle rentals for special events
4. Fund-raising car washes not held for civic and government organizations
5. Fireworks stands: A temporary use permit shall be permitted for the sales of fireworks in any agricultural, commercial, or industrial zoning district. Such permits may include temporary stands, tents, display tables and similar facilities provided any such facility complies with the approval of the DeFuniak Springs City Council.

Use Restrictions:

**Alcohol:** No alcoholic beverages are allowed in conjunction with any temporary use.

**Local Merchants:** No temporary use permit shall be approved when a local merchant exists, who deals in goods offered by the temporary use, whose principal business is located within the same center or within three hundred (300) feet of the proposed location of the temporary use.

**Compatibility:** The temporary use must be compatible with the surrounding land uses; however, no temporary use permits shall be issued for events in residential zoned areas.

**Noise:** Levels of noise volume shall not adversely affect adjacent commercial or residential areas. It shall be unlawful for any person or persons to shout, blow a horn, ring a bell, or use any sound device, including any loud-speaking radio or sound amplifying system upon any of the streets, alleys, parks or other public place of the city, or upon any private premises in the city where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell.

**Hours:** No sales shall be made between the hours of 9 p.m. to 9 a.m. Uses shall be substantially compatible with adjacent uses dependent upon dates and hours of operation and the other requirements set forth herein. Additionally, uses shall be substantially compatible with the goals, objectives and policies of the comprehensive plan.

**Timing:** The application for a temporary use permit for all uses shall be filed at least 30 days prior to the date on which the permit is to take effect. A temporary use is allowed for up to two (2) weeks (14 calendar days) and up to four (4) times per calendar year unless otherwise approved by the DeFuniak Springs City Council. Dates of operation (for the purposes of fees) will include dates to assemble and dismantle equipment and/or structures.

Check file to determine if a similar event has been approved for the time period in the request. **Each two-week period shall be separated by at least one month within the same calendar year.**

**Approval:** The application forms shall provide such information as the Planning Department shall find to be reasonably necessary for fair administration and provided to the City Council at a regular scheduled meeting. Upon filing of application, the City Council shall have the authority to approve, conditionally approve, or deny the permit application.

**Site Plan:** An aerial plot (scale of 1 inch = 20 feet) of the property to be used, rented, or leased for the temporary use, including all information necessary to accurately portray the property and to identify the area to be utilized for the event. Illustrate any temporary use facilities to include port-a-lets, tent, and generators. Also illustrate garbage/dumpster locations, parking and the means of ingress and egress. See below for more specific requirements.

**Sanitary facilities:** Documentation regarding arrangements for temporary sanitation, health and safety facilities or equipment facilities and such assurances as the city may require concerning compliance. A minimum of two (2) port-a-potty's with at least one (1) handicap accessible is required. Applicant is required to submit the agreement with the company supplying these facilities.

**Parking:** Adequate parking, consistent with current zoning requirements for similar uses shall be maintained during such temporary use. Parking shall only be allowed on designated parking areas as per survey and drawing identifying parking area. No parking will be allowed on any vegetation or public right-of-ways, only on paved areas. If deemed necessary, a financial guarantee, in an amount determined by the city's finance director and in a form approved by the city attorney and city council guaranteeing the repair of public right-of-way of any damage resulting to the right-of-way as a result of the temporary use. If off-site parking is to be utilized, permission must be in writing from the owner of said property.

**Traffic control:** Arrangements in the vicinity of the temporary use are to be arranged by the operators of the temporary use with the City of DeFuniak Springs Police Department. Traffic generation will not exceed that of similar uses in the Land Development Code or adversely impact flow of traffic and traffic volumes on adjacent roadways. Use of existing access drives is required unless otherwise approved.

**Debris Removal:** Site is to be kept cleared of all debris before, during and after the event. Waste receptacles are to be provided at the location during the temporary use. The applicant and property owner are responsible for removal of all debris from property. If deemed necessary, a financial guarantee, in an amount determined by the finance director and in a form approved by the city attorney guaranteeing that the premises will be cleared of all debris during and after

the event and that any damage to public property will be repaired at the cost of the property owner or applicant(s). The temporary use location area shall be the same at the end of the temporary use as it was at the being of the event. If erosion has occurred or vegetation is disturbed during such temporary use event, then the applicant shall repair the temporary use location site to the same or better condition as before the temporary use event occurred.

**Structure:** Only one temporary structure is allowed per temporary use. Temporary structures do not include motor homes, trailers, or other vehicles with axles. If a tent is used as a temporary structure a flame retardant certificate is required and a building permit must be obtained and inspected by the building and fire departments prior to operation. Lighting inside a tent requires an electrical permit obtained by a licensed electrical contractor. All applicable permits must be obtained prior to the installation of any temporary structures, lighting, signage, etc. If any stakes will be driven, or if the ground is penetrated in any way as a result of the event, 811 must be notified and utilities must be marked prior penetrating the ground.

**Signage:** Temporary use signage may not be installed on state or city right-of-way and shall be compatible with its surroundings. All signage must be removed from the site on or before the last day of the event.

**Inspection:** A Life Safety inspection must be made by the city prior to any sales being made or occupancy of tents. No electrical cords are to be permitted across any vehicular/pedestrian use area. Exits must be clearly marked. Extinguishers must be tagged with up-to-date inspections.

**Fees:** The City Manager, at his discretion, may waive the established fee for temporary uses that are government entity sponsored or sponsored by civic or nonprofit organizations. The City Manager may, in determination for a fee waiver request, require documentation establishing an organization's civic and/or nonprofit status.

Event Type	Cost per occurrence (Assembling and dismantling days will constitute as a per day charge.)
Seasonal Sales (Christmas Trees/Pumpkin, Etc.)	\$50.00 per day
Car Wash fund raisers	\$50.00 per day
Tangible Dealer Products (clothing, shoes, street artists/craftsmen, tool, etc.) with prices under \$100	\$50.00 per day
Tangible Dealer Products (clothing, shoes, street artists/craftsmen, tool, etc.) with prices above \$100	\$100.00 per day
Low Speed Vehicle Rentals	\$100.00 per day
Tangible Dealer Products (new and used cars*) any product sold for more than \$1,000	\$500.00 per day* (*Minimum of a \$2,500.00 charge will apply)

**DISCLOSURE OF INTEREST STATEMENT**

BEFORE ME, on this day, appeared \_\_\_\_\_, who acknowledges and attests that the following statements are true:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at and is the subject of this application (hereinafter the "Property").
2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.
3. In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.
4. That, unless otherwise specified in paragraph 6 below, no City of DeFuniak Springs employee or elected official has an ownership interest in the Property or any legal entity (corporation, company, partnership, limited partnership, trust, etc.) that has an ownership interest in the Property or that has contracted to purchase the Property.
5. That the disclosure identified herein does not include any beneficial ownership interest that a City of DeFuniak Springs employee or elected official may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.
6. That, if the ownership interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental affidavit that identifies the name of any a City of DeFuniak Springs employee or elected official that subsequently acquires an interest in the Property.

Disclosure of Interest held by a City of DeFuniak Springs employee or elected official (if none, then leave blank):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Ownership Percentage: \_\_\_\_\_

7. Disclosure of Interest **or** Contract for Sale held by other persons:

Interest Percentage: \_\_\_\_\_ **OR** Contract Type: \_\_\_ Contingent \_\_\_ Absolute

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.**

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**\*\*\*\*\*NOTE: A NOTARY PUBLIC MUST WITNESS YOUR SIGNATURE\*\*\*\*\***

**STATE OF FLORIDA  
COUNTY OF WALTON**

The foregoing instrument was sworn to (or affirmed) and subscribed before me on \_\_\_\_\_ 20\_\_\_\_,  
by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_  
\_\_\_\_\_ as identification.

Signature of Notary Public: \_\_\_\_\_

STAMP/SEAL



**City of DeFuniak Springs**  
**Application Checklist**

This checklist is an attempt to help applicants understand the City's temporary use permit application and submission requirements. Please note that additional information may be requested by City personnel.

- **Completed & Signed Application**

Only complete, legible applications can be accepted. This includes the form on pages 1-2, the disclosure statement on page 3 of this packet and all required attachments.

This application must be received at least 30 days before the start of the temporary use.

An approved temporary use is allowed for up to two (2) weeks (including set-up/breakdown) and up to four (4) times per calendar year unless otherwise approved by City Council. Each two-week period shall be separated by at least one month within the same calendar year.

- **Required Attachments**

Fee for Temporary Use

Proof of Ownership (copy of recorded deed) or Lease agreement with notarized signature of property owner and applicant, including location of event, dates of sales, and type of sale event to take place

Site Plan

Aerial view of property, illustrating portion of property to be used for event

Location of tent, trash receptacles, portable toilets

Interior vehicular circulation

Signage

Interior Floor Plan of Tent

Exits/Isles/Areas for Displays/Fire Extinguishers

Method of Securing Tent (stakes in ground, barrels, weights, etc.)

Certificate of Flame Resistance for Tent

Portable Toilet Agreement (at least two required with one being handicapped accessible)

State of Florida Sales Tax/Resale Certificate

State of Florida Certification/Registration/License/Etc. (based on industry)

Insurance Certificate

Include the business name, temporary use type, location, and operation date(s)

Additional insured certificate holders:

City of DeFuniak Springs

Property Owner(s)

- **Review Process**

Planning Department personnel reviews application for completeness, verifies attachments are received, deposits fees, forwards application to City Review Team

City Review Team receives application and makes comments to Planning Department personnel

Comments are compiled and forwarded to the applicant

If required, the application is placed on City Council's agenda

The meeting is held and a decision is made (approve, deny, continue to another meeting)

If approved, Planning Department personnel will issue a Temporary Use Permit for the event

Please attach required documents to the application. Applications cannot be accepted if the application is not complete or if required documents and payment are not provided with the application. Please contact planning staff with any questions by calling 850-892-8571, Extension 116.