



City of Destin Code Compliance Department

City of Destin Annex
4100 Indian Bayou Trail
Destin, Florida 32541

Phone (850) 837-4242 • Fax (850) 460-2171

Application Portal: www.cityofdestin.com/cserve
Vendor Details: www.cityofdestin.com/beachvendors

BEACH VENDOR REGISTRATION APPLICATION

All sections are required to be completed.

Please use the following checklist as a guide for a complete package. INCOMPLETE PACKAGES AT TIME OF SUBMITTAL WILL BE REJECTED.

- A. Completed application - The applicant must fill out all applicable areas of the application. The application must be submitted to the Code Compliance Department, which is located in the Community Development Division in the City Hall Annex, 4100 Indian Bayou Trail, Destin.
- B. Proof of ownership - The affidavit of ownership must be executed, notarized, and submitted. A letter of authorization is required if the applicant is other than the owner.
- C. Agent Affidavit / Special Power of Attorney (if applicable) - If the applicant is other than the owner of the property under consideration for review, the applicant must submit an agent affidavit or special power of attorney.
- D. Copy of the written agreement with the beachfront owner.
- E. Site plan - A site plan, to scale, showing the proposed location of the goods and services related to this permit application, as well as any physical improvements existing on the site. The applicant may provide a current survey (not older than one hundred-eighty (180) days) which provides the same information, in lieu of a site plan.
- F. Fee – Upon adoption of a fee by resolution, each applicant will be required to pay by cash, credit card or check (made payable to the City of Destin) the required fee of \$150, which must be submitted with the complete application.
- G. Personal Watercraft vendors - Any vendor who conducts the rental of personal watercraft (non-propeller driven) from the beach shall complete the attached Form “A” and submit all information that is required pursuant to Ordinance #241, in addition to the information identified above.
- H. Wheeled Vehicle Permit- Any Beach Vendor requesting to use a wheeled vehicle will be required to complete a Wheeled Vehicle Permit.
- I. City of Destin Business Tax Receipt.

APPLICATION DETAILS

ALL ITEMS ARE REQUIRED. ANY MISSING INFORMATION WILL RESULT IN A REJECTION OF PACKAGE.

DATE: _____

1. PROPERTY INFORMATION:

Subject Property Address: _____

City: _____ State: _____ Zip Code: _____

East of Henderson Beach State Park West of Henderson Beach State Park

2. APPLICANT: _____

Applicant's Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone number: _____ Business Phone number: _____

Fax number: _____

3. OWNER OF THE PROPERTY, IF DIFFERENT THAN APPLICANT:

Owner's Address: _____

City: _____ State: _____ Zip Code: _____

Phone number: _____ Fax number: _____

4. LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

Copy of Property Record Card attached Copy of Recorded Deed attached

Condo or Subdivision Name: _____

5. Specific Vendor Use on Site: _____

6. The applicant/vendor agrees and confirms that he/she has an operations office or headquarters located at an upland improved facility immediately adjacent to the area where goods and services are being offered by the applicant/vendor for public use with direct access to the beach area.

**(Immediately adjacent means the applicant/vendor either owns a building, leases space within an upland improved facility, or has a concession agreement to operate on the land adjacent to the water. This does not include a permanent building that has obtained beach access from a landowner which owns land adjacent to the water.)*

Address of operations office or headquarters: _____

Applicant's signature: _____

7. The applicant/vendor agrees and confirms that he/she has a written agreement with the affected beachfront property owner as of the date of this application, and that such agreement will remain in full force and effect as a condition of the Beach Vendor Permit.

Applicant's signature: _____

8. The applicant/vendor agrees and confirms that the written agreement with the affected beachfront property owner specifies the location of the goods and services for which this Beach Vendor Permit is required. *For those located from the tip of the south side of the entrance of the Destin Harbor south and then eastward to the Walton County line*, the location of the goods and services shall not be closer than 20 feet to the water's edge.

Applicant's signature: _____

9. The applicant/vendor agrees and confirms that a copy of this Beach Vendor Permit will be kept at the location of the goods and services for which the Beach Vendor Permit is issued.

Applicant's signature: _____

FORM "A"

TO BE COMPLETED BY BEACH VENDOR WHO CONDUCTS THE RENTAL OF PERSONAL WATERCRAFT (NON-PROPELLER DRIVEN) FROM THE BEACH.

1. The applicant/vendor agrees and confirms he/she has a written agreement with the affected beachfront property owner as of the date of this application, authorizing the rental of personal watercraft from the subject site.

Applicant's signature: _____

2. The applicant/vendor has completed and has attached a refueling plan for approval by the City Manager, or designee, and by the Fire Marshall. The plan must provide: (1) sufficient details and specifications to enable the City Manager and the Fire Marshall to determine that there will be adequate on-site provisions to avoid any contamination and pollution to the beach or the waters of the City of Destin, the Gulf of Mexico, or the East Pass; (2) provide proper safety precautions regarding the storage of fuels; and (3) provide fire safety equipment. The vendor shall in all operations comply with all provisions of the approved refueling plan.

Applicant's signature: _____

3. The applicant/vendor **will** transport personal watercraft onto or from the beach and has obtained a beach access permit from the City in accordance with the City's regulations and guidelines. The beach access permit is attached.

Check this box if no personal watercraft will be transported to or from the beach.

Applicant's signature: _____

4. The applicant/vendor must maintain an operable manned telephone and an operable marine radio at his/her land-based operations and said equipment must be located within one hundred (100) feet from the point of operation.

Applicant's signature: _____

5. The applicant/vendor must have an operable motorized chase vessel at the point of operation during all hours of operation. This vessel must be equipped with an operable marine radio.

Applicant's signature: _____

6. The applicant/vendor must provide copies of a comprehensive general liability insurance policy with an "A" rated carrier with coverage not less than \$500,000.00 combined single limits. Insurance must be maintained and the City must be notified and provided copies of any amendments to the policy by the applicant/vendor.

Applicant's signature: _____

7. The applicant/vendor must place a decal issued by the City on each personal watercraft used by the applicant/vendor for commercial personal watercraft activities.

Applicant's signature: _____

8. The applicant/vendor must provide protective headgear to any person riding on or being towed by his/her personal watercraft.

Applicant's signature: _____

9. The applicant/vendor must provide at his/her land-based operations two (2) permanent restroom facilities for the patrons and employees of the applicant/vendor.

Applicant's signature: _____

10. The applicant/vendor must instruct his/her patrons on proper operating procedures and safety regulations pertinent to the activity in which the patron is to be engaged.

Applicant's signature: _____

11. The applicant/vendor, employees, and all of his/her patrons shall yield to the pedestrians along the beach.

Applicant's signature: _____

AGENT AFFIDAVIT

SPECIAL POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENTS, THAT I, _____ am presently the owner____, leaseholder____, OR Agent_____ for the owner **(please check one)** at _____ and desiring to execute a Special Power of Attorney, have made, constituted and appointed, and by these presents do make, constitute and appoint _____ whose address is _____, County of _____, State of _____, my Attorney-in-Fact to act as follows, GIVING AND GRANTING unto said attorney full power to act as my agent in any and all matters pertaining to obtaining an Annual Beach Vendor Permit.

FURTHER, I do authorize the aforesaid Attorney-in-Fact to perform all necessary acts in the execution of the aforesaid authorization with the same validity as I could effect if personally present. Any act or thing lawfully done hereunder by the said attorney shall be binding on myself and my heirs, legal and personal representative, and assigns.

PROVIDED, however, that any and all transactions conducted hereunder for me or for my account shall be transacted in my name, and that all endorsements and instruments executed by the said attorney for the purpose of caring out the foregoing powers shall contain my name, followed by that of my said attorney and the designation "Attorney-in-Fact".

Signed name of owner/leaseholder/agent

Printed name

Witnessed by:

Signed name

Signed name

Printed name

Printed name

STATE OF _____
COUNTY OF _____

Before me, the undersigned Notary Public in and for said County and State, appeared _____ who is personally known to me or who produced _____ identification, and who did not take an oath, and who is known to me to be the individual described by said name who executed the foregoing instrument, and acknowledged and declared that the said individual executed the same for the uses and purposes therein set forth.

Given under my hand and official seal this _____ day of _____, 20____.

Signed name

Printed name

My Commission Expires: _____

THIS SECTION TO BE COMPLETED BY CITY CODE COMPLIANCE DIVISION STAFF

- A. Completed application - ____ YES ____ NO
- B. Proof of ownership - ____ YES ____ NO
- C. Agent Affidavit / Special Power of Attorney (if applicable) ____ YES ____ NO
- D. Copy of the written agreement with the affected beachfront owner. ____ YES ____ NO
- E. Site plan - ____ YES ____ NO
- F. Fee paid – ____ YES ____ NO
- G. Personal Watercraft vendors - ____ YES ____ NO
- H. Wheeled Vehicle Permit - ____ YES ____ NO
- I. Additional information - ____ YES ____ NO

Completed and Reviewed by: Staff Initials and Date _____

Rejected ____ **Under Review** ____ **Approved** ____

Certificate Issued: ____YES ____NO

Permit Number: _____

DO NOT SUBMIT ORDINANCE EXCERPT WITH APPLICATION

CITY OF DESTIN LAND DEVELOPEMENT CODE – ARTICLE 11 (EXCERPT)

SECTION 11.08.03. REGULATION OF VENDORS ON THE BEACH

11.08.03. *Regulation of vendors on the beach.* The safety and welfare of the persons that reside near the beaches of the City of Destin and of the public that recreate on the beach make necessary and appropriate the following regulations:

A.

Beach vendor permit requirement. Any person or business enterprise of any type or kind engaged in the rental, leasing, bailment for consideration, or which otherwise provides recreational equipment for remuneration, on beaches located from the tip of the entrance of the Destin Harbor south and then eastward to the Walton County line, shall be required to obtain a "beach vendor permit" from the City of Destin. A beach vendor permit shall be issued upon the applicant paying such application fee established by the City of Destin by resolution and the applicant meeting the following requirements:

1. The applicant must have an operations office or headquarters located at an upland improved facility immediately adjacent to the area where goods and services are being offered by a vendor for public use with direct access to the beach areas. For the purposes of this subsection, the term "immediately adjacent" means the applicant either owns a building, leases space within an upland improved facility, or has a concession agreement to operate, on the land adjacent to the water. The term "immediately adjacent" does not include a permanent building that has obtained beach access from a landowner which owns land adjacent to the water.
2. The applicant must have a written agreement with the affected beachfront property owner at the time application is made for a beach vendor permit, and such agreement shall remain in full force and effect as a condition of the beach vendor permit.
3. The written agreement must specify the location of the goods and services for which a beach vendor permit is required. The location of the goods and services shall be no closer than a line 20 feet above the mean high water line.
4. A copy of the beach vendor permit shall be kept at the location of the goods and services for which the beach vendor permit is issued.
5. Beach vendors shall not block or impede in any manner the right of pedestrian access seaward of a line 20 feet above the mean high water line.
6. The owner or leaseholder of property along the beach may give written permission for the operation of a non-propeller driven motorized watercraft based business to be run from their property within a non-exclusive corridor established, maintained, and subject to the following conditions:
 - a. There shall be a sign posted landward of the mean high water mark advising the public of the landward location of the non-exclusive corridor and indicating the seaward location of the county mandated corridor for the operation of a non-propeller driven motorized watercraft based business and posting notice for vessels to proceed under idle speed.
 - b. Must meet all other applicable code provisions of the Comprehensive Plan and Land Development Code.
 - c. It shall be the applicant's responsibility to be in compliance with all laws or rules adopted by Okaloosa County governing such vendors operations, if any, water ward of the mean high water line.