



Town of Bay Harbor Islands

9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154
Tel: (305) 866-6241/ Fax: (305) 866-4863

Application Form

(PLEASE PRINT)

Name of Applicant: _____

Address _____

City: _____ State: _____ Zip Code: _____

Phone No: _____ Fax No: _____

Driver's License No: _____

Company: _____

Phone No: _____ Fax No: _____

Vehicle Tag No 1: _____ Vehicle Tag No 3: _____

Vehicle Tag No 2: _____ Vehicle Tag No 4: _____

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1. *Affidavit of applicant required.* An applicant for a permit for a mobile device occupation shall at the time of application file an affidavit wherein the applicant:
 - a. Agrees to comply with the standards set forth in this section;
 - b. Agrees to comply with the conditions imposed by the town to insure compliance with such standards
 - c. Acknowledges that a departure therefore may result in a suspension or cancellation of the permit; and
 - d. Acknowledges that the town shall have the right to reasonably inspect the premises upon which the mobile service occupation is conducted to insure compliance with the foregoing standards and conditions to investigate complaints, if any, from neighbors.

 2. *Violation of standards or conditions deemed a code violation.* Failure by a mobile service occupation to comply with the standards of this section and with the conditions imposed by the town shall be deemed in violation of this code.

 3. *Appeals.* An Applicant for a permit whose application is denied for failure to meet the standards set forth in this section or who object to any condition imposed by the town may appeal the reasonableness of either to the town council which may direct that the permit be issued with or without condition or may modify, add to or delete the imposed condition

(Ord. No. 574, _5, 6-12-95)

Applicant Signature

Sec. 23-4.2. - Permit fees for mobile service occupations in the town.

In recognition of the prevalence and desirability of various service-oriented mobile services, it is hereby specifically recognized that certain mobile service occupations may be undertaken in the RD-Single Family and RE-Multiple Family districts in the Town of Bay Harbor Islands upon issuance of a permit by the town.

All such endeavors in the Town of Bay Harbor Islands shall be regulated as follows:

- (1) *Definition.* "Mobile service occupations" shall mean any activity for which a permit of the town is required by law and which is conducted out of a mobile vehicle or from a temporary or non-fixed location. Such mobile services are contemplated to include by way of example but are not limited to mobile pet groomers, mobile vehicle washers, certain health and fitness trainers and/or physical therapists, providers of medical services and supplies, pest exterminators, vendors of prepared foods and consumable goods at construction sites, etc.
- (2) *Permit required.* It shall be a violation of this Code for any person to conduct a mobile service occupation without obtaining a permit therefore duly issued by the town.
- (3) *Standards.* Prior to issuance of a permit and as continuing operational standards, mobile service occupations shall comply with the following:
 - a. No persons involved in mobile service occupations shall conduct vending activities to the public generally or conduct such activities on public property in the town.
 - b. All persons involved in mobile service occupations are required to be invited by the owner(s) or occupant(s) of one or more specific premises in the town, and must limit their vending activities and/or commercial transactions to those locations.
 - c. The activities of a mobile service occupation shall occur entirely on private property, and entirely within the dwelling unit, where practicable and customary.
 - d. A mobile service occupation shall not create noise, vibration, glare, fumes, odors, dust, smoke, electromagnetic disturbances or waste and trash other than normal household trash and normal recyclables. No equipment or processes shall be used which create visual or audible interference in any radio or television receiver located nearby. No explosives or chemicals or chemical equipment shall be used, except those chemicals that are regularly used for domestic or household purposes, including those chemicals specifically utilized for pest extermination processes.
 - e. Vehicular and pedestrian traffic shall not be generated by a mobile service occupation in a greater volume or a different vehicle type than that of the traffic typical in a residential neighborhood in the town.
- (4) *Affidavit of applicant required.* An applicant for a permit for a mobile service occupation

shall at the time of application file an affidavit wherein the applicant:

- a. Agrees to comply with the standards set forth in this section;
 - b. Agrees to comply with the conditions imposed by the town to insure compliance with such standards;
 - c. Acknowledges that a departure therefrom may result in a suspension or cancellation of the permit; and
 - d. Acknowledges that the town shall have the right to reasonably inspect the premises upon which the mobile service occupation is conducted to insure compliance with the foregoing standards and conditions and to investigate complaints, if any, from neighbors.
- (5) *Violation of standards or conditions deemed a Code violation.* Failure by a mobile service occupation to comply with the standards of this section and with the conditions imposed by the town shall be deemed in violation of this Code.
- (6) *Appeals.* An applicant for a permit whose application is denied for failure to meet the standards set forth in this section or who objects to any condition imposed by the town may appeal the reasonableness of either to the town council which may direct that the permit be issued with or without conditions or may modify, add to or delete the imposed condition.

(Ord. No. 574, § 5, 6-12-95)

Cross reference— Occupational licenses, taxes and regulations, § 13-1 et seq.