



Village of Palm Springs  
Planning, Zoning & Building Department  
226 Cypress Lane  
Palm Springs, Florida 33461  
Phone: 561.584.8200 x8460  
[www.vpsfl.org](http://www.vpsfl.org)

**RESIDENTIAL RENTAL CERTIFICATE OF USE AND OCCUPANCY APPLICATION**

VILLAGE ACCOUNT ID NO \_\_\_\_\_ FEE \_\_\_\_\_ DATE \_\_\_\_\_

**BUSINESS /PROPERTY INFORMATION:**

BUSINESS NAME OR RENTAL PROPERTY OWNERS NAME \_\_\_\_\_

RENTAL PROPERTY ADDRESS \_\_\_\_\_

NUMBER OF DWELLINGS \_\_\_\_\_ NUMBER OF BEDROOMS \_\_\_\_\_

HOW MANY TENANTS WILL RESIDE IN EACH UNIT? \_\_\_\_\_

HOW MANY NON-RELATED ADULTS PER UNIT? \_\_\_\_\_

IS THIS A GROUP HOME OR ASSITED LIVING FACILITY? \_\_\_\_\_ YES \_\_\_\_\_ NO

IS THERE A MANNED OFFICE ON THE PROPERTY? \_\_\_\_\_ YES \_\_\_\_\_ NO

PHONE NUMBER \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

MAILING ADDRESS FOR OWNER \_\_\_\_\_

**I UNDERSTAND THAT THE ISSUANCE OF A LOCAL BUSINESS LICENSE IS CONTINGENT ON THE APPROVAL OF A CERTIFICATE OF USE AND OCCUPANCY AND ON COMPLIANCE WITH ALL BUILDING AND ZONING ORDINANCES OF THE VILLAGE OF PALM SPRINGS, AND THAT THIS COMPLIANCE MUST BE MAINTAINED. FAILURE TO MAINTAIN COMPLIANCE WILL BE CAUSE FOR REVOCATON OF THE CERTIFICATE OF USE AND OCCUPANCY**

**\*PALM BEACH COUNTY TOURIST DEVELOPMENT "BED" TAX MAY BE REQUIRED IF DWELLING IS RENTED FOR SHORT TERMS**

**\*\*\*PLEASE NOTE CHAPTER 39 FOR RENTAL OWNERS (see attachment for your record)\*\*\***

\_\_\_\_\_ Applicant Initials

- Sexual Offender and Sexual Predator Regulations; "Findings and Intent"; "Definitions"; "Prohibitions, Exceptions, Penalties to provide a separation requirement of 1500 feet from the residences of sexual offenders and predators and certain permitted uses" (where children may regularly congregate)
- "Rental of real property to certain sexual offenders and predators prohibited"
- "Annual Registration of private school bus stops"

**By signing this application, I understand that if the rental property is sold or transferred, I am responsible for notifying the Village of Palm Springs, Planning, Zoning & Building Department in writing of the change of ownership. In addition, I must provide proof of ownership change and I understand that I will be responsible for all Local Business License fees owned on the account.**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

**STATE OF FLORIDA**

**COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of \_\_\_ physical presence or \_\_\_online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ who is personally known to me, or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

## Chapter 39 - SEXUAL OFFENDER AND SEXUAL PREDATOR REGULATIONS

### Sec. 39-1. - Findings and intent.

- (a) Repeat sexual offenders, sexual offenders who use physical violence and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders/predators are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders/predators commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender/predator victimization to society at large, while incalculable, clearly exorbitant.
- (b) It is the intent of this section to serve and to protect the village's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the village by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence.

(Ord. No. 2006-04, §§ 2, 3, 1-26-2006)

### Sec. 39-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning.

*Conviction* means a determination of guilt which is the result of a trial of the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, and a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction.

*Permanent residence* means a place where a person abides, resides, lodges for 14 or more consecutive days, and which includes, motor vehicles, trailers, mobile homes, manufactured homes, vessels, live-aboard vessels, houseboats.

*Private bus stop* means a location where private school students from more than one residence are picked up and/or dropped off during transportation to and from a private school, including private day care centers.

*Temporary residence* means a place where person abides, resides, or lodges for a period of 14 days or more in the aggregate, during any calendar year, and which is not the person's permanent residence, or a place where a person routinely abides, resides, or lodges for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence, and which includes, motor vehicles, trailers, mobile homes, manufactured homes, vessels, live-aboard vessels, houseboats.

(Ord. No. 2006-04, §§ 2, 3, 1-26-2006; Ord. No. 2007-03, § 2, 1-11-2007)

### Sec. 39-3. - Prohibitions; exceptions; penalties.

- (a) It is unlawful for any person who has been:
  - (1) Convicted of a violation of F.S. §§ 787.01, 787.02 or 787.025 (kidnapping, false imprisonment or luring or enticing a child); F.S. § 794.011 (sexual battery); F.S. § 796.03 (procurement of a child for prostitution); F.S. § 800.04 (lewd or lascivious offenses committed upon or in the presence of person less than 18 years of age); F.S. § 827.071 (sexual performance by a child); or F.S. § 847.0145 (buying or selling minors); or
  - (2) Designated as a sexual predator, as a sexually violent person, or by other sexual offender designation for similar offenses in another state or jurisdiction; or who has been required to register as a sexual offender in another state or jurisdiction, regardless of whether adjudication has been withheld, and in which case the victim of the offense was less than 18 years of age, (hereinafter referred to as sexual offender or sexual predator) to establish a permanent residence or temporary residence within 1,500 feet of any public or private school, designated public school bus stop or sign, private school bus stop (including day care centers) registered pursuant to section 39-5, public library, day care center, specifically including residential or home based day care operating under a valid village occupational license; park, playground, community center, day camp, or other place where children regularly congregate.
- (b) For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence, to the nearest outer property line of the designated public school bus stop or sign, private school bus stop regulations pursuant to this section, public library, day care center, park, playground, community center, day camp, or other place where children regularly congregate.
- (c) Exceptions. A person residing within 1,500 feet of any school, public school bus stop or sign, private school bus stop regulations pursuant to this section, public library, day care center, park, playground, community center, day camp, or other place where children regularly congregate, does not commit a violation of this section if any of the following apply:
  - (1) The person established the permanent residence prior to (January 26, 2006).
  - (2) The person was a minor when he/she committed the offense and was not convicted as an adult.

(3) The person is a minor.

(4) The school, designated public school bus stop or sign, private school bus stop or sign, public library, day care center, park, playground or community day camp or other places where children regularly congregate within 1,500 feet of the person's permanent or temporary residence was opened and/or established after the person established the permanent or temporary residence.

(d) Penalties. A person who violates this section shall be punished by a fine not exceeding \$500.00 or by imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment; for a second or subsequent conviction of a violation of this section, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment in the county jail not more than 12 months, or by both such fine and imprisonment.

(Ord. No. 2006-04, §§ 2, 3, 1-26-2006; Ord. No. 2007-03, § 2, 1-11-07)

Sec. 39-4. - Rental of real property to certain sexual offenders and sexual predators prohibited.

(a) It is unlawful to lease, rent, or otherwise convey any dwelling, structure, or part thereof, trailers or other conveyances, to any person prohibited from establishing such permanent residence or temporary residence pursuant to section 39-3 of this article, if such dwelling, or part thereof, is going to be used as a permanent residence or temporary residence of the person, and the dwelling is located within 1,500 feet of any school, designated public school bus stop or sign, private school bus stop registered pursuant to section 39-5, public library, day care center, park, playground, community center, day camp, or other place where children regularly congregate.

(b) A property owner or property manager's failure to comply with the requirements of this section shall constitute a violation of this section, and shall subject the property owner, property manager or other person or entity in the care, custody or control of the real property to enforcement proceedings as authorized by this code and F.S. ch. 162, or by any other means of enforcement allowed by law.

(Ord. No. 2006-04, §§ 2, 3, 1-26-2006)

Sec. 39-5. - Annual registration of private school bus stops.

(a) The prohibition from establishing a residence near a private school bus stop as set forth in this article, shall only apply to those private school bus stops that are registered with the village pursuant to this section.

(b) Any private school, including day care centers, that enrolls children within the village, may register the location of its bus stops, with the village police department, and may amend such registration by filing the locations, as amended, with the village manager. The registration, or amended registration, as applicable, shall be effective for a single school year from the date of filing through February 1 following the school year.

(Ord. No. 2006-04, §§ 2, 3, 1-26-2006)