



HOME BUSINESS TAX RECEIPT APPLICATION

Office of the Town Clerk
(321) 727-7764 X12

2725 Malabar Road
Malabar, Fl. 32950-4427

DATE RECEIVED _____ CLERK _____

(Applicant to complete this section – Please type or print legibly)

APPLICANT'S NAME _____

SOCIAL SECURITY NUMBER _____ OR
FED. EMPLOYER ID. NUMBER _____

BUSINESS OWNER'S NAME _____ TELEPHONE _____
(If different than applicant) EMAIL _____

HOME ADDRESS _____
(No. & Street) (P.O. Box)
(City) (State) (Zip)

BUSINESS NAME _____ TELEPHONE _____

MAILING ADDRESS _____
(No. & Street) (City) (State) (Zip)

TYPE OF BUSINESS APPLYING FOR (PROVIDE A BRIEF DESCRIPTION OF BUSINESS ACTIVITY)

Hours of Operation: _____

APPLICANT'S SIGNATURE _____ DATE _____

- Do Not Write Below This Line -

BUILDING OFFICIAL: THIS APPLICATION IS IS NOT IN COMPLIANCE WITH ORDINANCE #87-5.
SPECIAL LIMITATIONS / RESTRICTIONS ASSIGNED BY THE TOWN OF MALABAR:

Building Official APPROVAL YES NO SIGNATURE _____ DATE _____
OCCUPATIONAL CLASS NO. _____ FEE \$ 50.00 LIC NO. ASSIGNED _____
DATE APPL. CONTACTED _____ DATE LIC. ISSUED _____ CASH CHECK (# _____)

TOWN OF MALABAR

MEMORANDUM

Date: April 8, 2009 09-DTC-006
To: BTR Applicants
From: Cindi Kelley, Deputy Town Clerk
Ref: Brevard County BTR Requirement

Please be advised that upon receipt of your BTR from the Town of Malabar, you are required to apply for a BTR from Brevard County.

Exhibit #1



THE TOWN OF MALABAR SOCIAL SECURITY NUMBER DISCLOSURE POLICY

The Town of Malabar collects your social security number for the following purposes:

- identification and verification for employment purposes
- billing and payments
- benefit processing
- tax reporting
- business tax certificate

Social security numbers are also used as a unique numeric identifier and may be used for search purposes.

Section 119.071(5), Florida statutes, provides a process whereby a “commercial entity” engaged in performance of a “commercial activity” may access social security numbers through a public records request under specified conditions. The statute provides definitions of “commercial entity” and “commercial activity” and provides a list of requirements the commercial entity must meet in order to access social security numbers.

A commercial entity must do the following in order to access social security numbers:

- Submit a written request for the social security numbers
- Verify the written request under penalties of perjury as provided in Section 92.525, Florida Statutes
- The written request must be legibly signed by an authorized officer, employee, or agent of the commercial entity
- The written request must contain the commercial entity’s name, business mailing and location addresses, and business telephone number
- The written request must contain a statement of the specific purpose for which the commercial entity needs the social security numbers and how the social security numbers will be used in the performance of a commercial activity

The Town of Malabar may request any other information reasonable necessary to verify the identity of a commercial entity requesting the social security numbers and the specific purposes for which the numbers will be used.

Any person who makes a false representation in order to obtain a social security number commits a third degree felony.

Any public officer who violates these provisions on providing social security numbers to commercial entities commits a non-criminal infraction, punishable by a fine not exceeding \$500 per violation.

TOWN OF MALABAR

HOME BUSINESS TAX CERTIFICATE LICENSE – PART II

REQUIREMENTS FOR HOME OCCUPATIONS – ORDINANCE 90-5, SECTION 1-5.25

APPLICANT: PLEASE READ ALL REQUIREMENTS. THEN INITIAL EACH LINE NEXT TO ITEMS 1 THROUGH 13 AND SIGN AT BOTTOM ON REVERSE SIDE AS APPLICANT. RETURN THE SIGNED COPY WITH YOUR APPLICATION AND REQUIRED ATTACHMENTS. KEEP THE OTHER COPY FOR YOUR REFERENCE.

The following requirements MUST BE MET IN FULL:

Section 1-5.25. Home occupations.

Within the RR-65, RS-21, RS-15, RS-10, RM-4, RM-6, and R-MH districts, a home occupation shall be regulated through the issuance of a home occupation permit. A home occupation shall be subject to all applicable Town occupational licenses and other business taxes. Each applicant shall submit to the Town Clerk a sworn application on a standard form furnished by the Town Clerk with a fee determined by resolution of the Town Council. The applicant shall also submit with the application a recent photograph of the residence showing the entire front yard and all driveways and carports, if any. The application form shall include but not be limited to the following information:

- Name of applicant;
- Location of residence wherein the home occupation, if approved, will be conducted;
- Total floor area of the first floor of the residence;
- Area of room or rooms to be utilized in the conduct of the home occupation;
- A sketch showing the floor plan and the area thereof to be utilized for the conduct of the home occupation;
- The nature of the home occupation sought to be approved;
- The days and hours of operation;
- A recent photo of the dwelling showing the entire front yard, all driveways, and carports

If the information contained therein is in compliance with the provisions or the intent of this Section, the Town may, in its direction [discretion], issue a permit for such home occupation. Any home occupation permit may be revoked by the Council at any time it has been determined that the home occupation has become a public nuisance or no longer is in compliance with this Section.

All home occupations shall comply with the following regulations:

- _____ 1. Place of Operation and Participants: A home occupation shall be carried on entirely within a dwelling. Only members of the family permanently living therein shall participate in the home occupation.
- _____ 2. No Product to be Offered for Sale. No commodities or products shall be offered for sale from the premises.
- _____ 3. Restriction on Commercial Vehicles. No more than one commercial vehicle, having a maximum weight of one ton may be kept on the premises or parked overnight on the premises.
- _____ 4. Restriction on Use. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character thereof.
- _____ 5. Appearance of Structure and Signage. Within a rural residential or residential zoning district, there shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation and there shall be no signage, other than signage required by Florida Statute. There shall be no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling.

_____ 6. No Home Occupation Activity Within Accessory Building. No home occupation shall be conducted in any accessory building.

_____ 7. Restriction on Home Occupation Square Footage. No home occupation shall occupy more than twenty-five (25) percent of the first floor area of the residence, exclusive of the area of any open porch or attached garage or similar space not suited or intended for occupancy as living quarters. No duly permitted residential structural additions to the dwelling nor any attached enclosed residential conversions shall be considered as floor area until two (2) years after the completion date thereof.

_____ 8. Traffic Generation and Off-Street Parking. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood. Parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

_____ 9. Use of Equipment, Including Power Motors. No motor power other than electric motors shall be used in conjunction with such home occupations. The total horsepower of such motors shall not exceed three (3) horsepower, or one (1) horsepower for any single motor.

_____ 10. Nuisance Impacts Regulated. In addition, no equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuation in line voltage off the premises.

_____ 11. Restriction on Number of Customers Serviced At Any One Time. Services shall be performed for no more than four (4) persons on the premises at any one time.

_____ 12. Prohibited Uses. Occupations which generate greater volumes of traffic than would normally be generated in a residential district are prohibited. The following shall not be interpreted to be home occupations:

- Beauty shops and barber shops
- Public dining or tea room facilities.
- Child care facilities accommodating five (5) or more children
- Funeral homes.
- Gift shops
- Massage parlors
- Nursing homes, group homes and adult congregate living facilities.
- Medical laboratories.
- Outdoor repair or storage.
- Rental of any equipment or items.
- Veterinary hospitals.
- Similar uses not strictly in compliance with the provisions of this section.
- Any commercial, industrial, or commercial agricultural use as defined in Section 1-2.6, excepting specific office activities duly approved by the Town Council

_____ 13. Failure to continuously comply with all provisions of this subsection shall be grounds for revocation of the home occupation permit by the Town Council.

I hereby swear that the foregoing information given is true and that I have read and understand the requirements of Ordinance 9-5, Section 1-5.25

Signature of Applicant

Date

Clerk or Designee

Date