

Restaurant & Food Establishment Business Certificate & Zoning APPROVAL GUIDELINES



**who to
contact**

Building & Permitting Services Department
permits@cityofwinterpark.org

ph 407.599.3237 option 1 ■ fax 407.599.3499
401 S. Park Ave. ■ Winter Park, FL 32789

PLEASE READ ALL INSTRUCTIONS CAREFULLY

STEP 1 *It is imperative that BOTH of these items are confirmed first:*

- A. To confirm that your location is properly zoned, please contact the Planning & Zoning Division at **407-599-3324**.
- B. To confirm your seating capacity can be approved, please contact the Water & Wastewater Utility Department at **407-599-3219**.

If the property is not zoned properly or the seating capacity is not verified, the business will not be approved. Once you have received confirmation that the use is permitted and the seating capacity is correct, please complete the Restaurant Business Certificate Application.

STEP 2 If you are requesting to do an interior modification or change of business use from the previous operator/tenant, additional information is required. **Before proceeding to the next step, you will need to contact the Building & Permitting Services Department at 407-599-3237.** Please note that the approval process will take a **minimum of 48 hours** for completion. Additional information and a site visit may be required prior to approval for the following businesses:

- Restaurant, bar, tavern or cocktail lounge
- Alcoholic beverage sales/
consumption as part of your business
- Businesses with drive-in's
- Request for outdoor/café seating
- Winery or distillery
- Grocery store
(with seating and/or on-site food consumption)
- Convenience Store
(with seating and/or on-site food consumption)

STEP 3 Contact the Winter Park Fire-Rescue Department's (WPFDR) Office of the Fire Marshall to request a Restaurant Business Certificate Inspection. Applicants may schedule an inspection by calling **407-599-3612** and leaving a voice message. WPFDR will attempt to return all calls **within 2 business days**. **A Fire Inspection Report is required for all new businesses, businesses changing use or location. The Fire Inspection Report must be dated within the last 6 months.**

STEP 4 Contact the Wastewater Treatment Division to request an Industrial Waste Inspection. Applicants may schedule an inspection by calling **407-599-3461**. The division will attempt to return all calls **within 2 business days**. **An Industrial Waste Report is required for all new businesses, businesses changing use or location. The Industrial Waste Report must be dated within the last month.**

STEP 5 Illustrate a scaled floor plan of your seating arrangement. Notate (in chart form) the total number of seats (interior and exterior/café). If there is no exterior/café seating, floor plan needs to clearly state "no exterior/café seating" or depict and notate otherwise. If the floor plan is hand drawn, it shall also include the signature of the restaurant owner, date, name of facility and address.

STEP 6 Submit, in-person, the completed application, as well as copies of the Fire Inspectors' Report, Industrial Waste Report, and State of Florida Restaurant License (if applicable), site plan showing all seating on site, and a copy of menu offerings to the Building & Permitting Services Department. **Submitting an application does not permit the applicant to operate or engage in business. The City must process and approve the application.** For questions, please contact permits@cityofwinterpark.org or 407-599-3237.

FEES

NEW APPLICANTS \$55

One-time processing fee for new applicants plus the yearly certificate fee. Please call 407-599-3237 to verify amount.

ADDRESS CHANGE ONLY \$45

A new application and current fire inspection dated within the last 6 months reflecting the changes that have occurred.

NAME CHANGE ONLY \$5

GENERAL INFORMATION

Applicants can begin operating the proposed business **only after receiving** final approval by the City's Planning & Zoning and Wastewater Treatment divisions, Building & Permitting Services and Fire-Rescue departments, as well as issuance of City and County Restaurant Business Certificates. ***If renovations or new construction is being done, please make sure all necessary permits are obtained BEFORE proceeding with the work. When work is completed a Certificate of Occupancy must be obtained prior to receiving a Restaurant Business Certificate.***

Certificate renewal year begins October 1 every year. You are responsible for paying for the renewal of your Restaurant Business Certificate each year; otherwise a penalty will be assessed for late payment. Additionally, any previous zoning approvals could be null and void.

Please notify the City if any of the following changes occur concerning your business:

- Change of ownership
- Change of business name
- Change of address
- Change of nature of business
- Termination of business

PLEASE NOTE {only applies to restaurants located in the Central Business District}

ORDINANCE 2936-13

Fine Dining Restaurants To qualify for a permitted use, a fine dining restaurant must provide, and continually adhere to, a detailed written description of the business operations and plan layout of dining and food service areas to show the restaurant satisfies the criteria of section 58-95, Fine dining restaurant.

Non-Fine Dining Restaurants Certain other restaurants (other than fast food restaurants, which are a prohibited use) shall qualify for a permitted use in the Park Avenue Corridor, provided that they satisfy the following criteria and do not exceed the percentages set forth in this section;

Coffee Shops, Bakery and Dessert Restaurants Certain restaurants that do not provide full service of food and beverages, but limit their offerings to particular food and beverages reflecting the core business of the restaurant and a limited number of ancillary non-core items, are permitted uses. These restaurants include, but are not limited to ice cream, frozen yogurt, Italian ice, smoothie, cookie, tea, coffee, wine, cheese, pastry and bakery stores. The restaurants of this category must also provide retail sales and consumption of the named core food or beverage products on premises. Such restaurants shall include, as part of their application for the business tax receipt, a menu identifying the core offerings of the business and a limited number of ancillary non-core items. The restaurants of this category shall not change their core offerings, nor significantly expand their ancillary, non-core offerings, without submitting an application to the City for another business tax receipt.

To read the complete ordinance, visit cityofwinterpark.org under **Government > Ordinances & Resolutions > 2936-13**.

RESTAURANT, FOOD ESTABLISHMENT, AGRICULTURE

Any establishment that introduces organic waste, fat, oil or grease into the Wastewater Collection System is required to have a City-approved grease interceptor/trap. A grease interceptor/trap is a pretreatment requirement that reduces the negative impact such noted materials have on the City's sanitary sewage system. (**City of Winter Park Code of Ordinances, Part II, Chapter 102; Utilities, Article IV; Sewers and Sewage Disposal; Section 102-98; Renewal or Occupational License.**)

Exterior Grease Interceptor/Trap Utilized at facilities that exceed a total seat capacity (interior/exterior/cafe) of 40, catering or high-volume take out facilities. Existing grease trap/interceptor tank(s) shall be pumped, sized and certified by an independent licensed contractor. Trap shall be structurally sound and in proper operating condition. ***The City of Winter Park's Industrial Waste Inspector is required to be onsite during the pump out.***

Interior/Under-the-sink Grease Interceptor/Trap Utilized at facilities where total and future seating capacity (interior/exterior/cafe) shall not exceed 40. Illustrate and notate the total number of seats (interior and exterior/Cafe) and hours of operation. Outdoor dining is a popular alternative and the plans shall clearly state "no exterior seating" or depict and notate otherwise.

ORANGE COUNTY BUSINESS TAX RECEIPT

In addition to the City of Winter Park Restaurant Business Certificate, Orange County, Fla., also requires a business tax receipt. Information on that process can be found at octaxcol.com under **Business Tax** or **407-836-5650**.

ORANGE COUNTY HEALTH DEPARTMENT

State laws of Florida require that applicants applying for a business certificate to operate bars not serving food, civic/fraternal organizations, movie theaters, foster homes for more than one child and schools must receive prior inspection and approval from the Orange County Health Department, located at 823 W. Central Ave., Orlando. You may contact them at **407-836-2600**.

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Laws also require hotels, motels, apartment houses, rooming or boarding houses, restaurants and all other places serving, handling, processing, preparing and selling food products and drinks must receive prior approval from the Department of Business Regulation, Division of Hotels and Restaurants. They can be contacted at **850-487-1395** or **Myflorida.com**.

STATE LICENSING

Businesses requiring state licensing or businesses serving alcoholic beverages are required to show proof of state licensure and for alcoholic beverages are required to obtain a city and state beverage license.

ADEQUATE POLLUTION CONTROL FACILITIES

After any Restaurant Business Certificate is issued, a copy of the application shall be forwarded to the environmental division, public works department, and if alteration of occupational activities would create pollution problems, modification of the facilities such as grease traps and other pretreatment facilities may be required. Where facilities require updating or additional equipment to meet pollution standards, such changes shall be made prior to the renewal of any business certificate. For more information, please visit **Myflorida.com** and search Chapter 102, Article I, Division 1

APPLICATION INSTRUCTIONS

This application is designed to make your Restaurant Business Certificate filing as simple and clear as possible. The form can be filed out electronically or by hand. *(The latest version of Adobe Acrobat® is required to complete the application electronically.)*

Additional city forms may need to be completed based on applicant's needs. *Corporations must also complete the Corporate Information Form. If you desire outdoor seating in public rights of way, you must complete a Sidewalk Café Permit.* For questions, please contact **permits@cityofwinterpark.org** or **407-599-3237**.

SECTION A ■ BUSINESS INFORMATION

Applicant must complete all questions in this section. This section should contain the applicant's business information. An incorrect or missing driver's license number can delay or deny your application.

SECTION B ■ MAILING INFORMATION

Applicant must complete this section based on where they wish to receive correspondence.

Question 7 Address that the city would use to send official correspondence.

Question 8 Enter the best phone number we can reach you at.

Question 9 Enter an email address that is regularly checked.

Your privacy and the security of your e-mail address is important to us. The information we collect for is maintained in a secure environment and is not reported or used in any manner that would reveal personally identifiable information. It will not be released to outside parties unless the release is legally required in connection with investigations by law enforcement or other legal proceedings, or in accordance with the Florida Public Information Act.

SECTION C ■ BUSINESS ACTIVITY (required)

Applicant must complete all questions in this section.

Question 10 Check the box that closely reflects your type of business.

Question 11 Describe in detail your business.

Question 12 Enter the total square footage that you use for your business.

Question 13 Enter the total number of employees (full and part time) that work in your business.

Question 14 Enter the total number of parking spaces assigned to your business.

SECTION D ■ BUSINESS ACTIVITY

Complete questions as it applies to your specific business. Enter N/A on sections that do not relate to your business. Incorrect or missing information can delay or deny your application.

Question 17 & 18 If your business has or will have outdoor seating in a public right of way, you must also complete a **Sidewalk Café Permit Application**. *Having outdoor seating without a permit will result in fines.*

SECTION E ■ BUSINESS CHANGES

This section should only be completed if the applicant needs to report any changes in ownership, address, or business name. If you are requesting a change in ownership, you must provide the new owner's driver's license number. An incorrect or missing driver's license number can delay or deny your application.

..... **DISCLOSURE & SIGNATURE**

Applicant must read the application's disclosure carefully. This form must be signed in front of a notary public. The Building & Permitting Services Department provides free notary services for applicants submitting city forms.

Restaurant Business Certificate APPLICATION



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Thank you for applying for a City of Winter Park Restaurant Business Certificate. The applicant may not operate or engage in business until the Building & Permitting Services Department has processed and approved the application. Applicants wishing to change the use of the previous business must review the Restaurant Business Certificate & Zoning Approval Guidelines. *Corporations must also complete the Corporate Information Form. If you desire outdoor seating in public rights of way, you must complete a Sidewalk Café Permit.* Incomplete applications will not be accepted and/or will be returned. For questions, please contact permits@cityofwinterpark.org or 407-599-3237.

THIS APPLICATION IS FOR

New Business Change of Use Change of Ownership Change of Address Termination

A. BUSINESS INFORMATION (REQUIRED)

1. Name of Business (DBA) _____

2. Business Owner/Applicant Name _____

3. Business Site Address _____
STREET CITY STATE ZIP CODE

4. Business Phone _____ 5. Business FAX _____

6. Business Owner/Applicant Driver's License No. _____

B. MAILING INFORMATION (REQUIRED)

7. Mailing Address _____
STREET CITY STATE ZIP CODE

8. Contact Phone _____ 9. Email _____

C. BUSINESS ACTIVITY (REQUIRED)

10. Business Type Fine Dining Non Fine Dining Restaurants Coffee Shops, Bakery and Dessert Restaurants

11. Description of Business _____

12. Business Total Sq. Footage _____ 13. No. of Employees _____

14. No. of parking spaces assigned to the business _____

D. BUSINESS ACTIVITY (COMPLETE IF APPLICABLE)

15. State Restaurant No. _____ Expiration date _____

16. State Alcoholic Beverage License No. _____ Expiration date _____

17. Total no. of interior seats _____ 18. Total no. of outdoor cafe seats _____

19. Size of external grease trap _____ 20. Size of grease interceptor (under sink) _____

21. Size of the existing grease treatment device _____

Please submit a copy of the recent pumping manifest for external grease.

E. CHANGE OF OWNERSHIP (COMPLETE IF APPLICABLE)

22. Change Business Name to _____

23. Change Business Address to _____
STREET CITY STATE ZIP CODE

24. Transfer Business Ownership to _____

25. New Business Owner Driver's License # _____

I hereby certify that the foregoing statements are true and correct to the best of my knowledge and belief under penalties of perjury. I acknowledge receipts of the instructions sheets issues by the City of Winter Park regarding this application. I acknowledge that this business is governed by the City of Winter Park Code and I am responsible for becoming familiar with the code and abiding by its requirements. I further understand that the acceptance of payment for this application does not constitute authority to do business prior to completion of all inspections and issuances of the license.

 Applicant signature Print name Date

NOTARY USE ONLY

SUBSCRIBE AND SWORN BEFORE ME THIS _____ DAY OF _____, 20

Notary Public Signature _____

NOTARY SEAL

Print Name _____

My Commission Expires _____

Personally known or ID presented _____

CITY USE ONLY

Date Received _____ Is this a zoning change? Yes No

Parcel ID # _____ NAICS Code _____

Current Zoning _____ Change to _____

STAFF SIGN-OFF APPROVAL _____ DATE OF APPROVAL _____

Comments, restrictions, conditions, etc. _____

