



## Waterway Rental Vendor Registration Application

### Okaloosa County Code Enforcement

1250 N Eglin Parkway

Shalimar, FL 32579

**Contact:** Coastal Code Enforcement Officer

Chris Mitchell 850-689-7775

**Email to:** CLMitchell@myokaloosa.com

## Pre-Submission Checklist

Please note: Incomplete packages will be rejected.

- Complete Application with Acknowledgement Forms (attached)
- Copy of current year Okaloosa County Business Tax Receipt
- Pre-Season Waterway Safety Meeting Certificate
- Copy of FWC Livery Permit
- Current year Florida Department of Revenue Sales Tax Certificate
- Vendor's Proof of Insurance pursuant to F.S. 327.54(5)
- Copy of State of Florida Submerged Land Lease, with drawing showing that all vessels will be contained within its boundaries.
- Copy of FWC Vessel Livery Operator's Certificate of Completion for Owner and any staff that provides pre-ride/pre-rental instruction
- Notarized "Letter of Authorization" to conduct business on property (if applicable)
- Comprehensive drawing of Vendor's operating location, detailing the following:
  - Notate that this location is not within 500ft of any other validly existing business offering livery vessels for rent or lease.
  - Location of permanent, on site, ADA restroom facilities.
  - Location of business owned trash and recycling receptacles
  - Location of any on-site fuel tanks
- Parking plan, in accordance with the County's Land Development Code
- Refueling Plan, approved by local Fire Department, FDEP, or FWC, as appropriate
- Vessel Inventory and Inspection Form (attached)
- Emergency Contingency Plans (if applicable)
- Sample copy of Vendor's Renter Contract, attesting that each renter/operator received instructions, training, and materials pursuant to F.S. 327.54 and Okaloosa County Code of Ordinance 22-08, Article VIII Chapter 12



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### Vendor Information

Business Name: \_\_\_\_\_ (as filed with Florida Dept. of State)  
Physical Address : \_\_\_\_\_ (from which business will operate and liveries will launch)  
Business Alias Names or DBA: \_\_\_\_\_  
Websites/Domains: \_\_\_\_\_

Owner's Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Manager's Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

This form must be signed by the business owner.

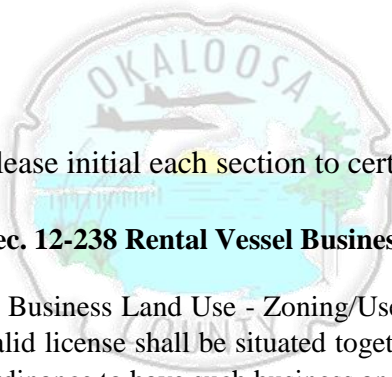
By signing this application, I hereby attest, under penalty of perjury, that the information provided is truthful and accurate, that I have read and understand all applicable ordinances and regulations regarding livery vessels, and that any misrepresentation may cause withholding of the license, suspension, and/or revocation if issued.

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Printed Name & Signature of Owner

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Date Signed



## Acknowledgement of Requirements

Please initial each section to certify that you have read and understand the requirements of this Ordinance.

**Sec. 12-238 Rental Vessel Business Standards.** Initial here

**a. Business Land Use - Zoning/Use Requirements** Except as otherwise provided in this ordinance, Businesses holding a valid license shall be situated together with their vessels upon a site authorized by the Land Development Code and this ordinance to have such business and shall not:

- 1) Be located within five hundred (500) feet of any other business offering livery vessels for rent or lease, except where said business is owned by the same individuals or entities, or where said business has established an agreement with the existing business which is regulated under the Ordinance on the property. All current validly existing businesses as of the date of enactment of this ordinance are vested and Section 12-238(a)(1) is not applicable to their existing business site. Validly existing business is a business that has all necessary permits, approvals, zoning, licenses and certifications at time of adoption of this Article that are necessary to legally operate their business at their business site in accordance with the County, State and Federal Laws.
- 2) Be located upon or utilize any County or City property for renting, vessel drop off, for passenger debarkation, or similar Business-related activity without written permission of the County or City.

**b. Business Site Requirements:**

- 1) Vehicular Parking - Livery vessel establishments must have and maintain property vehicular parking in accordance with the County's Land Development Code Requirements.
- 2) Physical Location and structure - Each Livery vessel establishment shall have a physical location meeting the standards herein to include mailing address to receive mail at the location. A structure capable of protecting staff during normal inclement weather (example a shed) shall be required so that staff are protected and can remain present on the site at all times during all hours of operation open to customers. All structure must be constructed in accordance with the Florida Building code in effect at the time of operation.
- 3) Dockage – Docks must be maintained and kept safe and in good working condition in accordance with all Florida State building standards. All necessary State permitting relating to any dock(s) must be maintained for the duration of the business.
- 4) Restrooms – Livery vessel establishments must have and maintain on site ADA restroom facilities and business owned trash and recycling receptacles. These may be combined with other restrooms that are legally available to business customers in close proximity and open during all hours of operation.
- 5) Safety Equipment - Prior to operation, a Livery vessel establishment shall file with the County a refueling plan approved by the appropriate Fire Department, FDEP and FWC, as appropriate. The plan shall provide sufficient details and specifications to assure appropriate on-site maintenance and inspection, spill prevention and response training, a spill response plan to mitigate and report any impacts to the beach or the waters of the County, the Gulf of Mexico or East Pass; to provide proper safety precautions regarding the storage of fuels; and provide fire safety equipment. The Owner shall in all operations comply with all provisions of the refueling plan.
- 6) Safety– a business location shall ensure compliance with boater safety identification pursuant to F.S. § 327.395, and with livery safety regulations pursuant to F.S. § 327.54. ensure compliance with boater safety identification pursuant to F.S. § 327.395, and with livery safety regulations pursuant to F.S. §327.54. Livery vessel vendor shall provide local safety and regulatory instruction, such as no-wake zones, Crab Island safety corridor, etc. (may be combined with requirements of F.S. § 327.54).



**c. Business Contact/Communication during Operational Hours** - A Business Location shall have and maintain a consistent telephone number and an operable marine radio at its land-based operations office during all hours of operation.

**d. Response Vessel** - All business with one (1) or more rentals shall have a motorized response vessel and person with an operational marine radio in good running condition that meets all United States Coast Guard safety requirements kept at the launching site during all hours of the business operation. The response vessel may be a personal watercraft reserved for this purpose.

**e. Insurance** - A Business must have and maintain comprehensive third-party liability insurance in accordance with Section Chapter 327.54(5), Florida Statutes and as set forth within this Article for the Business and all vessels in operation.

**f. Business Tax Receipt License** - All businesses must have a business tax receipt license issued from the Okaloosa County Tax Collector. Such license or a copy thereof shall be publicly displayed on site.

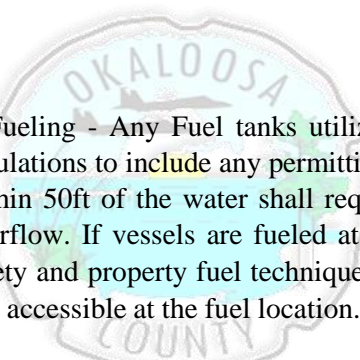
**g. Vessel Registration** - Each livery vessels must be registered in the name of the Business and have a State of Florida vessel registration number affixed thereon. Additionally, all vessels must be locally permitted as set forth within this Article.

**h. Vessel and Business Identification Marking** - Each vessel and Business (from the water) shall provide the name and valid, active phone number of the Business as well as the vessel name on the outside of the vessel of an adequate size and in a location to be easily readable when the approaching the vessel or Business. In addition, the vessel and Business (from the water) shall contain the same unique identification markings that are on the customer floatation devices and each rental vessel shall have a unique number inside the marking, as follows:

- (1) Letters and numbers must be bold block letters at least 3" high in a color contrasting to the portion of the structure to which they are affixed.
- (2) The information must be displayed the forward half of the structure on both sides above the waterline.

**i. Employee Training** - Employees shall be required to complete the following training and upon request provide documentation at the site to any County or its designees. At all times during business hours, an employee that has completed the training must be located at the business facility. Employees that have not completed the training shall have thirty (30) days from start of employment to complete the training and may temporarily operate under the supervision of someone who has completed the training. Current/Existing employees shall have six months from the effective date of this ordinance to comply with these training requirements. Documentation of training must be kept at the Business location and be made available for inspection at all times when the business is open. Training shall apply to all employees that supervise, take reservations, handle paperwork with customers, provide pre-ride/pre-rental training, or otherwise operate the rental or response/recovery equipment and shall include the following:

- 1) State of Florida Boating Safety Education Course;
- 2) Okaloosa Boating and Waterway Safety Video;
- 3) FWC's online Livery Course;
- 4) American Heart Association First Aid Response Course;
- 5) PWC or Pontoon equipment training - In house training on the safety/operation on the specific apparatus rented by the vendor; and
- 6) Contingency Training - In house training for the employee on the specific contingency plans required for this Business location.



**j. Fueling** - Any Fuel tanks utilized at the business location shall meet all applicable fire, safety, and environmental regulations to include any permitting by the applicable fire department, the FWC or FDEP. Fueling of livery vessels on or within 50ft of the water shall require a spill-proof nozzle or other acceptable device designated for prevention of fuel overflow. If vessels are fueled at the rental location the Business employees shall undergo additional training on fuel safety and property fuel techniques. The type of fire extinguishers necessary to extinguish fuel fires shall be operational and accessible at the fuel location.

**k. Emergency Contingency Plans** - Each Business shall have contingency plans/protocols for the emergencies listed below. At a minimum, these plans/protocols shall include contacts to call, immediate steps, reporting, and similar provisions including, but not limited to:

- 1) Fuel/Oil Spill;
- 2) Fuel Fire;
- 3) Rental Vessel Accident;
- 4) Medical Emergency; and
- 5) Inclement Weather.

**l. Mandatory Pre-season Meeting** – The first week of February annually, all businesses regulated under this Article are required to attend a mandatory meeting by the business primary business owner and/or operator before the County’s prime tourism season begins in mid-February of each year. The mandatory meeting will include members of County staff, law enforcement and may include other interested participants. For convience, more than one meeting may be scheduled. Failure of a business to attend a preseason meeting will result in a suspension of its licensure until a meeting is held. Individual makeup meetings shall be by appointment only for an administrative fee as set by resolution of the Board of County Commissioners.

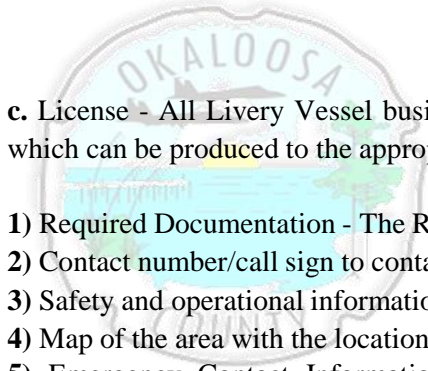
**Sec. 12-239 Rental Customer Operating Requirements** Initial here

**a. Training** – In addition to any and all State mandated training, all operator of the rental vessel shall undergo the following training:

- 1) Okaloosa Boating and Waterway Safety Video;
- 2) PWC or Pontoon equipment video/training on the safety/operation on the specific apparatus rented; and
- 3) Emergency contact information for law enforcement, coast guard, 911, and vendor.

**b. Operator Identification** - Operators shall have a wrist band indicating they have met the training requirements above and are properly licensed. There shall be three separate identification colored wrist bands which shall be used by the business to identify the Operators, the color coordination of wrist bands is as follows:

- 1) Green – to use when Operator is over the age of 18 years old and was born before January 1, 1988 and by Florida law is not required to obtain a Florida Temporary Boaters Certification or obtain the National Association of State Boating Law Administrators (NASABLA) approved boaters license or passed a Florida Temporary Boaters Certification.
- 2) Pink – to use when Operator is over the age of 18 but born after January 1, 1988 or is under 18 but at least 16 years old who has a NASBLA approved boaters license or passes a Florida Temporary Boaters Certification.
- 3) Yellow – to use when Operator is 16 years old or older and can only drive with someone who was born before January 1, 1988 or who obtains a NASBLA approved boaters license or passes a Florida Temporary Boaters Certification.



c. License - All Livery Vessel business shall maintain a copy of the Operator/renters State Drivers license/certification which can be produced to the appropriate County/State authorities if and when requested.

- 1) Required Documentation - The Rental Customer shall have a copy of the rental agreement;
- 2) Contact number/call sign to contact rental Agency;
- 3) Safety and operational information for the device;
- 4) Map of the area with the location of Rental Agency shown as well as any boater restrictive areas;
- 5) Emergency Contact Information and Other Emergency Rental Agency; Communication Device - Shall be an operational cell phone, portable marine radio or other device capable to communicate to the Business and emergency personnel; and
- 6) Identification markings shall be placed on each personal flotation device worn by operators of the livery vessels which distinguishes the Business from other businesses engaged in the rental of livery vessels.

**Sec. 12-239 Insurance.** Initial here

a. No person shall operate a Business unless covered by a comprehensive general liability insurance policy insuring the public against bodily injury or property damage resulting from or incidental to the operation, use, or rental of livery vessels. At a minimum, the policy shall provide coverage of not less than five hundred thousand dollars (\$500,000.00) per occurrence and one million dollars (\$1,000,000.00) per aggregate. The policy shall be written through insurers licensed and authorized to do business in the State of Florida otherwise meeting the requirements of section 327.54, Florida Statutes. Evidence of said coverage shall be provided with sufficient documentation ensuring that the Insurance requirements meet the provisions of this Article at time of registration.

b. Insurance coverage as required by this Article shall remain in full force during the entire time that the County's permit is valid and outstanding, proof of which shall be provided to the County at time of permitting and upon request. Failure to provide such proof shall render the permit null and void and of no further use and effect.







Okaloosa County Vessel Inventory & Inspection Form

Date: \_\_\_\_\_ Pg. \_\_\_\_

I, \_\_\_\_\_ (Print) \_\_\_\_\_, owner of \_\_\_\_\_, certify that the attached list of rental vessels is all-inclusive and factual. If this inventory changes in any way, for any reason, I will notify the proper representative of Okaloosa County as soon as possible. Furthermore, I will exercise due diligence to comply with Ordinance 22-08, Article VIII of Chapter 12 of the Okaloosa County Code of Ordinances, known as the "Waterway Rental Vendor Safety Ordinance", and register any additions to this inventory.

Total # of inventory pages submitted at this time: \_\_\_\_\_

Livery Owner's Signature: \_\_\_\_\_



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Letter of Authorization

Registration Year: \_\_\_\_\_

**Vendor Information**

Business Name: \_\_\_\_\_  
Owner's Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

**Property Owner Information**

Physical Address : \_\_\_\_\_  
Owner's Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

**Property Owner Acknowledgement**

I, \_\_\_\_\_, do hereby authorize the above listed Waterway Rental Vendor to conduct business on my property located at \_\_\_\_\_.

\_\_\_\_\_  
Property Owner or Authorized Agent Signature Date

State of \_\_\_\_\_  
County of \_\_\_\_\_

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.

\_\_\_\_\_  
Signature of Notary and Commission Expiration Date

SCAN TO ACCESS THE  
WATERWAY RENTAL VENDOR SAFETY  
AND OPERATING STANDARD ORDINANCE

