



City of North Miami Beach

Business Tax Receipt Division

17050 NE 19 Avenue • North Miami Beach, FL 33162

Phone: (305) 948-2917 • Fax: (305) 957-3517

PRIVATE PROTECTIVE AGENCY

PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH AND ANY AMENDMENTS THERETO, I (WE) HEREBY MAKE APPLICATION FOR A BUSINESS TAX RECEIPT TO CONDUCT BUSINESS DESCRIBED BELOW, AND I (WE) EXPECT TO COMMENCE OPERATION, OR HAVE COMMENCED OPERATION OF SAID BUSINESS ON OR ABOUT _____.

1. NAME(S) OF ANY PERSON(S), CORPORATIONS(S) OR FIRM(S) ENGAGED IN THE BUSINESS OF A PRIVATE PROTECTIVE AGENCY, ENGAGED IN THE BUSINESS OF ACTING AS PRIVATE WATCHMEN OVER THE PROPERTY, REAL OR PERSONAL OF PERSONS WITHIN THE CORPORATE LIMITS THE CORPORATE LIMITS OF THE CITY OF NORTH BEACH:

___ NEW
___ TRANSFER
___ ADDITIONS
___ CHANGES
___ OTHER

2. LOCATION OF BUSINESS:

- A. LOCAL ADDRESS OF BUSINESS: _____
- B. LOCAL NAME OF BUSINESS: _____
- C. TELEPHONE NUMBER OF BUSINESS: _____
- D. EMERGENCY NUMBER OR CONTACT: _____

DATE: _____
MAILED: _____
REC'D: _____
D.O.B. _____
CLERK: _____

3. ARE YOU SOLE OWNER OF THE BUSINESS? YES ___ NO ___

4. GIVE THE FOLLOWING INFORMATION ON PARTNERS, OFFICERS, EMPLOYEES OR ANY OTHERS INTERESTED IN THE BUSINESS:

A. NAME(S) OF APPLICANT(S), PRINCIPAL OFFICER(S), EMPLOYEES AND THEIR TITLES:

B. NAME(S) OF ALL PERSONS ASSOCIATED AS PARTNERS/OFFICERS/EMPLOYEES, ETC., AND THEIR TITLES:

C. DATE(S) OF BIRTH OF EACH PERSON NAMED ABOVE:

D. RESIDENCE ADDRESS(ES) OF EACH PERSON NAMED ABOVE:

E. IF INCORPORATED, PLEASE ATTACH A COPY OF THE CERTIFICATE OF INCORPORATION AND A COPY OF THE ARTICLES OF INCORPRATION FROM THE SECRTRY OF STATE.

- F. IF AGENCY OPERATES UNDER A NAME OTHER THAN ITS OWN, IT SHALL FILE WITH THE CHIEF OF POLICE A TRUE COPY OF THE AFFIDAVIT REQUIRED BY THE "FICTITIOUS NAME STATUTE" (F.S. 1951 SECTION 865.09) OF THE STATE OF FLORIDA AND CERTIFIED BY THE CLERK OF THE MIAMI-DADE COUNTY CIRCUIT COURT SHOWING THE BOOK AND PAGE WHERE SAME HAS BEEN RECORDED.
5. EMPLOYEES' HISTORY: PLEASE SUBMIT THE NAME, ADDRESS AND A BRIEF HISTORY OF ANY AND ALL EMPLOYEES OF THE BUSINESS. IF NOT APPLICABLE, WRITE "NOT APPLICABLE" BELOW:
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6. STATE THE EXACT (OR APPROXIMATE) DATE THE BUSINESS WILL COMMENCE OR HAS COMMENCED OPERATION IN THE CITY OF NORTH MIAMI BEACH.
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7. IS THIS A NEW BUSINESS, TRANSFER OF LOCATION, OR CHANGE OF OWNERSHIP?
- A. NEW: _____
- B. TRANSFER: _____
1. LOCATION FROM: _____
TO: _____
2. OWNERSHIP FROM: _____
TO: _____

NOTICE

BUSINESS TAX RECEIPTS ARE ISSUED ONLY AFTER APPROVAL OF ZONING, BUILDING, FIRE INSPECTIONS (WHERE APPLICABLE), PAYMENT OF SANITATION AND INPLANT FEE (WHERE APPLICABLE).

I CERTIFY THAT ALL INFORMATION SHOWN ABOVE TO BE TRUE AND CORRECT, AND I DO UNDERSTAND THAT THE SAID BUSINESS AND/OR PREMISE IS NONTRANSFERABLE WITHOUT CITY APPROVAL. BUSINESS TAX RECEIPTS OBTAINED ON A MISREPRESENTATION OF A MATERIAL FACT ARE NULL AND VOID.

DATE OF APPLICATION BUSINESS NAME
CLERK: _____ APPLICANT OR AUTHORIZED AGENT: _____

NOTICE

YOU ARE REQUIRED TO SUBMIT A BOND IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00) IN CASH OR WITH SOME SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA, PRIOR TO ISSUANCE OF SAID BUSINESS TAX RECEIPT.

THE BOND SHALL BE CONDITIONED, GENERALLY, AS FOLLOWS: "THE CONDITION OF THE ABOVE OBLIGATION IS THAT WHEREAS, THE SAID PRINCIPAL HAS BEEN ISSUED A BUSINESS TAX RECEIPT TO OPERATE A "PATROL AGENCY" IN THE CITY OF NORTH MIAMI BEACH IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF ORDINANCE NO. 953 OF SAID CITY.

"NOW, THEREFORE, IF THE SAID PRINCIPAL SHALL WELL AND TRULY COMPLY WITH ALL OF THE TERMS AND CONDITIONS OF SAID ORDINANCE AND SHALL WELL AND TRULY INDEMNIFY AY AND ALL PERSONS OF AND FROM ANY ILLEGAL ACT AND ANY WRONGFUL OR NEGLIGENT ACTS OF COMMISSION OR OMISSION BY THE PRINCIPAL OR ANY AGENT OR EMPLOYEE OF SAID PRINCIPAL, THEN THIS OBLIGATION TO BE NULL AND VOID, OTHERWISE TO BE IN FULL FORCE AND EFFECT."

AS AN ALTERNATIVE COMPLIANCE, A PATROL AGENCY MAY OBTAIN BEFORE BEGINNING BUSINESS AND SHALL KEEP IN FORCE THROUGHOUT THE TERM OF SUCH BUSINESS TAX RECEIPT, A POLICY OF INSURANCE IN AN AMOUNT NOT LESS THAN ONE THOUSAND (\$1,000.00) DOLLARS INSURING THE CITY, THE PATROL AGENCY AND ALL AGENTS AND EMPLOYEES OF THE PATROL AGENCY AGAINST LIABILITY TO THE PUBLIC , INCLUDING ITS CUSTOMERS AND CLIENTS, FOR ANY LOSS OCCASIONED BY ANY ILLEGAL ACT AND ANY WRONGFUL OR NEGLIGENT ACTS OF COMMISSION OR OMISSION BY THE PATROL AGENCY OR ANY AGENT OR EMPLOYEE THEREOF. THE POLICY OF INSURANCE SHALL BE INSPECTED AND APPROVED BY THE CITY ATTORNEY BEFORE DOING BUSINESS IN THE CITY OF NORTH MIAMI BEACH.



TO: COMMUNITY DEVELOPMENT DIVISION
BUSINESS TAX RECEIPT DEPARTMENT
CITY OF NORTH MIAMI BEACH

RE: PRIVATE PROTECTIVE AGENCY

THIS FORM SHALL, SERVE TO CERTIFY THAT ATHE UNDERSIGNED INDIVIDUAL, PERSON, BUSINESS, PROFESSION(AL) OR OCCUPATION HAS BEEN FULLY INFORMED BY THE CITY OF NORTH MIAMI BEACH OF THE PROVISIONS OF THE CODE OF ORDIANCES WHICH REALTE TO PRIVATE PROTECTIVE AGENCY, AND, THAT I HAVE FULL AND COMPLETE KNOWLEDGE AND UNDERSTANDING OF MY DUTIES AND RESPONSIBILITIES WITH RESPECT TO THE FOREGOING.

BUSINESS NAME

APPLICANT OR AUTHORIZED AGENT

DATE SIGNED



12-14 – PRIVATE PROTECTIVE AGENCIES

12-14.1 Definitions.

As used in this section:

Private protective agency or *patrol agency* shall mean any person who is engaged in the business of acting as private watchman over the property, real or personal of persons within the corporate limits of the City.

(1957 Code § 12-51; Ord. No. 953 § 2, 12-2-58)

12-14.2 Business Tax Receipt Required.

No person shall engage in the business of patrol agency or private protective agency without having first obtained a business tax receipt from the City Clerk and without complying with all of the provisions of this section.

(1957 Code § 12-52; Ord. No. 953 § 1, 12-2-58)

12-14.3 Application for a Business Tax Receipt.

Any person desiring to engage in the business of private protective agency or patrol agency shall first make application to the City Clerk for a license upon a form or forms to be prescribed by the City Clerk, which form shall set out in detail the information sought herein.

(Ord. No. 953 § 3, 12-2-58; 1957 Code § 12-53)

12-14.4 Investigation of Applicant.

Upon receiving the application required in subsection [12-14.3](#), the City Clerk shall instruct the Chief of Police to make, and the Chief shall make a proper investigation for the purpose of ascertaining whether the applicant is qualified to engage in the occupation of private protective agency or patrol agency as well as the past record of such applicant on the question of honesty, integrity, truthfulness and other qualifications of like nature.

(1957 Code § 12-54; Ord. No. 953 § 4, 12-2-58)

12-14.5 Issuance of Business Tax Receipt; Fee.

If, after investigation, as required by the preceding section, the Chief of Police shall, in writing, state that he is of the opinion that the applicant is qualified, and shall so notify the City Clerk, the business tax receipt required by subsection [12-14.2](#) shall be issued to the applicant upon the payment of the business tax required by the City; payable on the same basis and for the same term as are other business tax receipt of the City.

(1957 Code § 12-55; Ord. No. 953 § 5, 12-2-58)

12-14.6 Insurance Required.

- a. A patrol agency shall furnish to the City Clerk before beginning business and shall keep in force throughout the term of such business tax receipt's proof of liability insurance in an amount and form sufficient to satisfy State requirements, which insurance shall be approved by the Clerk as to its form and sufficiency.
- b. The bond shall be conditioned, generally, as follows: "The condition of the above obligation is such that whereas, the principal has been issued a business tax receipt to operate a 'Patrol Agency' in the City of North Miami Beach in accordance with the terms and provisions of Ordinance No. 953 of the City.
"Now, therefore, if the principal shall well and truly comply with all of the terms and conditions of the Ordinance and shall well and truly indemnify any and all persons of and from any illegal act and any wrongful or negligent acts of commission or omission by the principal or any agent or employee of the principal, then this obligation to be null and void, otherwise to be in full force and effect."

- c. As an alternative compliance, a patrol agency may obtain before beginning business, and shall keep in force throughout the term of such business tax receipt, a policy of insurance in an amount not less than one thousand (\$1,000.00) dollars insuring the City, the patrol agency and all agents and employees of the patrol agency against liability to the public, including its customers or clients, for any loss occasioned by any illegal act and any wrongful or negligent acts of commission or omission by the patrol agency or any agent or employee thereof. The policy of insurance shall be inspected and approved by the City Attorney before the patrol agency begins doing business in the City.

(1957 Code § 12-56; Ord. No. 953 § 6, 12-2-58; Ord. No. 92-4 § 2, 4-7-92)

12-14.7 Employment of Minors Prohibited.

No holder of a business tax receipt, under the provisions of this section shall employ any person under the age of twenty-one (21) years to act as watchman or patrolman.

(1957 Code § 12-57; Ord. No. 953 § 7, 12-2-58)

12-14.8 Employee's History to be Furnished to the City Clerk.

No holder of a business tax receipt under the provisions of this section, shall employ any person without having furnished to the City Clerk the name, address and a brief history of such employee.

(1957 Code § 12-58; Ord. No. 953 § 8, 12-2-58)

12-14.9 Photographs and Fingerprints of Employees to be Filed with City.

No person, whether the applicant himself, or if a corporation, no persons employed by such corporation, or if an individual, no persons employed by such individual, shall perform any services whatever in connection with the occupation or business of private protective agency or patrol agency without first having given to the Chief of Police one (1) or more photographs of all persons engaged in such business or occupation or employed therein, together with the fingerprints of such persons, and not until after due investigation by the Chief of Police finding such persons to be properly qualified as to honesty and integrity and past record.

(1957 Code § 12-59; Ord. No. 953 § 9, 12-2-58)

12-14.10 Office Required in City.

A patrol agency shall keep open and maintain a business office in the City which shall be kept open at such times as the Chief of Police may from time to time have prescribed.

(1957 Code § 12-60; Ord. No. 953 § 10, 12-2-58)

12-14.11 Employee's Minimum Experience; Good Standing Required; Statutory Compliance; Backers, Names Filed, of Good Character.

- a. The manager or managers and all employees employed by a patrol agency in a supervisory capacity shall have had at least two (2) years' experience in the patrol agency business or occupation, or shall have had at least two (2) years' experience as a public law enforcement officer or shall have satisfactorily completed four (4) academic years of high school or the substantial equivalent thereof.
- b. If the patrol agency is incorporated, it shall be fully qualified and in good standing under the laws of Florida as evidenced by a certificate of the Secretary of State of Florida which shall be c. filed with the application for business tax receipt.
- c. If the patrol agency, whether incorporated or not, operates under a name other than its own, the patrol agency shall comply with the "Fictitious Name Statute" of Florida (F.S. 1951, See. 865.09) and shall file with the Chief of Police a true copy of the affidavit required by the statute certified by the Clerk of the Miami-Dade County Circuit Court and showing the book and page where the same has been recorded.
- d. A patrol agency shall, upon applying for a business tax receipt and on or before September 30 of each and every year thereafter, file an affidavit with the Chief of Police showing the names and addresses of all persons financially interested in the agency and the amount of percentage of their respective interests. The affidavit shall also set forth the names, ages and addresses of all officers, agents and employees of the patrol agency, together with a brief personal history of each. The affidavit shall be made by the resident manager referred to herein. The Chief of Police may require any patrol agency holding a business tax receipt to file such an affidavit at such other times as he deems necessary, not to exceed a total of four (4) times a year.

- e. All officers, agents and employees of a patrol agency, including all persons financially interested therein, shall be persons of good moral character and integrity and shall never have been convicted of any crime involving moral turpitude.

(1957 Code § 12-61; Ord. No. 953 § 11, 12-2-58)

12-14.12 Exceptions to Subsections 12-14.10 and 12-14.11.

Any patrol agency which has been issued a business tax receipt and operating in Miami-Dade County or any municipality therein continuously for a period of five (5) years immediately prior to the date of applying for a City business tax receipt, shall be entitled to receive such business tax receipt regardless of whether or not it meets the requirements of subsection [12-14.10](#) and the first paragraph of subsection [12-14.11](#) if such patrol agency meets all the other qualifications and complies with all other requirements of this section. In such cases, the president, if the agency is a corporation, or a person financially interested in the agency if it is a partnership, sole proprietorship or other form of business unit, shall sign all affidavits and receipts required by this section.

(1957 Code § 12-62; Ord. No. 953 § 12, 12-2-58)

12-14.13 Customers Employing Agency to be Filed with City.

A patrol agency shall furnish the Police Department of the City with an affidavit listing all its customers who employ the agency in the City. Such affidavit shall be filed at the same time and each time the affidavit required by subsection [12-14.11](#) is filed and may be consolidated therewith.

(1957 Code § 12-63; Ord. No. 953 § 12, 12-2-58)

12-14.14 Cars and Uniforms of Private Patrol Agencies to Differ Strikingly from City Police Cars, Uniforms.

All private protective patrol agencies hereunder holding a business tax receipt, shall establish a business address in business zoning and shall display a telephone number on any vehicle used by such agency. Such vehicle shall be painted in such manner and with such colors as are strikingly different from those employed by the Police Department of the City. All employees and patrolling personnel of such agencies shall wear a uniform strikingly different and easily distinguished from those employed by the Police Department of the City.

(1957 Code § 12-64; Ord. No. 953 § 13, 12-2-58)

12-14.15 Limitations on Agency Vehicle, Equipment, Etc.

No vehicle used by a protective patrol agency shall have the word "Police" anywhere on same. No red lights, flashing or nonflashing, shall be employed on such patrol vehicles. No radios tuned to any police band or frequency shall be employed by such protective patrol agency or its personnel, either in the agency office or in the vehicle used or in any other place or manner.

(Ord. No. 953 § 14, 12-2-58; 1957 Code § 12-65; Ord. No. 2011-12 § 2, 9-6-11)

12-14.16 Suspension, Revocation of a Business Tax Receipt.

Any business tax receipt issued under the provisions of this section shall be able to be suspended or revoked at the will of the City Council of this City, if, after hearing, the Council shall find that the holder of a business tax receipt and other persons employed by him have been guilty of wrongful acts in violation of this section and all other ordinances of the City heretofore and hereafter promulgated.

(1957 Code § 12-66; Ord. No. 953 § 15, 12-2-58)

