



City of Destin

Community Development Department
City of Destin Annex
4100 Indian Bayou Trail
Destin, Florida 32541
Phone (850) 837-4242 • Fax (850) 460-2171
www.cityofdestin.com

SEXUALLY ORIENTED BUSINESS LICENSE APPLICATION

Reference: Code of Ordinances, City of Destin, Chapter 2.5, Sexually Oriented Businesses

The information provided by the applicants for a license under the above City Code chapter shall be maintained by the City Manager's office and shall remain **Confidential**, unless the information is required to be disclosed by law.

LICENSE CLASSIFICATION (check only ONE):

- Adult Store (sexual devices, books, videos)
- Adult Cabaret
- Adult Motel
- Adult Motion Picture Theater
- Semi-nude Model Studio
- Sexual Encounter Center
- Escort Services

NOTE: Only one (1) license may be issued for a location or any single building and only under a single classification.

SECTION 1 - APPLICANT AND GENERAL SITE INFORMATION

A. GENERAL APPLICANT INFORMATION:

PRIMARY APPLICANT

Full Legal Name:

(Name of person completing application, even if on behalf of entity)

Last First Middle

Any other names used in preceding five (5) years:

Address:

(current business address)

Number & Street

City State Zip

Mailing Address:
(if different from above)

Number & Street / PO Box

City State Zip

Telephone:

Business Cell

Email:

Date of Birth:

Gender: ___ Male ___ Female

Written Proof of at least 18 years of age: A copy of a valid driver’s license, military identification card, passport, state issued identification card, valid birth certificate accompanied by a picture identification document issued by government agency.

B. SITE / LOCATION INFORMATION

Name of Proposed Establishment:

Address of Proposed Establishment:

Number & Street

City State Zip

Telephone:

Business Cell

C. Name and business address of Statutory Agent or other agent authorized to receive service of process:

D. The following must be attached when completing application:

___ Interior Layout Plan showing the configuration of the business premises pursuant to the requirements of section 2.5-40(b)(9), Code of Ordinances, City of Destin, and generally described in section 2 of application.

___ Legal Description of Premises on which the business will be located.

___ Application Fee: [Fee Schedule](#)
(FY2019 Schedule of Fees, Resolution 19-11, adopted 08/05/19, effective 08/06/19)

Accepted Payments are Cash, Check, MasterCard or Visa. Checks shall be made payable to the City of Destin and submitted to the Planning Division, Community Development Department, City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541

SECTION 2 - GENERAL INFORMATION

A. INTERIOR LAYOUT PLAN:

- 1) The Primary Applicant shall attach an interior layout plan showing the configuration of the premises indicating the total floor space occupied by the business, and where applicable, all windows, doors, entrances and exits, as well as, the fixed structural features: walls, stages, partitions, projection booths, projectors, overhead lighting fixtures, video cameras and monitors installed for monitoring purposes, admission booths, adult booths, concession booths, stands, counters and similar structures of the business to which the proposed license pertains.
- 2) The term “fixed structural features” shall include immovable partitions and counters and similar structures that are to be permanent.
- 3) The interior layout plan shall also indicate the location of all restrooms and the location of all areas on the premises where customers will not be permitted.
- 4) The interior layout plan need not be professionally prepared but shall be oriented to the north or to some street or stationary object and drawn to a designated scale or drawn with marked dimensions of the interior of the premises.
- 5) Upon request by the Primary Applicant at the time of application submittal, the City Manager may waive the interior layout plan requirement if the city has previously accepted a sketch and diagram in a previous sexually oriented business application and said interior layout plan meets the requirements set forth above and is already on file with the city, provided that Primary Applicant certifies to the City Manager that the layout and configuration of the premises has not changed since it was prepared and accepted by the city.

Do you request a waiver? Yes No

If “Yes,” you hereby certify that a previous interior layout plan was previously submitted to the City Manager on _____ and that interior layout plan meets the requirements of this section and that the previous interior layout plan accurately depicts the premises. You understand and agree that should the City Manager determine that no previous diagram and sketch was submitted to the city or that the previous interior layout plan does not meet the requirements of this section or that the interior layout plan is outdated and no longer accurate, this application shall be deemed incomplete and returned to the Primary Applicant to prepare an interior layout plan that meets the requirements of this section. Notwithstanding, the City Manager reserves the right to deny the waiver request if the City manager determines that a previous interior layout plan is no longer on file with the city.

B. Does the Primary Applicant have any prior convictions of any specified criminal act?

Yes No

If “Yes,” attach to the application a list of each specified criminal act including the date, place, and jurisdiction of each as well as the date of conviction and release of confinement, where applicable.

For the purpose of this application, the term “**Specified Criminal Act**” shall mean:

- 1) Any of the following specified crimes for which less than five (5) years elapsed since the date of conviction or date of release from confinement for the conviction, which is the later date:
 - a. An offense under Chapter 794 *Florida Statutes* (Sexual Battery);
 - b. An offense under Chapter 796, *Florida Statutes* (Prostitution);
 - c. An offense under Chapter 800, *Florida Statutes* (Lewdness; Indecent Exposure);
 - d. An offense under Chapter 826, *Florida Statutes* (Bigamy; Incest);
 - e. An offense under Chapter 847, *Florida Statutes* (Obscene Literature; Profanity);
 - f. An offense under Chapter 893.13, *Florida Statutes* (Controlled substances offenses);
 - g. An offense under Chapter 895, *Florida Statutes* (Racketeering and illegal debts); or
 - h. Any of the foregoing statutory offenses as amended from time to time.
- 2) An offense against an analogous Federal statute or the statutes of a state other than Florida, that had predicate act(s) been committed in Florida they would have constituted any of the foregoing offenses.
- 3) Attempt, solicitation, or conspiracy to commit one of the foregoing statutory offenses.

A Conviction that is later reversed, vacated, overturned or expunged by a court of law shall not be considered a specified criminal act under this section

C. Has the Primary Applicant had an “influential interest” in any sexually oriented business in the previous five (5) years which has either been declared by a court of law to be a nuisance, been subject to a court order of closure or padlocking, or had its sexually oriented business license revoked?

Yes No

If “Yes,” as an attachment to this application, identify the name and location of each business, the date that the business was declared a nuisance, was required to close or be padlocked, or had its sexually oriented business license revoked. If the license was revoked, state the name of the government agency that revoked the license and the outcome of any judicially reviewed revocation.

For the purposes of this application, the term “**Influential Interest**” means:

- 1) The actual power to control, in whole or in part, the operation, management, policies, or premises of a business or entity, including the power exercised by an operator as defined herein; or
- 2) Holding an office (e.g., president, vice president, secretary, treasurer, general manager, chief executive officer, chief financial officer, trustee, etc.) or directorship in a legal entity which operates a sexually oriented business; or
- 3) Ownership of a controlling interest in a business or any class of voting securities of a business.

SECTION 3 - OTHER PERSONS WITH INFLUENTIAL INTEREST IN BUSINESS

The Primary Applicant is hereby advised that Section 2.5-40(c) of the City Code provides that if the person who desires to operate the sexually oriented business is other than an individual (e.g. corporation, partnership, etc.), each person with an **“Influential Interest”** in the sexually oriented business shall provide the personal information required herein and shall sign the application for a license as an applicant. Each Influential Interest Applicant must be qualified under section 2.5-55 (b) of the City Code and each Influential Interest Applicant shall be considered a licensee if a license is granted.

Refer to Section 2.C. of this applicant for definition of **“Influential Interest.”**

All persons with an **Influential Interest** in the business shall provide below, the personal information required of the Primary Applicant in Section 1 and the information required in Sections 2.B. [Specified Criminal Acts] and 2.C [Incidents involving other Sexually Oriented Businesses] of this application. Attach additional “Influential Interest Person” forms if more Influential Interest persons exist.

INFLUENTIAL INTEREST PERSON 1

Full Legal Name:

(Name of person completing application, even if on behalf of entity)

Last First Middle

Any other names used in preceding five (5) years:

Address:

(current business address)

Number & Street

City State Zip

Mailing Address:

(if different from above)

Number & Street / PO Box

City State Zip

Telephone:

Business Cell

Email:

Date of Birth:

Gender: ___ Male ___ Female

Written Proof of at least 18 years of age: A copy of a valid driver’s license, military identification card, passport, state issued identification card, valid birth certificate accompanied by a picture identification document issued by government agency.

Does Influential Interest Person 1 have any prior convictions of any “specified criminal act?”

___ Yes ___ No

Has Influential Interest Person 1 had an “influential interest” in any sexually oriented business in the previous five (5) years which has either been declared by a court of law to be a nuisance, been subject to a court order of closure or padlocking, or had its sexually oriented business license revoked?

___ Yes ___ No

If “Yes,” as an attachment to this application, identify the name and location of each business, the date that the business was declared a nuisance, was required to close or be padlocked, or had its sexually oriented business license revoked. If the license was revoked, state the name of the government agency that revoked the license and the outcome of any judicially reviewed revocation.

INFLUENTIAL INTEREST PERSON 2

Full Legal Name:

(Name of person completing application, even if on behalf of entity)

Last First Middle

Any other names used in preceding five (5) years:

Address:

(current business address)

Number & Street

City State Zip

Mailing Address:

(if different from above)

Number & Street / PO Box

City State Zip

Telephone:

Business Cell

Email:

Date of Birth:

Gender: ___ Male ___ Female

Written Proof of at least 18 years of age: A copy of a valid driver’s license, military identification card, passport, state issued identification card, valid birth certificate accompanied by a picture identification document issued by government agency.

Does Influential Interest Person 2 have any prior convictions of any specified criminal act?

___ Yes ___ No

Has Influential Interest Person 2 had an “influential interest” in any sexually oriented business in the previous five (5) years which has either been declared by a court of law to be a nuisance, been subject to a court order of closure or padlocking, or had its sexually oriented business license revoked?

___ Yes ___ No

If “Yes,” as an attachment to this application, identify the name and location of each business, the date that the business was declared a nuisance, was required to close or be padlocked, or had its sexually oriented business license revoked. If the license was revoked, state the name of the government agency that revoked the license and the outcome of any judicially reviewed revocation.

INFLUENTIAL INTEREST PERSON 3

Full Legal Name:

(Name of person completing application, even if on behalf of entity)

Last First Middle

Any other names used in preceding five (5) years:

Address:

(current business address)

Number & Street

City State Zip

Mailing Address:

(if different from above)

Number & Street / PO Box

City State Zip

Telephone:

Business Cell

Email:

Date of Birth: _____

Gender: ___ Male ___ Female

Written Proof of at least 18 years of age: A copy of a valid driver’s license, military identification card, passport, state issued identification card, valid birth certificate accompanied by a picture identification document issued by government agency.

Does Influential Interest Person 3 have any prior convictions of any specified criminal act?

___ Yes ___ No

Has Influential Interest Person 3 had an “influential interest” in any sexually oriented business in the previous five (5) years which has either been declared by a court of law to be a nuisance, been subject to a court order of closure or padlocking, or had its sexually oriented business license revoked?

___ Yes ___ No

If “Yes,” as an attachment to this application, identify the name and location of each business, the date that the business was declared a nuisance, was required to close or be padlocked, or had its sexually oriented business license revoked. If the license was revoked, state the name of the government agency that revoked the license and the outcome of any judicially reviewed revocation.

SECTION 4 - AFFIDAVITS AND SIGNATURES

An Affidavit for the Primary Applicant and three (3) Affidavits for each Influential Interest Persons follow. Attach more affidavits if there are more than three (3) Influential Interest Persons associated with this application.

NOTICE:

1. By applying for a license, the Applicant shall be deemed to have read and consented to the Sexually Oriented Business provisions of Chapter 2.5 of the City of Destin Code of Ordinances and to the exercise of their responsibilities under said Chapter 2.5.
2. The omission, falsification, or incorrectness of any information required for this application will constitute an incomplete application and the City will return the incomplete application to the applicant for completion.

**AFFIDAVIT
SEXUALLY ORIENTED BUSINESS LICENCE**

PRIMARY APPLICANT

I hereby swear or affirm that all the information contained in this application is true and correct. I hereby represent that I have the lawful right and authority to file this application. I acknowledge and agree that I am under the continuing duty and obligation required in Section 2.5-45 of the City Code to supplement this application with any and all changes or alterations in the information or disclosures required in this application within fourteen (14) days of a change in circumstances which would render the information originally submitted false, incomplete, or outdated.

I understand that submission of this application initiates a process and does not imply approval by the City of Destin. I understand that is unlawful for any person applying for a Sexually Oriented Business license to make a false or misleading statement or provide false or misleading information, which is intended to facilitate the issuance of a license.

PRIMARY APPLICANT

Signature

Printed Name

STATE OF _____

COUNTY OF _____

SWORN TO (OR AFFIRMED) AND SUBSCRIBED before me this _____ day of _____, 20____,

by _____.

Signature of Notary

Printed Name of Notary or Seal

Personally known _____ OR Produced Identification _____

Type of Identification Produced _____

**AFFIDAVIT
SEXUALLY ORIENTED BUSINESS LICENCE**

INFLUENTIAL INTEREST PERSON 1

I hereby swear or affirm that all the information contained in this application is true and correct. I hereby represent that I have the lawful right and authority to file this application. I acknowledge and agree that I am under the continuing duty and obligation required in Section 2.5-45 of the City Code to supplement this application with any and all changes or alterations in the information or disclosures required in this application within fourteen (14) days of a change in circumstances which would render the information originally submitted false, incomplete, or outdated.

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INFLUENTIAL INTEREST PERSON 1

Signature

Printed Name

AS:

Title

FOR:

Name of Entity

STATE OF _____

COUNTY OF _____

SWORN TO (OR AFFIRMED) AND SUBSCRIBED before me this ____ day of _____, 20____,

by _____.

Signature of Notary

Printed Name of Notary or Seal

Personally known ____ OR Produced Identification ____

Type of Identification Produced _____

**AFFIDAVIT
SEXUALLY ORIENTED BUSINESS LICENCE**

INFLUENTIAL INTEREST PERSON 2

I hereby swear or affirm that all the information contained in this application is true and correct. I hereby represent that I have the lawful right and authority to file this application. I acknowledge and agree that I am under the continuing duty and obligation required in Section 2.5-45 of the City Code to supplement this application with any and all changes or alterations in the information or disclosures required in this application within fourteen (14) days of a change in circumstances which would render the information originally submitted false, incomplete, or outdated.

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INFLUENTIAL INTEREST PERSON 2

Signature

Printed Name

AS:

Title

FOR:

Name of Entity

STATE OF _____

COUNTY OF _____

SWORN TO (OR AFFIRMED) AND SUBSCRIBED before me this ____ day of _____, 20____,

by _____.

Signature of Notary

Printed Name of Notary or Seal

Personally known ____ OR Produced Identification ____

Type of Identification Produced _____

**AFFIDAVIT
SEXUALLY ORIENTED BUSINESS LICENCE**

INFLUENTIAL INTEREST PERSON 3

I hereby swear or affirm that all the information contained in this application is true and correct. I hereby represent that I have the lawful right and authority to file this application. I acknowledge and agree that I am under the continuing duty and obligation required in Section 2.5-45 of the City Code to supplement this application with any and all changes or alterations in the information or disclosures required in this application within fourteen (14) days of a change in circumstances which would render the information originally submitted false, incomplete, or outdated.

I understand that submission of this application initiates a process and does not imply approval by the City of Destin. I understand that is unlawful for any person applying for a Sexually Oriented Business license to make a false or misleading statement or provide false or misleading information, which is intended to facilitate the issuance of a license.

INFLUENTIAL INTEREST PERSON 3

Signature

Printed Name

AS:

Title

FOR:

Name of Entity

STATE OF _____

COUNTY OF _____

SWORN TO (OR AFFIRMED) AND SUBSCRIBED before me this ____ day of _____, 20____,

by _____.

Signature of Notary

Printed Name of Notary or Seal

Personally known ____ OR Produced Identification ____

Type of Identification Produced _____