

# EXHIBIT K



## TOWN OF PALM BEACH

Office of the Town Clerk

### **APPLICATION FOR ERECTION AND DISPLAY OF UNATTENDED SYMBOLS RELATING TO RELIGIOUS HOLIDAYS**

#### **Resolution No. 20-04**

Bradley Park is designated as the location for the erection and display of unattended symbols relating to religious holidays, pursuant to a permit properly issued by the Town of Palm Beach, and during that period of the year beginning **THE DAY AFTER THANKSGIVING- AND ENDING ON JANUARY 10<sup>th</sup>** OF THE ENSUING YEAR. (Resolution No. 20-04 - adopted June 8, 2004)

Application shall be filed with the Town Clerk no less than **sixty (60) days** and **no more than 120 days prior to the date upon which the display is to be erected.** **Application Fee is \$150.00**

1. Date application submitted, as verified by Office of the Town Clerk: \_\_\_\_\_
2. NAME OF APPLICANT - THE INDIVIDUAL OR GROUP SPONSORING THE DISPLAY, THE INDIVIDUAL RESPONSIBLE FOR THE DISPLAY AND FOR ACCEPTING ALL CONDITIONS RELATING THERETO: (Pursuant to Section 2.C. - Res. 20-04).

Name of individual or group sponsoring the display:

\_\_\_\_\_  
\_\_\_\_\_

3. Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480  
(561) 838-5416 • Fax No. (561) 838-5417

E-mail address: : \_\_\_\_\_

Name of Individual responsible for the display: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

3. Is a Special Event (as defined in Town of Palm Beach Code of Ordinances, Section 106, Article VII. - "Special Events on Public Property") planned at any time during the period of the display? Yes \_\_\_\_\_ No \_\_\_\_\_

*A separate Special Event Permit (\$150.00) will be required if a special event is planned at any time during the period of the display. (Pursuant to Section 2.B. - Res. 20-04)*

4. DESCRIPTION OF THE DISPLAY: (Pursuant to Section 2.C. - Res. 20-04)

Include Date that Display will be installed:

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5. DESCRIPTION OF THE POWER SOURCE, IF ANY, REQUIRED FOR THE DISPLAY. IDENTIFY ANY OTHER INSTALLATION NEEDS. (Pursuant to Section 2.E. - Res. 20-04)

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6. Application fee of \$150 required at time application is submitted. (Pursuant to Section 2.D.-Res. 20-04).  
Method of payment: Cash\_\_\_\_\_ Check \_\_\_\_\_(include check number)
7. Resolution No. 20-04 is attached to this permit application, and includes all regulations applying to this permit.

**To Be Completed by Public Works Director/Designee:**

A graphic illustration of the location of the display, as determined and approved by the Public Works Director/Designee, is indicated on the map of Bradley Park below:



**To Be Completed by Public Works Director/Designee:**

Text description of the location of the display at Bradley Park, as determined and approved by the Public Works Director/Designee:

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Prior to issuance of a permit by the Town Manager, the Public Works Director/Designee shall review and approve this application for the ERECTION AND DISPLAY OF UNATTENDED SYMBOLS RELATING TO RELIGIOUS HOLIDAYS. The Public Works Director/Designee shall establish that the display does not present a public safety hazard, the display will remain in place for a period of time of fifteen (15) consecutive days or less, and will not interfere with the use of the park for other park purposes. (Pursuant to Section 4. - Res. 20-04).

\_\_\_\_\_  
Director of Public Works or designee

Date:\_\_\_\_\_

**Any display not removed upon the date indicated for removal on the permit may be removed by the Town, and the cost for removal billed to the individual and/or organization designated as the responsible party for the display. (Pursuant to Section 6. - Res. 20-04 ).**

I have read and understand the provisions relating to the regulation of the Erection and Display of Unattended Symbols Relating to Religious holidays, as set forth in Resolution No. 20-04, which is attached hereto:

Date:\_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

STATE OF:

COUNTY OF:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me, or who has produced \_\_\_\_\_ as identification, and who did (did not) take an oath.

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Notary Name Typed, Printed, or Stamped

SEAL:

**Submit this application with payment of \$150.00 to the Office of the Town Clerk, Town of Palm Beach, Town Hall, 360 South County Road, Palm Beach, Florida 33480.**  
**[This application is available for downloading @[www.townofpalmbeach.com/Town Departments/ Town Clerk](http://www.townofpalmbeach.com/Town%20Departments/Town%20Clerk)]**

ERECTION AND DISPLAY OF UNATTENDED SYMBOLS RELATING TO RELIGIOUS  
HOLIDAYS PERMIT No. \_\_\_\_\_ Date Display To Be Installed:\_\_\_\_\_

Date Display To Be Removed:\_\_\_\_\_ (Pursuant to Section 4. Res. 20-04).

Approved by:

\_\_\_\_\_  
Town Manager or Designee

Date:\_\_\_\_\_

cc: Public Works Director  
Planning, Zoning, & Building Director  
Parking & Code Enforcement Manager

## **RESOLUTION NO. 20-04**

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, DESIGNATING BRADLEY PARK AS THE LOCATION FOR THE ERECTION AND DISPLAY OF UNATTENDED SYMBOLS RELATING TO RELIGIOUS HOLIDAYS; DESIGNATING THE TIME FOR DISPLAY OF SAID SYMBOLS; PROVIDING PERMIT PROCEDURES; DECLARING THAT THE TOWN SHOULD HAVE NO INVOLVEMENT IN THE ERECTION OR MAINTENANCE OF SAID DISPLAYS; PROVIDING FOR CERTAIN OTHER CONTENT NEUTRAL REGULATIONS; PROVIDING FOR DISCLAIMER BY THE TOWN; PROVIDING FOR AN APPEAL PROCESS IN THE EVENT OF DENIAL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the desire of the Mayor and Town Council of the Town of Palm Beach to establish a forum for the erection and display of unattended symbols relating to religious holidays during that period of the year beginning the day after Thanksgiving and ending on January 10 of the ensuing year; and

WHEREAS, Bradley Park has been established as a traditional public forum in the Town; and

WHEREAS, it has been determined that Bradley Park shall be designated as the location for the erection and display of unattended symbols relating to religious holidays.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Palm Beach, Florida, as follows:

Section 1. Bradley Park is hereby designated as the location for the erection and display, pursuant to a permit properly issued by the Town, of unattended symbols relating to religious holidays during that period of the year beginning the day after Thanksgiving and ending on January 10 of the ensuing year.

Section 2. A permit procedure shall be established requiring, at a minimum, the following:

- A. Application shall be filed with the Town Clerk no less than sixty (60) days and no more than 120 days prior to the date upon which the display is to be erected.
- B. If a special event is planned at any time during the period of the display, a special event permit is also required.
- C. The application shall include a description of the display, the individual or group sponsoring the display, the individual responsible for the display and for accepting all conditions relating thereto.
- D. The application shall be accompanied by a \$150.00 application fee to defray the cost of processing the application.
- E. A description of the power source, if any, required for the display.

Section 3. The Town shall have no involvement, other than through the permitting process, in the erection or maintenance of the display. The applicant shall bear all costs associated with installation, maintenance and removal; including the cost of providing electric, and with restoring the ground, if needed, upon which the display was placed to the condition it was in prior to placement.

Section 4. The height of the display shall not exceed eight (8) feet. The location within Bradley Park shall be at the discretion of the Town, through the Director of Public Works, and shall be stabilized in a manner satisfactory to the Director of Public Works to ensure placement of the display does not present a public safety hazard. Displays shall not include balloons, flags, banners or any other materials determined by the Director of the Department of Public Works to create a potential safety hazard. No

symbols shall remain in place for a period of time in excess of fifteen (15) consecutive days. The placement of said symbols shall not interfere with the use of the park for other park purposes.

Section 5. The Town shall install a sign to be displayed with the permitted display which shall read as follows:

"This display is provided by a private individual or entity at no public expense and does not constitute an endorsement by the Town of Palm Beach of any religion or religious doctrine or of any other message conveyed thereby."

Section 6. Any display not removed upon the date indicated for removal on the permit may be removed by the Town and the cost for removal billed to the individual and/or organization designated as the responsible party for the display.

Section 7. Applications for permits shall be filed with the Town Clerk and shall be acted on by the Town Manager, or his or her designee, within thirty (30) days of the date of the application. In the event an application for permit is not approved within said time period, is denied, or is approved with conditions not acceptable to the applicant, applicant may appeal to the Town Council by filing with the Town Clerk within ten days of said decision or indecision a notice of appeal stating therein the reasons for the appeal. Said appeal shall be heard by the Town Council at its next regular meeting following the filing of the notice of appeal. The Town Council will not, as part of the appeal process, consider waiving any of the permit requirements referenced herein.

Section 8. This Resolution shall become effective immediately upon passage.



PASSED AND ADOPTED in regular session assembled this 8th day of

June, 2004.

Lesly S. Smith  
Lesly S. Smith, Mayor

Allen S. Wyatt  
Allen S. Wyatt, Council President

Samuel C. McLendon  
Samuel C. McLendon  
President Pro-Tem

William J. Brooks  
William J. Brooks, Councilman

Norman P. Goldblum  
Norman P. Goldblum, Councilman

Jack McDonald  
Jack McDonald, Councilman



Mary A. Pollitt  
Mary A. Pollitt, Town Clerk