



Planning & Development Department
100 S. Myrtle Avenue, Suite 230
Clearwater, FL 33756
Telephone: (727) 562-4005
www.myclearwater.com

BACKGROUND INFORMATION REPORT
[\$50.00 FEE]

(THIS FIRST PART TO BE COMPLETED BY CITY STAFF)

CODE COMPLIANCE / BUSINESS TAX DIVISION – REFERRAL TO POLICE DEPARTMENT

DATE: \_\_\_\_\_

\_\_\_\_\_ has made application at the City of
Clearwater Planning & Development Department for:

Type of Business: \_\_\_\_\_
Name of Business: \_\_\_\_\_
Location of Business: \_\_\_\_\_
BTR Number: \_\_\_\_\_

The above named person is required to fill out forms for a police department background
investigation, and will be fingerprinted and photographed, prior to the issuance of the
license.

\_\_\_\_\_
Business Tax Division Official Signature

NOTICE TO APPLICANT

The City of Clearwater, by law, has the authority to regulate certain business tax receipts.
Pursuant to that authority, the City conducts background investigations of the owners and
managers of these businesses. The Background Information Report provides basic
information about the applicant that is necessary for the investigation. All questions must
be answered in their entirety. EVERY ANSWER YOU GIVE WILL BE CHECKED FOR ITS
TRUTHFULNESS. A DELIBERATE FALSEHOOD WILL JEOPARDIZE THE APPLICATION,
AS SUCH FALSEHOOD WITHIN ITSELF CONSTITUTES EVIDENCE REGARDING YOUR
REPUTATION AND CHARACTER AS THE APPLICANT.

THE MOST IMPORTANT CONSIDERATION IN THE ANSWERS MADE BY YOU IN THE
BACKGROUND INFORMATION REPORT IS HONESTY.

I have read and I do understand the above statements.

\_\_\_\_\_
Applicant's Signature

\_\_\_\_\_
Date

**BELOW TO BE TYPED OR PRINTED BY APPLICANT  
(DO NOT USE PENCIL, INK ONLY)**

1. NAME \_\_\_\_\_ 2. HOME TELEPHONE \_\_\_\_\_  
3. ALIASES \_\_\_\_\_ 4. DATE OF BIRTH \_\_\_\_\_  
5. PLACE OF BIRTH \_\_\_\_\_ 6. SEX \_\_\_\_\_ 7. RACE \_\_\_\_\_  
8. HEIGHT \_\_\_\_\_ 9. WEIGHT \_\_\_\_\_ 10. HAIR COLOR \_\_\_\_\_  
11. EYE COLOR \_\_\_\_\_ 12. SOCIAL SECURITY NUMBER (Optional) \_\_\_\_\_  
13. DRIVER'S LICENSE NUMBER \_\_\_\_\_  
14. STATE OF ISSUE FOR DRIVER'S LICENSE \_\_\_\_\_  
15. ARE YOU A NATURALIZED CITIZEN OF THE UNITED STATES ( ) YES ( ) NO  
IF YES, NATURALIZATION NUMBER \_\_\_\_\_  
16. ADDRESS \_\_\_\_\_  
17. PREVIOUS ADDRESS (IF PRESENT ADDRESS IS FOR LESS THAN 5 YEARS)  
\_\_\_\_\_

18. CURRENT OCCUPATION \_\_\_\_\_ 19. EMPLOYER \_\_\_\_\_  
20. BUSINESS ADDRESS \_\_\_\_\_  
21. BUSINESS TELEPHONE \_\_\_\_\_

22. STARTING WITH CURRENT EMPLOYMENT, LIST ALL EMPLOYMENT FOR PAST 3 YEARS:

<b>BUSINESS NAME</b>	<b>ADDRESS</b>	<b>POSITION</b>	<b>FROM - TO</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

23. MAIDEN NAME OF APPLICANT (IF APPLICABLE) \_\_\_\_\_  
24. LIST ALL PREVIOUS STATES RESIDED WITHIN \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BELOW TO BE TYPED OR PRINTED BY APPLICANT  
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25. LIST THREE (3) PROFESSIONAL REFERENCES

<b>NAME</b>	<b>ADDRESS</b>	<b>TELEPHONE</b>	<b>TIME KNOWN</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

26. LIST ALL ARRESTS, INCLUDING TRAFFIC, THAT RESULTED IN THE COURTS' IMPOSING A FINE, PROBATION, INCARCERATION, OR OTHER ADVERSE SENTENCE OF A PUNITIVE NATURE, WHETHER OR NOT THE APPLICANT WAS FORMALLY ADJUDICATED GUILTY IN FLORIDA OR ANY OTHER U.S. STATE (USE ADDITIONAL PAPER IF NECESSARY)

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

LIST WHEN, WHERE, AND THE FINAL DISPOSITION \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

27. IF THE APPLICANT IS A CORPORATION, ANSWER THE FOLLOWING:

<b>NAME</b>	<b>HOME ADDRESS</b>	<b>CITY</b>	<b>DATE OF BIRTH</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I HEREBY CERTIFY THAT THE FACTS CONTAINED WITHIN THE AFOREMENTIONED BACKGROUND INFORMATION REPORT ARE TRUE AND CORRECT AND I UNDERSTAND THAT ANY FALSIFICATION OR MISREPRESENTATION MAY RESULT IN A REJECTION OF THIS APPLICATION OR A REVOCATION OF SAID LICENSE.

\_\_\_\_\_  
**APPLICANT'S SIGNATURE**

\_\_\_\_\_  
**DATE**

SWORN BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

BY: \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

**PERSONAL DATA REPORT  
 (THE FOLLOWING TO BE COMPLETED BY THE APPLICANT)  
 NO INFORMATION MAY BE LEFT BLANK – USE N/A IF NOT APPLICABLE!**

DATE				OCA#			
NAME (L,F,M)				MAIDEN NAME			
AKA (Professional Names, Alias, etc.) (L,F, M and Maiden)							
STREET ADDRESS			CITY		STATE	ZIP	HOW LONG
PREVIOUS ADDRESS			CITY		STATE	ZIP	HOW LONG
PREVIOUS ADDRESS			CITY		STATE	ZIP	HOW LONG
DATE OF BIRTH	RACE	SEX	HGT		WGT	EYE	HAIR
DRIVERS LICENSE NUMBER			STATE		SOCIAL SECURITY (OPT)		
HOME PHONE				WORK PHONE			
SCARS, MARKS, TATTOOS							
PLACE OF BIRTH (CITY)			STATE		COUNTRY	COUNTY	
SPOUSE/SIGNIFICANT OTHER NAME			ADDRESS				
PARENTS) NAME			ADDRESS				
<b><u>FAILURE TO REPORT PREVIOUS ARRESTS AND TRAFFIC VIOLATIONS IS JUSTIFICATION FOR REJECTION OF THE APPLICANT</u></b>							
<p>List (a) <b>all</b> traffic violations; and (b) <b>all</b> arrests resulting in the courts' entering against the applicant of a fine, probation, incarceration, or other adverse sentence of a punitive nature, whether or not the applicant has been formally adjudicated guilty in Florida or any other U.S. state.</p>							
DATE		LOCATION		CHARGE		DISPOSTION	

I certify that the above information is true and correct.

Signature: \_\_\_\_\_



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BACKGROUND INFORMATION REPORT
ADDENDUM

You are hereby advised that it is a violation of City Code to engage in any activity prohibited by §6.43, Prohibited Acts, or §21.13, Public Nudity. In order to lawfully conduct business within the municipal limits of the City of Clearwater, you must fully comply with, follow, and adhere to all state and federal laws, city ordinances, rules and regulations, including without limitation, Clearwater City Code of Ordinances §6.43, Prohibited Acts, or §21.13, Public Nudity. In the event that you have not so complied, then the City will pursue all available remedies to ensure that the illegal activities being conducted are discontinued.

ACKNOWLEDGMENT

Your signature below is an acknowledgment that you have in fact been advised of the existence of these ordinances. Additionally, your signature will indicate that you have also been provided a copy of Clearwater Code of Ordinance §6.43, Prohibited Acts, and §21.13, Public Nudity. Further, that by receipt of the same, hereby acknowledges that he/she is on Notice of the provisions contained therein and that the prohibitions therein shall be finding upon him/her.

Signature of Affiant

State of Florida:

County of Pinellas:

SWORN AND SUBSCRIBED before me by means of \_\_\_ physical presence or \_\_\_ online notarization on this\_\_\_\_\_.

- PERSONALLY, KNOWN TO ME
PRODUCED AS IDENTIFICATION

Type of Identification

Notary Signature

Name of Notary (Typed, printed, stamped)

**Sec. 6.43. Prohibited acts.**

(1) **It shall be unlawful for any person owning, maintaining, operating or leasing an alcoholic beverage establishment; his employee, agent, servant, and any entertainer employed at the licensed premises or employed on a contractual basis; and for any patron, customer or spectator to appear on an alcoholic beverage establishment's premises in such a manner or attire as to expose to public view, or to employ any device or covering that is intended to give the appearance of, any portion of the pubic area, anus, vulva or genitals or, if such person is a female, the area of the breast directly or laterally below the top of the areola.**

(2) It shall be unlawful for any person owning, maintaining, operating or leasing an alcoholic beverage establishment to permit any violation of subsection (1) of this section.

(3) It shall be unlawful for any person owning, maintaining, operating or leasing an alcoholic beverage establishment and his employee, agent, servant, and any entertainer employed at the licensed premises or employed on a contractual basis to engage in any activity commonly referred to as lap dancing or private tableside dancing whereby the person intentionally sits upon or rubs against the clothed or unclothed genitals, vulva, anus or buttock of any patron, customer or spectator therein in exchange for receiving a tip, donation, gratuity or anything of value, including but not limited to money. It shall be unlawful as well for the patron, customer or spectator upon whose body the lap dancer or private tableside dancer is committing the above- proscribed activity to permit the activity to occur; however, this subsection does not apply to acts done for bona fide medical purposes.

(4) It shall unlawful for any person owning, maintaining, operating or leasing an alcoholic beverage establishment to permit any violation of subsection (3) of this section.

(5) It shall be unlawful for any person owning, maintaining, operating or leasing an alcoholic beverage establishment to permit the construction, maintenance or use of areas completely or partially partitioned, curtained or screened from public view that are permitted to be used for the activities proscribed in subsection (3) of this section.

(Code 1980, § 82.03)

**Sec. 21.13. Public nudity.**

(1) As used in this section:

(a) *Adult use establishment* means an establishment as defined in sec. 41.505 of the city code.

(b) *Entity* means any proprietorship, partnership, corporation, association, business trust, joint venture, joint stock company or other for profit or not for profit organization.

(c) *Nude* means the showing of:

1. Human male or female genitals or pubic area with less than a fully opaque covering; or
2. Any portion of the anal cleft or cleavage of the male or female buttocks. Attire that is insufficient to comply with this requirement includes, but is not limited to, G-strings, T-backs, thongs and any other clothing or covering that does not completely and opaquely cover the anal cleft or cleavage of the male or female buttocks; or
3. The portion of the human female breast directly or laterally below a point immediately above the top of the areola with less than a fully opaque covering; this definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other clothing, provided the areola is not exposed; or
4. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(d) *Person* means any live human being ten years of age or older.

(e) *Place provided or set apart for nudity* means enclosed single-sex public restrooms; enclosed single-sex functional shower, locker or dressing room facilities; enclosed motel rooms and hotel rooms designed and intended for sleeping accommodations; areas within doctor's offices, medical clinics, hospitals, and other licensed medical health care facilities designed and intended for the examination of patients; and similar places in which nudity is necessarily and customarily expected outside of the home and the sphere of privacy constitutionally protected therein. This term shall not be deemed to include places where a person's conduct of being nude is used for his or her profit or where being nude is used for the promotion of business or is otherwise commercially exploited.

(f) *Public place* means any location frequented by the public, or where the public is present or likely to be present, or where a person may reasonably be expected to be observed by members of the public. The term includes but is not limited to streets, sidewalks, parks, beaches, business and commercial establishments (whether for profit or not for profit, whether open to the public at large, or whether entrance is limited by a cover charge or membership requirement), hotels, motels, restaurants, night clubs, country clubs, cabarets, and meeting facilities utilized by any religious, social, fraternal or similar organization. Premises, or portions thereof such as hotel rooms, used solely as a private residence, whether permanent or temporary in nature, shall not be deemed to be a public place.

- (2) It shall be unlawful for any person to knowingly or intentionally appear, or cause another person to appear, nude in a public place or in any other place that is readily visible to the public, except as provided in subsection (3) of this section. It shall also be unlawful for any person or entity maintaining, owning, or operating any public place to operate and to knowingly or with reason to know, permit or allow any person to appear nude in such public place, except as provided in subsection (3) of this section.
- (3) The following shall be exempt from the prohibitions of subsection (2) of this section:
- (a) When a person appears nude in a place provided or set apart for nudity, provided such person is nude for the sole purpose of performing the legal function that is customarily intended to be performed within such place and such person is not nude for the purpose of obtaining money or other financial gain for such person or for another person or entity;
  - (b) When a mother is breast-feeding her baby in compliance with F.S. § 383.015;  
or
  - (c) When the conduct of being nude cannot legally be prohibited by this ordinance because it constitutes a part of a bona fide live communication, demonstration or performance by a person wherein such nudity is expressive conduct protected by the United States Constitution or the Florida Constitution. Nude dancers performing in adult use establishments shall not be exempt from the prohibitions of subsection (2) of this section.
  - (d) When a person appears nude for legitimate instructional purposes for authorized courses at community colleges, state universities, or other public or private institutions of higher learning.
- (4) This section shall not be deemed to address photographs, movies, video presentations, or any other non-live performances.

(Ord. No. 5543-94, § 1, 2-17-94)