

Business Assistance Guide

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Business Assistance Guide

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This Business Assistance Guide is designed to provide technical assistance – to support you in starting and expanding your business in Cape Coral.

The Cape Coral Economic Development Office (EDO) mission is to create a balanced economy in the Cape by encouraging the creation of new businesses, expanding existing businesses and attracting new ones. The EDO funds the Cape Coral satellite Small Business Development Center which is staffed by FGCU; provides customized marketing information for Cape Coral businesses; operates the www.connectcapecoral.com and www.bizcapecoral.com websites; creates and administers financial incentives; promotes the Cape through advertising and public relations programs; and serves as business ombudsman to assist with permitting, licensing, zoning and other government related questions in the Cape.

Please use this guide as a checklist. It is an overview of many issues that are important in creating a successful business and in complying with licensing, tax and registration requirements. It also provides you additional resources – telephone contacts and Internet sites – that can enable you to make better decisions. Of course, our office is also a resource, and we welcome your call or e-mail.

City of Cape Coral
Economic Development Office
City Manager's Office
1015 Cultural Park Blvd.
Cape Coral, FL 33990

P.O. Box 150027
Cape Coral, FL 33915-0027

(239) 574-0444
fax: (239) 574-0452

www.bizcapecoral.com
ecodev@capecoral.net

Here is our staff directory:

Mike Jackson, Director
Karen Ramos, Business Development Specialist
Christy Vogt, Business Development Coordinator
Conni Eversull, Business Recruiting Specialist

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Business Regulation Checklist

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Business Planning

Writing the Business Plan

A thorough business plan plays an important role in the success of a small business. It is a synopsis of the business's objectives and how they will be achieved. The plan should provide a detailed description of the business, its product or service, marketing plan, financial statements and projections and management principles.

The business plan is often required when seeking financing. Banks require a written business plan for loans, and the Small Business Administration will not guarantee long-term loans without one.

Even when the plan is not required by others, it is a valuable tool for making quality business decisions. It helps business owners define and focus on their strategic objectives; and it is an important tool when managing and communicating with managers and staff. There are a number of useful, often free, resources available for writing the business plan – whether launching a new business, or expanding.

Small Business Development Center (SBDC)

The Cape Coral Economic Development Office and FGCU have created a Cape Coral Satellite Small Business Development Center. This office, located near City Hall, is staffed by a full-time, SBA certified business analyst. The SBDC is a non-profit organization affiliated with the Center for Leadership and Innovation, a division of Florida Gulf Coast University's College of Business and the U.S. Small Business Administration (SBA).

SBDC provides free on-site counseling, plus training and technical assistance in all aspects of small business management. Their trained staff can help you with your business plan, marketing or production issues, engineering and technical problems, or with feasibility studies. They also provide assistance in obtaining contracts with government and federal agencies. SBDC recommends calling for an appointment.

The SBDC also sponsors free and low-cost seminars on significant business development issues, from acquiring capital to marketing.

Contact:

Small Business Development Center
Judith Pultro, Certified Business Analyst
1020 Cultural Park Blvd. South #3
Cape Coral, FL 33990
239-573-2737
Jpultro@fgcu.edu

2751 Westlinks Drive, Building III, Unit 7
Fort Myers, FL 33913
(239) 225-4220
www.fgcu.edu/cob/sbdc

Service Corps of Retired Executives (SCORE)

SCORE is a resource partner with the U.S. Small Business Administration (SBA), offering free, confidential, business plan development and one-on-one consulting. The local SCORE chapter has more than 30 counselors. They are retired business owners and managers who volunteer their expertise in specific kinds of businesses. You can take advantage of their years of experience in everything from accounting, management and marketing, to manufacturing, insurance and restaurants. SCORE serves both new and existing businesses.

Contact:

Southwest Florida SCORE - Chapter 219
Renaissance Centre
8695 College Parkway, Suite 345
Fort Myers, FL 33919
(239) 489-2935
www.score.org

Business Legal Structure

Every business must have a legal structure. There are four primary structures for for-profit enterprises: Sole Proprietorship, Partnership, Corporation and Limited Liability Company.

Establishing the legal structure is a first step to obtaining the required government permits and licenses.

The notes below are general in nature and should not be relied upon as legal or financial advice. It is recommended that you consult with an accountant or attorney when deciding on your business's legal structure.

Sole Proprietorship

This is the simplest to set-up and dissolve, and generally the least costly. However, sole proprietors have unlimited liability and are responsible for all business debts. No state filing is required for sole proprietorships, however you must register an assumed name with the Florida Secretary of State.

Partnerships

Partnerships are formed by two or more persons who agree to share business ownership. Each partner contributes money, labor, and/or property; and each partner shares the profits and losses on their individual tax returns.

Partnerships can be either general or limited. In a general partnership, at least one partner has unlimited liability. The general partnership may require no legal document to set-up, but as a good business practice, the partners should have an attorney prepare a legal partnership agreement. In a limited partnership, there are limits to the personal liability of each partner.

Corporations

Corporations can provide their owners greater protection from personal liability. Articles of Incorporation must comply with the "Florida Business Corporation Act" (Chapter 607, Florida Statutes). Required fees and taxes must be paid. There are two major types of corporations: "C" corporations and "S" corporations.

The "C" Corporation can be owned by an unlimited number of shareholders, either as individuals, partnerships, trusts or other corporations. As the legal entity, the corporation pays tax on net earnings, and the shareholders pay personal tax on any dividends. Shareholders cannot deduct corporate losses from their personal returns.

The "S" Corporation provides the same protection from personal liability, but it has elected to treat corporate profits as personal income, taxable to the individual shareholders. This avoids the double taxation that exists in the "C" Corporation.

Limited Liability Company (LLC)

A limited liability company is a hybrid form of entity combining some of the attributes of a corporation with the association tax status of a partnership. The LLC articles of incorporation (LLC Chapter 608, Florida Statutes) must comply with the "Florida Limited Liability Company Act."

Find additional information and file articles of incorporation for Corporations and LLCs at:

Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314
(850) 245-6051
www.dos.state.fl.us or www.sunbiz.org

Fictitious Name Registration

A sole proprietorship or partnership that conducts business using a name that is other than the owner's first and last name must register its business name with the state. This is called "fictitious name registration."

To find out if the name you want to use is available, you can call the Division of Corporations Fictitious Name telephone inquiry line. To download the fictitious name registration form, search their website. Fictitious name registration is valid for five years.

As of June 9, 2001, in accordance with Florida Statute 15.16(6), it is no longer a requirement to advertise fictitious names in a newspaper.

Fictitious name registration for a sole proprietorship or partnership does not protect the name from use by others. However, corporation names are protected when the articles of incorporation are filed.

Fictitious Name Registration
Division of Corporations
P.O. BOX 1300
Tallahassee, FL 32302-1300
(850) 245-6058
www.dos.state.fl.us or www.sunbiz.org

Tax Requirements

Your business likely will be required to make tax filings or payments. Your tax requirements are determined by the type of business, its legal structure, and whether you have employees. In this section, you will learn about state, county and federal tax requirements.

Federal Employer Identification Number

The IRS may require a Federal Employer Identification Number (FEIN). An FEIN may not be necessary if the business is a sole proprietorship or partnership, has no employees, has no Keogh plan and pays no Federal Excise Tax for alcohol or tobacco. Contact the IRS to determine whether an FEIN is required.

Application for a FEIN is completed on form SS-4, which is available at local IRS offices or online. Applications by fax will take about a week; by mail as much as five weeks. Immediate FEIN application is available by telephone.

Internal Revenue Service
2891 Center Pointe Drive
Fort Myers, FL 33907
(239) 938-7601
EIN by phone: (800) 829-4933
www.irs.ustreas.gov

Florida State Tax Overview

The Florida Department of Revenue (DOR) administers 36 types of taxes. The four most commonly applicable business taxes in Florida are sales tax, discretionary sales surtax, corporate income tax, and intangible personal property tax.

For companies with employees, there may be state unemployment compensation tax and workers' compensation coverage. Plus, the state requires reporting on new hires.

Florida Sales Tax

Most businesses in Florida must charge their customers sales tax and pay that tax to the state. The Department of Revenue can assist you in determining whether you are subject to sales tax.

If so, before you open for business, you must register with the state and obtain your sales tax ID number. You can register online using form DR-1 at the Department of Revenue website, www.myflorida.com/dor. For in-person registration, visit your local DOR office. You may apply by mail, but this often takes more than two weeks.

After your registration application is approved, you will receive a *Certificate of Registration* (Form DR-11), an *Annual Resale Certificate* (Form DR-13), and your tax return forms. You will collect the current Lee County sales tax (6%) from customers for products and services and then pay those taxes to the Florida's DOR.

Discretionary Sales Surtax

Florida counties are authorized to levy a discretionary sales surtax on most transactions subject to sales and use tax. Currently Lee County does not impose Discretionary Sales Surtax.

Florida Corporate Income Tax

Most Corporations, Limited Liability Companies and other artificial entities doing business or earning or receiving income in Florida must file a Florida Corporate Income Tax return (Form 1120), even if no tax is due. Some legal entities – including sole proprietorships, individuals, estates and testamentary trusts – are exempt from Florida income tax. Other entities, such as S Corporations, partnerships and some LLCs may also be exempt. To be certain, consult your tax advisor or attorney.

Intangible Personal Property Tax

This Florida tax is an annual tax based on the current market value, as of January first, of intangible personal property. The most common types of taxable assets are stocks, shares, mutual funds, bonds, notes, and loans.

This tax is payable by Corporations, LLCs, partnerships, affiliated groups and fiduciaries, as well as individuals. Filing is required if the tax due is \$60 or more, before any discount for early filing. The Intangible Personal Property Tax Return (For DR-601C for corporations and DR-601I for individuals) is due by June 30.

Unemployment Compensation Tax

The Unemployment Compensation tax funds the unemployment insurance benefit. Your business most likely will be liable for unemployment compensation tax if you paid \$1,500 in wages in any calendar quarter, or you employed at least one worker during any 20 weeks in a calendar year. The Department of Revenue will determine whether you are liable, when you file form DR-1.

State Tax Contact Information

Florida Department of Revenue
2295 Victoria Avenue, Suite 270
Fort Myers, FL 33901-3871
(239) 338-2400
Taxpayer Services: (850) 488-6800 or Florida only: (800) 352-3671
www.myflorida.com/dor or www.fc.state.fl.us/dor

Additional Florida Requirements

Workers Compensation

Workers' Compensation coverage is required for some businesses. It provides benefits to workers who are injured on the job. To determine whether Workers' Compensation coverage is required for your business, contact the local office or refer to www.fldfs.com/wc. Florida Statutes Chapter 440 outlines the requirements for workers' compensation.

Coverage may be required based on the number of employees and whether the business is construction or non-construction. Non-construction businesses that are sole proprietors or partnerships are automatically exempt from Workers' Compensation; and officers may apply for exemption by filing the Notice to be Exempt (Form DWC 250).

Businesses in both non-construction and construction industries should remember that if those eligible choose to be exempt from Workers' Compensation coverage, and they are injured on the job, they will not receive benefits.

To find out more about Workers' Compensation requirements and how to obtain proper coverage and rates, contact the Division of Workers' Compensation.

Division of Workers' Compensation
Bureau of Compliance
4415 Metro Parkway, #300
Fort Myers, FL 33916
(239) 938-1840
www.fldfs.com/wc

New Hire Reporting

All employers are required to report newly hired, re-hired and temporary (full-time and part-time) employees within 20 days of their hire date, as stated in Florida Statute 409.2576 and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

To report new hires employers can do this by online reporting, electronic reporting, mail or fax. Electronic reports using the online reporting provides employers with a printable confirmation report within 24 hours of reporting.

Florida New Hire Reporting Center
P.O. Box 6500
Tallahassee, FL 32314-6500
Toll Free: (888) 854-4791
(850) 656-3343
www.fl-newhire.com

Lee County Tax Requirements

Tangible Personal Property Tax

All businesses are subject to tangible personal property taxes and must report annually as outlined in Florida Statute 193.052. Tangible personal property tax is assessed on assets used in the business or rental activity, even if they are leased or personally owned, such as tools, equipment, furniture, fixtures, machinery, signs, supplies, computers and phones. In addition, businesses that lease, loan or rent property, must also file.

A Tangible Personal Property Return (Form DR-405) is mailed to Tangible Personal Property owners on January 1st. You are responsible for filing even if you do not receive the form.

Lee County Property Appraiser's Office
2480 Thompson Street, Fourth Floor
Fort Myers, FL 33901
Mailing Address: P.O. Box 1546, Fort Myers, Florida 33902
(239) 533-6100
www.leepa.org

Business Financing

Equity Loans and Personal Funds

The most common source of financing for small business start-ups is a home equity loan. Other options are personal funds from savings, trust accounts, or some form of personal equity of the business owner or owners. These are the easiest and least expensive methods of financing. The limitations are the amount of capital available and the willingness to put it at risk.

Personal funds also play a significant role in seeking other forms of financing. Just as a bank will usually not finance 100% for a new home purchase, bankers expect business borrowers to pledge their own funds to cover a portion of the financed purchase. Banks require this for two reasons: it limits the bank's exposure in the event of default, and it demonstrates the borrower's good faith and commitment to success of the business.

Credit Cards

Personal or business credit cards issued by a bank or other financial institution can be used to buy office supplies, computers, and other necessities for start-up costs, but the interest rates tend to be higher. Personal credit card debt should be considered a short-term loan to be paid back by the business, just as if the loan had come from a bank.

Commercial Credit

The most prevalent type of business financing is commercial credit. Commercial credit involves vendors delivering goods or performing services before payment is received. In many industries, buyers have up to 30 days after billing to pay for goods or services before the payment is considered past due, allowing businesses flexibility in managing cash flow.

Leasing

Leasing is a fast-growing method of financing capital equipment. Under a lease agreement, a business can acquire immediate use of equipment without tying up capital. Although leasing can be more expensive than buying equipment outright. Leasing is also an attractive option for obtaining technology equipment, which becomes obsolete quickly.

Banks

Typically, banks are reluctant to lend money to start-up businesses. However, for over half of established small businesses, commercial lenders are the preferred source of long-term financing.

Small business owners often cite their bank as their most important partner in financial success, second only to their accountant. Small business owners are well advised to know their banker and encourage their banker to learn about their business, even before there's a need for funds. Invite your banker to visit the company, give them a tour of your operations; and share with them your business plan. Bankers are more likely to make loans to businesses they know, and with whom they have a track record. This may be especially important for small businesses that do not have a long credit history or are in an unusual business field that cannot easily be evaluated using traditional-lending criteria.

Venture Capital

Financing with venture capital is different from borrowing from a lender. Instead of earning interest, the venture partner typically acquires some business ownership. The share of ownership may be substantial. Venture capital organizations consist of a variety of investors, such as individuals, partnerships and investment companies seeking to invest in fast growing small businesses and start-ups with excellent growth potential.

Venture capitalists expect two things when they invest: much higher returns than would be expected on a traditional business loan; and influence in how the company is managed. One advantage of venture financing is that this infusion of capital does not typically have to be repaid.

Federal Business Loan Programs

Small Business Administration (SBA)

The SBA is the primary advocate of small businesses within the federal government. Although it provides many services to the small business community, the SBA is best known for its small business loan programs. These are typically loan guarantees of between 75% to 85%, depending on the SBA's credit and eligibility standards, the loan amount and the type of loan.

SBA (800) 8-ASK-SBA (827-5722)
www.sba.gov/financing

SBA - 7(a) Guaranty Loan Program

This is the most common program offered by the SBA, and it is the program with which most lenders are familiar. Loan proceeds may be used for the purchase of inventory, furniture and fixtures, machinery and equipment, land for construction, building construction, leasehold improvements, real property, and working capital.

The maximum amount the SBA typically will guarantee is \$1-million. Small loans up to \$150,000 offer a maximum guaranty of 85 percent. Loan amounts greater than \$150,000 offer a maximum guaranty of 75 percent.

SBA - Certified Development Company (504) Loan Program

These loans are made through non-profit Certified Development Companies (CDC), which raise funds by issuing government-guaranteed debentures within their geographical area. CDC's work with the SBA and private-sector lenders to provide financing to small businesses to promote economic development and job creation or other community development goals in the CDC's area.

To be eligible, businesses must be for-profit corporations, partnerships or proprietorships. Small businesses qualify if their net worth does not exceed \$7 million, and their average net income does not exceed \$2.5-million after taxes for the preceding two years. The maximum loan amount that is 100 percent backed by the SBA guaranteed debenture is \$1-million, limited to 40 percent of total project cost.

In our area, the CDC is the Southwest Florida Regional Planning Corporation, which serves the five-county area (Lee, Collier, Charlotte, Glades and Hendry) and Sarasota county.

SBA - Low Doc Loan Program

This program offers small businesses a quick way to obtain a loan of no more than \$150,000 with 85% guarantee. The streamlining of this loan allows the SBA to provide an answer within 36 hours from the time they receive the one-page application.

To be eligible, existing businesses must employ fewer than 100 employees, have average annual sales not exceeding \$5-million for the preceding three years, and good personal and business credit.

SBA – Micro-Loan Program

Micro-Loans allow for up to a maximum of \$35,000 for start-ups, newly established or growing small businesses. SBA provides funds to non-profit community based lenders, allowing for loans at the local level. Terms are a maximum of 6 years and rates are determined by the lender and their cost. Most lenders will require some form of collateral from the borrower.

SBA - Express Loan Program

The Express Loan allows lenders to use and process their own forms. This allows lenders to receive a rapid response from the SBA-within 36 hours of receiving the complete application. The SBA or commercial lender in your area can tell you if your business is eligible for a SBA - Express Loan. The maximum loan is \$250,000 with a 50% SBA guaranty.

SBA - CAPLines Loan Program

CAPLines loans help small businesses meet their short-term and cyclical working-capital needs. There are five types of CAPLines loans. The loan amount can reach \$1.3 million, with declining guarantees. To learn more about eligibility contact a commercial lender or the SBA.

SBA - Other Loan Programs

Here are some additional loan programs available through the SBA:

- Export Express - (Pilot Program)
- Community Express - (Pilot Program)
- Community Adjustment & Investment Program (CAIP)
- Export Working Capital Program (EWCP)
- International Trade Loans
- Defense Loan and Technical Assistance (DELTA) Program
- Pollution Control Program
- Surety Bond Program

Business Incentives

City of Cape Coral Incentives

Cash Incentive Program

The City of Cape Coral Economic Development Office offers a Cash Incentive Program for the expansion of existing businesses and the recruitment of new businesses.

To be eligible, the business must create a minimum number of new full-time positions with an average salary equal to or greater than the average salary in Lee County. One objective of the program is that at least 75% of the new employees be current or planned Cape Coral residents.

Cash incentive amounts range from \$750 to \$1,500 per employee, with a maximum award of \$100,000 to any one business. Applications are available at the Economic Development Office. Cash incentives must be approved by the City Council.

Impact Fee Deferral Program

Under this program the City defers payment of certain impact fees for new commercial or industrial building projects. Impact fees are charged to property owners to defray the incremental costs for public infrastructure. Only Road and Utility Capital Expansion Impact Fees are eligible.

The maximum deferral period, including any supplemental deferrals, is 10 years. The length of the deferral is based on the number of jobs created by the new or existing business, and whether those jobs employ Cape Coral residents.

The Shell Building Impact Fee Deferral is also available to property owners of shell buildings, which are usually built as speculation. Shell building impact fees may be deferred for up to 36 months or until the issuance of permits for interior completion, whichever is earlier.

Basic, supplemental, or shell building deferral applications can be made through the City of Cape Coral's Economic Development Office.

Community Redevelopment Agency (CRA) Incentive Program

The CRA is working cooperatively with property owners to revitalize downtown Cape Coral. Technical and financial assistance is available for exterior commercial building renovations and new construction projects. This assistance is available to business and commercial properties located within the Downtown CRA Districts.

The program is designed to encourage financial investors through financial incentives, to develop, improve and maintain the commercial area within the CRA

Downtown Districts. All projects must conform to the Downtown Master Plan and Corresponding Land Development Codes. By improving the visual appearance of downtown, the CRA District becomes more attractive for recruiting new businesses as well as opportunities for existing businesses to expand and attract new customers. Businesses who are interested in the Downtown CRA program, must have a pre-application meeting with the CRA Executive Director to discuss the project and its potential eligibility requirements.

Community Redevelopment Agency
447 Cape Coral Parkway East
Cape Coral, FL 33904
(239) 549-5615

Lee County Incentives

Lee County's Economic Development Office offers several local and state business incentives to new, expanding and relocating businesses in the county.

Lee County Economic Development Office
12800 University Drive
Fort Myers, FL 33907
(239) 338-3161
(800) 330-3161
edo@leegov.com
www.leecountybusiness.com

Job Opportunity Program

Lee County will provide a cash incentive for the relocation or expansion of high-wage companies. Incentives may be granted in amounts as much as \$2,000 for each full-time, permanent job created, to a \$200,000 maximum per qualifying company. To qualify for this program, the company must meet the following criteria:

1. Create at least 20 full-time, permanent jobs within 12 months in manufacturing, warehouse and distribution, research and development, back-office and business services, corporate or regional headquarters, or other non-retail operations.
2. Pay wages for the new jobs at least 15% above the Lee County or Florida average area wage, whichever is lower.
3. Have in excess of 50% of sales or revenues of products or services derived from outside of Lee County.
4. Solid company financials.
5. Economic impact analysis showing significant contribution to the area economy, including the indirect jobs created as spin-offs from the company's investment and new jobs.
6. Accept the incentive as an inducement for the company to locate or expand in Lee County.
7. Make application prior to the company's decision to locate in Lee County.

Industrial Development Revenue Bonds (IDRB)

IDRBs are securities issued by a local government agency providing long-term, below-market rate financing of capital requirements for new and expanding manufacturing facilities. Minimum bond is \$3 million, and maximum bond is \$10 million, per borrower, who is solely responsible for principal and interest repayment.

Because the interest on IDRBs is exempt from federal tax, the interest rate on this type of financing is generally lower than conventional debt financing. Proceeds from the IDRB may be used to finance fixed assets and qualified costs associated with the bond-financed projects. The Lee County Industrial Development Authority serves as the initial entry point into the IDRB application process.

State of Florida Incentives

Quick Response Training Program

Florida's Quick Response Training Program is a state grant. The average grant is \$600 per trainee. Businesses applying for funding must:

1. Create new, permanent, full-time jobs for Florida workers.
2. Provide customized training programs that are limited to training for specialized entry-level skills only, which are not available at the local level, and cannot be used to subsidize ongoing staff development.
3. Create high-quality jobs paying 15% above the Lee County or Florida average area wage, whichever is lower.
4. Produce an exportable good or service.
5. Expand their workforce resulting in a net increase in employment of not less than 10% or 100 employees, whichever is less.

Training services can be provided through Florida's community colleges, school districts, area vocational-technical centers, or state universities. Additionally, training can be delivered at the business facility. Instructors are typically professional educators or industrial trainers. In Cape Coral, many Quick Response Training Programs have been conducted at the Lee County High Tech Center North.

Workforce Florida, Inc.
Quick Response Training
1580 Waldo Palmer Lane, Suite 1
Tallahassee, FL 32308
(850) 921-1119
www.workforceflorida.com

Incumbent Worker Training Program (ITW)

This program is available to current businesses and provides grant funding for customized training of existing employees. Existing Florida businesses must meet the following requirements:

1. Have been in operation in Florida for at least one year prior to application date.
2. Have at least one full time employee.
3. Demonstrate financial viability
4. Be current on all state tax obligations

Workforce Florida, Inc.
Incumbent Worker Training
1580 Waldo Palmer Lane, Suite 1
Tallahassee, FL 32308
(850) 921-1119
www.workforceflorida.com

Economic Development Transportation Fund

When a business' preferred building site has transportation deficiency, Enterprise Florida, Inc. (EFI) offers grants for funding up to \$2 million for projects that facilitate economic growth, job creation and retention.

Enterprise Florida, Inc.
Headquarters
800 N. Magnolia Avenue, Suite 1100
Orlando, FL 32803
(407) 956-5600
www.eflorida.com

Workforce Resources

Business and Industry Services (BIS)

This agency is part of the Lee County School District. It works with employers in Southwest Florida to provide economical employee training programs. BIS meets with the employer and designs individualized training programs for the specific needs of the business. The training is either at the employer's site or one of the BIS training sites. Training schedules are flexible to accommodate work schedules.

Lee County BIS
1020 Cultural Park Boulevard, Unit #3
Cape Coral, FL 33990
Phone: 239-939-6320
www.leecountybis.com

Agency for Workforce Innovation (AWI)

This agency was formerly known as the Florida Department of Labor and Employment Security. Agency for Workforce Innovation (AWI) is responsible for carrying out policy dealing with workforce development programs, welfare transition, unemployment compensation and labor market information. Effective October 1, 2000 the Department of Revenue (DOR) processes Unemployment Tax for employers for the AWI's-Taxpayer information services.

AWI oversees One Stop Centers in 24 regions of Florida that implement state workforce programs, matches employees with employers (Employers Service Center), and recruits trained and qualified workers for high-tech and other short staffed programs.

Career and Service Center of Lee County - One-Stop Center

The One-Stop Center is more than just "employment and training". It helps to prepare all people for work and careers, not just the unemployed.

Through the One-Stop Center, employers in the community can find employees with the appropriate training, skills and motivation. Employers are also provided hiring information, job postings that can be processed within one business day, and local area statistics. Also available are onsite executive facilities and employer incentive programs.

Job Seekers are provided with job search assistance, employment workshops, employment counseling, skills training, resume writing, job matching and assistance filing for temporary public assistance or unemployment benefits.

Career and Service Center of Lee County
4150 Ford Street Extension
Fort Myers, FL 33916
(239) 931-8200, extension 11100
Employers Service: (866) 294-4473
Claims & Benefits: (800) 204-2418
www.floridajobs.org
www.careerandservicecenter.org

Florida ADA Accessibility Implementation Act

The Florida Americans with Disabilities Accessibility Act, which parallels the Americans with Disabilities Act of 1990 (ADA) under Title III regulations issued by the Department of Justice, applies to places of public accommodation and commercial facilities with respect to accessibility requirements and compliance.

Business owners are responsible for compliance with these accessibility requirements when renovating or building a new building, with respect to structural barriers and other obstacles faced by persons with disabilities. You will need to consult with an Architect or Engineer to find out how your business may be affected.

US Dept. of Justice	www.usdoj.gov/crt/ada/adahom1.htm
The Access Board	www.access-board.gov/index.htm
Florida Building Code	www.sbcci.org/floridacodes.htm

Permitting and License Requirements

Overview

As do most communities, Cape Coral has established a system of licenses and certificates to ensure that businesses comply with building codes and land use, zoning and life safety regulations. Two City departments are primarily responsible for licenses and permits: the City Clerk and the Department of Community Development (DCD).

- The Certificate of Occupancy (CO) indicates that the structure in which the business is housed is habitable. The CO is issued by the Permitting/Building Services Division.
- The Certificate of Use (CU) indicates that the business location is consistent with zoning regulations and that inspections have been completed. The CU is issued by City Clerk after approval by the zoning section of the DCD Planning Division.
- The Business Tax Receipt is an annual tax for exercising the privilege of engaging in business. The OL is issued by the City Clerk.

Typically, eligible home-based businesses may be granted a Business Tax Receipt by the City Clerk without consideration of Certificates of Occupancy or Use.

However, when businesses intend to locate in leased or purchased facilities, the Business Tax Receipt will not be granted until the CO and CU inspections are completed. Therefore, businesses may wish to apply for all at the same time.

Further, to facilitate cost-effective decisions about selecting locations, businesses are advised to consult with the zoning section of the DCD Planning Division to determine whether there are any issues, before entering into a lease or purchase agreement on the property.

In addition, one of the significant factors in considering applications for Certificates of Use is the business classification used by the City. An incorrect or incomplete classification may result in confusion or delay. Therefore, businesses may wish to pay particular attention to working with City staff to ensure that their business classification accurately represents the nature and extent of their services or products.

In all events, the City administration wants to facilitate accurate and rapid processing of business applications.

Department of Community Development

Zoning, Permitting, Inspections and Planning

For many businesses, the first contact is with the zoning section of the DCD Planning Division to determine whether a business location is consistent with zoning and land use regulations. It is recommended that the business owner check with zoning before signing leases or purchase agreements.

As the business expands, there are additional situations that may trigger DCD requirements:

- Permits for general construction: plumbing, electrical, mechanical, roofing, and related projects
- Construction plan reviews for code compliance, prior to issuance of building permits
- On-site building inspections
- Zoning and setback requirements; variance request
- Alleged violations of City ordinances relating to zoning and building construction
- Site plan applications review for conformance with Land Use and Development Regulations (LUDR)
- Development Order reviews, subdivision plats and inspections
- Applications for rezoning, variances, deviations, special exceptions and plat vacations
- Zoning and development proposals involving wetlands, protected plant and animal species, preserve areas, and landscaping
- Applications and inspections for dock and shoreline structures
- Permits for signs
- Street naming and addressing

Opening a new business location may involve a variety of permits and inspections. To guide the business through the process, the City provides direct assistance. Call (239) 573-3172 to request information or schedule an appointment.

Permit Process – Quick Guide

- **Business:** Permit Application to DCD Building Division
 - Building Permit for new building
 - Remodeling Permit for existing building
- **City:** Application Review by DCD Building Division
 - Code Compliance (2004 Florida Building Code)
 - Florida Fire Prevention Code
 - Proper zoning/use
 - Drainage requirements

- **City:** Building Inspections
 - Building/zoning inspections (DCD Building Division)
 - Fire inspections (Fire Department)
 - Stormwater inspections (Public Works)
 - Health Department inspection (if applicable)
- **City:** Issue Certificate of Occupancy (DCD Building Division)
- **Business:** Certificate of Use Application to Planning Division
- **Business:** Sign Permit Application to Planning Division
- **Business:** Business Tax Receipt Application to City Clerk
 - Zoning inspection
 - Fire inspection
- **City:** Issue Certificate of Use (City Clerk)
- **City:** Issue Sign Permit (DCD Planning Division)
- **City:** Issue Business Tax Receipt (City Clerk)

Zoning and Land Use Issues

Rezoning

Every piece of property has been given a specific zoning category. Zoning maps can be reviewed and/or purchased from the City Clerk's Office, (239) 574-0411. A rezoning may be requested if a person desires to use property for a use that is not currently allowed.

Special Exceptions

A special exception allows uses that are not normally permitted in a particular zoning district, upon demonstration that the use will comply with special conditions and standards for location and operation.

Variance Requests

A zoning variance is a departure from the provisions of the Land Use and Development Regulations (LUDR) and does not change the allowable use of the property, building or structures; or change procedural requirements or definitions. A zoning variance may be granted when the enforcement of the LUDR, as it applies to a specific lot, would cause an undue hardship. The applicant must demonstrate that the hardship is peculiar to the property and is not a result of an action by the property owner.

Vacation of Plats, Right-Of-Way and Easements

In order to abandon or close any portion of a plat, right-of-way or publicly dedicated easement, a vacation must be granted.

The application process for rezoning, special exceptions, variances and vacations includes a notice to affected property owners and a public hearing before the Planning and Zoning Commission and/or the City Council, which decides whether to approve the vacation. General information and submittal requirements may be obtained from the Planning Division at (239) 574-0597.

Local and State Licenses

Cape Coral City Clerk - Business Tax Receipt

All businesses – including home-based businesses – as well as some individual professional employees, require a City of Cape Coral Business Tax Receipt. The City Clerk's office can advise you about licensing requirements for specific occupations or professions. Many application forms and other information are available at http://escape.capecoralgov.org/forms_online.

Here are some situations that arise frequently:

- If your business is operating under a fictitious name or as a corporation, you will need to have a copy of your registration with the Florida Department of State, Division of Corporations.
- If you hold a state license, such as attorney, accountant, or physician, proof is required at the time of application. Business Tax Receipts are renewed yearly.
- State Certified Contractors doing business in Cape Coral must register in person with the City Clerk's office to obtain a competency license and Business Tax Receipt (if applicable).
- Home-based businesses are not permitted to have employees except family members that reside at the home-based business location.

License fees vary depending upon the type of business, but the majority range from \$22 to \$110.

Cape Coral City Clerk
City Hall
1015 Cultural Park Blvd.
Cape Coral, FL 33990
Mailing Address: P.O. Box 150027, Cape Coral, FL 33915-0027
Business Tax Receipt / Licensing: (239) 574-0430
Certificate of Use/Zoning: (239) 574-0553
www.capegov.org

Lee County Business Tax Receipt

Business are required to obtain a City Business Tax Receipt before applying for a county Business Tax Receipt. The fees for the county license normally range from \$30 to \$100, but vary depending upon the type of business and number of employees.

Businesses that do not produce hazardous waste have the option to apply for a hazardous waste fee exemption. Businesses must apply for this hazardous waste fee exemption prior to applying for a county Business Tax Receipt. To learn more about this exemption contact the Lee County Natural Resource Department.

As with the City of Cape Coral Business Tax Receipt, if your business is operating under a fictitious name or as a corporation, a copy of your papers as filed with the Florida Secretary of State is needed upon application. Contractors must provide proof of state licensing or a competency license.

Lee County Tax Collector
Government Center
1039 SE 9th Place
Cape Coral, FL 33990
General Inquiry: (239) 339-6000
www.leetc.com

State of Florida Licensing

The State of Florida, through the Department of Business and Professional Regulation (DBPR), requires a license for a number of industries and occupations. The DBPR licenses a wide variety of industries, but no longer regulates the medical professions or Professional Engineers. Medical professions are regulated by the Department of Health; Professional Engineers are regulated by the Florida Board of Professional Engineers. A list of professions regulated by the DBPR is posted on their website.

Department of Business and Professional Regulation
1940 North Monroe Street
Tallahassee, FL 32399-1027
(850) 487-1395
www.myflorida.com/dbpr

Florida Board of Professional Engineers
(850) 521-0500
www.fbpe.org

Florida Department of Health
(850) 245-4444
www.doh.state.fl.us

Department of Business and Professional Regulation (DBPR)

The list of businesses licensed by the Department of Business and Professional Regulation is exhaustive. Here are highlights of licensing divisions for selected industries. Your business may not be listed, but it still may require a state license.

Alcoholic Beverages and Tobacco

The Division of Alcoholic Beverages and Tobacco issues licenses for businesses that sell or distribute alcoholic beverages or tobacco. Fees are paid yearly and are determined by the type of business. Applicants must be at least 21 years of age. A temporary license can be issued in about two weeks; the permanent license may be issued within six weeks. The Fort Myers area office serves a five-county area.

Division of Alcoholic Beverages and Tobacco
4100 Center Pointe Drive, Suite 101
Fort Myers, FL 33916
(239) 278-7195
www.myflorida.com/dpbr/abt

Certified Public Accountants

This Division regulates Certified Public Accountants (CPAs) by processing applications for the CPA certification exam and issuing licenses.

Florida Board of Accountancy
240 NW 76th Drive, Suite A
Gainesville, FL 32607
(850) 487-1395
www.myflorida.com/dbpr/cpa

Hotels and Restaurants

The Division of Hotels and Restaurants provides sanitation and safety inspections for hotels, restaurants, lodging facilities and transient rentals. State law requires an initial inspection for new businesses, and a minimum of two unannounced inspections per year. The division attempts to conduct for at least three annual inspections, depending on the type of business.

It should be noted that hotel and restaurant inspections are administered by this division, and not the state Health Department. However, the Health Department does provide sanitation and safety inspections for fraternal organizations, schools, hospitals and churches.

Division of Hotels and Restaurants
4100 Center Pointe Drive, Suite 104
Fort Myers, FL 33916
(850) 487-1395
www.myflorida.com/dbpr/hr

Florida Land Sales, Condominiums & Mobile Homes

The Division is responsible for licensing and regulation of laws dealing with subdivided lands, condominiums, mobile home parks and timeshare plans. Timeshare businesses can contact the Bureau of Customer Service. Others can contact the specific bureau for their industry.

1. Bureau of Land Sales Registration

The Bureau of Land Sales Registration administers the Florida Uniform Land Sales Practices Act, affecting businesses that sell subdivided lands to the public.

2. Bureau of Condominiums

The Bureau of Condominiums enforces the Condominium Act (Florida Statutes Chapter 718) and the Cooperative Act (Florida Statutes Chapter 719) which affects business involved in condominium management, sales or leasing.

3. Bureau of Mobile Homes

The Bureau of Mobile Homes regulates mobile home park owners and enforces the Florida Mobile Home Act (Florida Statutes Chapter 723).

Division of Florida Land Sales, Condominiums, Timeshares & Mobile Homes
Bureau of Customer Service
1940 N. Monroe Street
Tallahassee, FL 32399-1032
(850) 488-1122
www.myflorida.com/dbpr

Division of Real Estate

This Division is responsible for examination, licensing and enforcement of more than 300,000 individuals, corporations, real estate schools and instructors. It provides administrative support to two other agencies: the Florida Real Estate Commission and the Florida Real Estate Appraisal Board.

Division of Real Estate
400 West Robinson Street, N801
Tallahassee, FL 32399-0783
(850) 487-1395
www.myflorida.com/dbpr/re

Division of Professions

The Division’s mission is to protect the health, safety and welfare of Florida residents and visitors, by regulating professional licenses, education and compliance. The Division licenses more than 315,000 professionals.

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|---|---|
| Architecture and Interior Design | Electrical Contractors' Licensing Board |
| Asbestos Consultants | Employee Leasing |
| Athlete Agents | Farm and Child Labor Program |
| Auctioneers | Funeral Directors and Embalmers |
| Barbers | Landscape Architecture |
| Building Code Administrators & Inspectors | Pilot Commissioners |
| Bureau of Education & Testing | Professional Geologists |
| Community Association Managers | Pilotage Rate Review Board |
| Construction Industry Licensing Board | Surveyors and Mappers |
| Cosmetology | Talent Agencies |
| | Veterinary Medicine |

Division of Professions
1940 North Monroe Street
Tallahassee, FL 32399-0760
(850) 487-1395
www.myflorida.com/dbpr

Additional Resources

Cape Coral Chamber of Commerce

The Chamber is a not-for-profit membership organization with more than 600 business members. Its office is the Visitor Information Center at the foot of the Cape Coral Parkway Bridge. The Chamber provides local business networking, small business counseling, education, special events, visitor information and relocation, city and county government and business advocacy.

Cape Coral Chamber of Commerce
2051 Cape Coral Parkway
Cape Coral, FL 33904
P.O. Box 100747
Cape Coral, FL 33910-0747
Toll Free: (800) 226-9609
(239) 549-6900
info@capecoralchamber.com
www.capecoralchamber.com

Cape Coral Community Redevelopment Agency (CRA)

The CRA was created by the City Council in 1993 to enable compact, mixed and compound use, pedestrian oriented development and redevelopment in the central downtown district, consistent with the City's Community Redevelopment Plan and Comprehensive Plan. The CRA Board has the administrative power to implement Tax Increment Financing (TIF) and to offer additional incentives for renovation and development.

Community Redevelopment Agency
447 Cape Coral Parkway East
Cape Coral, FL 33904
(239) 549-5615
www.downtowncapecoral.net/

Chamber of Southwest Florida

This organization's focus is regional, serving Lee, Collier, Charlotte, Glades and Hendry counties. It provides community information and conducts business development events, such as the Regional Economic Outlook Conference and the Business-to-Business Trade Fair.

Chamber of Southwest Florida
1520 Royal Palm Square Blvd., Suite 210
Fort Myers, FL 33919
(239) 278-4001
www.chamber-swflorida.com

Southwest Regional Manufacturing Association (SRMA)

SRMA is a non-profit membership organization comprised of corporations, partnerships and individuals engaged in manufacturing in Southwest Florida: in Lee, Collier, Charlotte, Glades and Hendry counties. The association encourages the cooperative exchange of information and assistance among its members to help them manage more effectively, efficiently and profitably.

SRMA
North Cape Industrial Park
2534 NE 9th Avenue, #1
Cape Coral, FL 33909
(239) 772-9889
www.sрма.net

Government Resources

Cape Coral Economic Development Office

The Cape's Economic Development Office (EDO) is staffed with marketing and business development professionals who focus on providing the information that businesses need for development and growth; and who promote the City as a preferred destination for business and tourism. The office maintains data on demographics, communications and utilities infrastructure, transportation and workforce. In addition, the EDO creates and administers economic development incentives, including loans, fee deferrals and cash payments.

The EDO is focused on continuous improvement of the business climate in Cape Coral, with a vision that looks decades into the future. Cape Coral is the largest city in Southwest Florida, and, because of its mass, is destined to be the dominant marketplace in the region. The Economic Development Office is implementing strategies for business growth, creating a balanced economy in an environment that supports expansion, diversification and job creation.

City of Cape Coral
Economic Development Office
City Hall
1015 Cultural Park Blvd.
Cape Coral, FL 33990

P.O. Box 150027
Cape Coral, FL 33915-0027

(239) 574-0444
ecodev@capecoral.net
www.bizcapecoral.com

Lee County Economic Development Office

The mission of the Lee County Economic Development Office is to serve the citizens of Lee County by marketing the county as the preferred location for targeted industries, resulting in diversification of the economic base. The office administers a number of economic development incentive programs and serves as staff to the Horizon Council and the Industrial Development Authority.

Lee County Economic Development Office
12800 University Drive
Fort Myers, FL 33907
(239) 338-3161
edo@leegov.com
www.leecountybusiness.com

The Horizon Council is an advisory board to the Lee County Commission comprised of leaders from business, government, education and community organizations. Its mission is to develop policy that will support retention and expansion of existing businesses, improve the business environment in Lee County, and attract new and diversified employment to the area.

The Industrial Development Authority (IDA) administers the Industrial Bond Program, through which qualified industries use revenue bonds to finance capital projects. Established by Florida Statute in 1975, the IDA issues both taxable and tax-exempt bonds, subject to approval by the Lee County Commission.

Enterprise Florida

This is a not-for-profit, government-business partnership established to guide the development of Florida's economy. Its mission is to increase economic opportunities for all Floridians by supporting the creation of quality jobs, a well-trained workforce and globally competitive businesses. While not a state agency, Enterprise Florida is funded by the State of Florida and by donations from the private sector.

Enterprise Florida operates as a single point of contact for information about business assistance programs available in Florida. Enterprise Florida focuses on companies that are created in Florida and coordinates efforts in partnership with existing local and regional economic development organizations.

Enterprise Florida's main office is located in Orlando, Florida. It also has offices in Tallahassee and Miami, several field offices, plus 12 offices worldwide.

Enterprise Florida, Inc.
Headquarters
800 N. Magnolia Avenue, Suite 1100
Orlando, FL 32803
(407) 956-5600
www.eflorida.com

City Of Cape Coral Contacts

Building Division

Building Division Switchboard (239) 574-0546
Building Inspections (239) 574-0550

Citizens Action Center

City Questions/Inquiries/Complaints (239) 574-0425

City Clerk

Business Tax Receipt (239) 574-0430

Community Redevelopment Agency

(239) 549-5615

Department of Community Development

Certificate of Occupancy (239) 574-0606
Certificate of Use (239) 574-0553

Electricity

Lee County Electric Cooperative (239) 995-2121

Fire

Inspections & Prevention (239) 242-3264

Incentives & Market Research

Economic Development Office (239) 574-0444

Planning

Land Usage and Zoning (239) 574-0553

Permitting

Building (239) 574-0546
Signs (239) 574-0553

Public Works

Surface Water Management (239) 574-0727
Transportation Division (239) 574-0702

Signage

Planning Division (239) 574-0553

Trash & Garbage Removal

Waste Management (239) 334-4115

Zoning

Planning Division (239) 574-0553

Lee County Contacts

Hazardous Waste (Pollution Prevention)

Lee County Natural Resources (239) 652-6126

Licensing

County Business Tax Receipt (239) 533-6000

Lee County Community Development (239) 533-8585

Property Taxes

Lee County Tax Collector (239) 533-6000

Property Values

Lee County Property Appraiser (239) 533-6100

Tangible Personal Property Tax

Lee County Property Appraiser (239) 533-6100

Workers' Compensation

Compliance (239) 938-1840

Zoning

Lee County Community Development (239) 533-8329