

17.20.040 Temporary uses General provisions

17.20.040 – Temporary uses – General provisions

A permit shall be required for temporary uses allowed in this Title, except that temporary uses operated or sponsored by a governmental entity and located on a lot owned by that entity do not require a permit, but shall otherwise be subject to the requirements of this Chapter.

The applicant shall submit a site plan or other suitable description to the Building Commissioner, with any required permit fee. As a condition of permit issuance, the Building Commissioner may require conformance with specific conditions regarding the operation of the temporary use as may be reasonably necessary to achieve the requirements of this Chapter. If the Building Commissioner finds that the applicable requirements have not been met, he may revoke the permit and may require the cessation of the temporary use. Where a permit for a temporary use has been revoked, no application for a new permit shall be approved within six months following revocation.

All temporary uses, including but not limited to those enumerated in Section 17.20.050 hereof, shall comply with the following requirements:

- A. No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience and general welfare, either on or off the premises.
- B. Temporary uses shall comply with all requirements of the Fire Prevention Code and other applicable codes and regulations. If necessary to ensure the protection of public safety due to the presence of a particular hazard, the Fire Chief may require the operator of the temporary use to employ a fire watch team and/or appropriate security personnel.
- C. Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, or egress from buildings on the lot or on adjoining property.
- D. Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City Council authorizes the use of City-owned property or right of way.
- E. When a permit is required for a temporary use, the Building Commissioner shall make an assessment of the number of parking spaces reasonably needed for the permanent uses on the lot where the proposed temporary use is to be located, on the basis of the particular temporary use, the seasonal demand for parking on the lot at the time the temporary use is proposed, and the availability of other public and private parking facilities in the area. The Building Commissioner may deny the permit for a temporary use if he finds that the temporary use will result in inadequate parking being available for permanent uses on the same lot that are not connected with the business proposing the temporary use.
- F. During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner, shall be kept free of litter, debris, and other waste material, and all storage and display of goods shall be maintained within the designated area. Storage of goods for sale shall be no more than five (5) feet in height.
- G. Signs for a temporary use shall be permitted only in accordance with the Chapter 17.28, Signs.

(2003-Z-13 : § 1; 1995-Z-14 : § 1; 1994-Z-3 : § 1; 1993-Z-29 : § 1)