



TEMPORARY/SEASONAL BUSINESS LICENSE APPLICATION

Please clearly print or type an answer to every question. Application submittal is required prior to opening to prevent the \$100.00 penalty fee. **All signatures and state numbers must be obtained before application and fee will be accepted. Signatures will be valid 3 months from the date signed.** Please read reverse side for regulations for a temporary license.

Business Name: _____

Business Location: _____ Business Phone: _____

Mailing Address: _____

Type of Sales: _____

Period: From: _____ To: _____

Business Owner/Operator: _____

Owner Address: _____ Owner Phone: _____

State "Special Events" Temporary Tax Number (801) 297-6303: _____

Must provide a copy of the following along with application:

- Property-Use Agreement (on property owner's letterhead)
- Restroom Agreement
- Site Plan showing customer parking and location of stand

Zoning Clearance: _____ Date: _____
(Take application to Planning/Zoning Department at 275 E. 200 N. Phone: 801-763-3060)

Fire Inspection: _____ Date: _____
(For inspection, please call 801-763-3045 for an appointment)

Police Approval: _____ Date: _____
(Take application to Chief Lance Call at 75 E. 80 N. Phone: 801-763-3020)

| | | |
|-----------------------------------------------------------------------------------------|--------------------------------------------|-------|
| License Fees: Temporary Business (10 consecutive days) | \$200.00 | _____ |
| Seasonal Business (up to 4 months-stationary stand) See attached seasonal descriptions. | \$300.00 | _____ |
| Firework sales per location | \$60.00/additional fee | _____ |
| Temporary Membrane Structure/Tent | \$75.00/additional fee | _____ |
| Bazaars, Boutiques and Open-Air Markets (not to exceed \$620 or less than \$220) | \$200.00 + \$10.00/booth per calendar year | _____ |
| | Total Fees | _____ |

I/we hereby agree to conduct said business strictly in accordance with all American Fork City codes governing such business, and swear under penalty of law that the information contained herein is true and correct. I/we also understand that to falsify any information on this application is grounds for denial and/or revocation of this license and other penalties as provided by law.

Applicant's Signature: _____ Date: _____

(For Office Use Only)

Accepted By: _____ Date: _____ Amount Paid: _____

License #: _____ Completed by: _____

17.5.122 Temporary and Seasonal Uses.

A. Intent. The intent of this section is to authorize and set forth regulations governing the establishment and operation of certain transitory or seasonal uses within the city and to ensure their termination at the end of the specified period of time.

B. Temporary and seasonal uses authorized.

1. In commercial zone districts. The temporary and seasonal uses listed under paragraph C. may be permitted on a temporary basis within all commercial zone districts, subject to compliance with the term of this Section and the approval of a business license therefore by the city fire authority, police authority and zone clearance officer.
2. In other zone districts. The temporary and seasonal uses listed under paragraph C. may be permitted in other than commercial districts upon a finding that the intended use is part of a community sponsored celebration event, when located within a public building or public park, or when approved by the city council, and subject to compliance with the terms of this section and the approval of a business license therefore by the city fire authority, police authority and zone clearance officer.

C. List of temporary and seasonal uses. Said uses may include, but will not be limited to:

1. Temporary uses (not to exceed ten consecutive days).
 - a. Auction establishments.
 - b. Carnivals and circuses.
 - c. Itinerant merchants.
 - d. Movie productions (may be allowed in additional zones and/or for longer time period with approval of the city council).
 - e. Outdoor music festivals.
 - f. Outdoor political rallies.
 - g. Promotional displays and exhibits.
 - h. Bazaars and boutiques.
 - i. Other uses determined by the zone clearance officer to be similar to the above.
2. Seasonal Uses (more than ten consecutive days, not to exceed the time limits shown, or four months, whichever is shorter).
 - a. Christmas tree lots (not to exceed forty-five days).
 - b. Firework sales stands (limited to the period of time as set forth under state law).
 - c. Individual agricultural produce stands and open-air farmers markets for the sale of agricultural produce (not to exceed the length of the local outdoor growing season).
 - d. Shaved ice and food stands.
 - e. Spook alleys (not to exceed forty-five days).
 - f. Rock chip repair stands.
 - g. Other uses determined by the zone clearance officer to be similar to the above.

The provisions of this section shall not be interpreted to exclude customary public assemblies or programs held within churches, schools, auditoriums, city parks, city amphitheater or other permanent structure designed to accommodate such gatherings.

D. Application for temporary and seasonal uses. Prior to the establishment of any temporary or seasonal use, an application for a temporary use permit and business license shall be submitted to and approved by the city zone clearance officer. Said application shall contain the following information:

1. A description of the proposed use.
2. A description of the property to be used, rented or leased for the temporary use, including all information necessary to accurately portray the property.
3. A copy of the lease agreement with the property owner/ manager of the parcel proposed for placement of the temporary/seasonal use ("host parcel") indicating the right of the applicant to occupy the site.
4. Sufficient information concerning the proposed use to determine the amount of space intended to be occupied, adequacy of setback from the street and primary use, availability of sanitary facilities for employees and patrons (where required), adequacy of parking and vehicular access (availability of adequate rest room facilities in reasonable proximity for employees in accordance with OSHA standards as stated in 29 CFR 1910.141).
5. A detailed site plan, showing the location of the stationary stand and any adjacent area to be occupied by the proposed use. Said plan shall be drawn to scale, including dimensions.
6. No temporary or seasonal use shall have the practical effect of utilizing space or interfering with the access routes or parking areas which are necessary for the proper operation of the primary use.

E. Findings and criteria required for approval. The city zone clearance officer may approve said application subject to the following criteria and findings:

1. The proposed use is listed as a permitted temporary or seasonal use, or in the opinion of the zone clearance officer, is similar to the listed uses.
2. The temporary or seasonal use will be clearly incidental to the primary use and can be accommodated on the site without diminishing the available parking or impacting traffic safety.
3. The proposed temporary or seasonal use will not create excessive traffic hazards, disruption of the circulation pattern for the primary use, or other unsafe conditions in the area, and if traffic control is required, it will be provided at the expense of the applicant.
4. Each host parcel may contain only one temporary or seasonal use, except that the zone clearance officer may approve additional temporary or seasonal uses, subject to a finding that the proposed host parcel has sufficient area, parking and circulation to safely accommodate additional use(s).
5. The proposed use shall occupy the site for a period not to exceed the time period specified under paragraph C. above.
6. The terms of the lease agreement provides for cleanup and restoration of the site to its original condition.
7. Signs will be limited to one temporary, accessory sign, not larger than twenty-four square feet, to be placed in the immediate vicinity of the temporary or seasonal use and outside the safe site distance triangle area (when located on a corner parcel or adjacent to a driveway).
8. Adequate solid waste disposal facilities shall be provided.
9. Adequate restroom facilities for the specific use are provided, as required under paragraph D.4. above.
10. The required application and business license fee shall be paid.

In granting approval, the zone clearance officer may attach additional conditions deemed appropriate to ensure that the use will not pose any detriment to persons or property.

F. Continuing obligation. All temporary and seasonal uses shall be operated in accordance with the terms of this section and any conditions attached pursuant hereto. Upon approval by the zone clearance officer the applicant shall be eligible to acquire a temporary/seasonal use permit to operate. Issuance of the temporary/seasonal use permit shall be conditioned upon continued performance of the conditions of approval and may be refused or revoked upon failure to operate the use in accordance therewith.

G. Appeal. Any applicant for a temporary or seasonal use aggrieved by a refusal to grant a temporary or seasonal use permit or any requirement imposed as a condition of approval may appeal the determination to the city council who shall have the authority to overturn said determination or requirement.