

10-12-16: TEMPORARY USES:

A. Intent: The following regulations are provided to accommodate certain uses which are temporary or seasonal in nature.

B. Permitted Temporary Uses: Certain uses may be permitted on a temporary basis in any zone when approved by the City Administration:

Short term special event - less than ten (10) days

Extended temporary/Seasonal - not to exceed forty (40) days

C. Application For Temporary Use: Prior to the establishment of any temporary use, an application for a temporary use permit shall be submitted to and approved by the City Administration. Said application shall contain the following information:

1. Applicant information.
 2. A description of the proposed use.
 3. A description of the property to be used, for the temporary use, including all information necessary to accurately portray the property.
 4. Sufficient information to determine the yard requirements, sanitary facilities, and availability of parking space to service the proposed use.
 5. A copy of the lease agreement or other evidence of the right of the applicant to occupy the proposed site.
 6. Indemnity and Hold Harmless Clause signed by applicant.
- D. Approval Required: The city administration may approve said application, provided the city administration finds that:
1. The proposed use is legal in nature, meets the requirement of the application and is of reasonable request.
 2. The proposed use will not create excessive traffic hazards or other unsafe conditions in the area, and that if traffic control is required, it will be provided at the expense of the applicant.
 3. The proposed use shall occupy the site for a period as defined in the application which shall be in accordance with any constraints as set forth in state law.
 4. The applicant will have applicable licenses and permits, applicable insurance and potential bonding for the requested use or event.
 5. The applicant shall provide, at their own expense, for the restoration of the site to its original condition, including cleanup and replacement of facilities as may be necessary.
 6. Accessibility to sanitation, solid waste disposal, and other required services of the proposed use.
 7. The proposed use is not a prohibited use or specifically called out in another section of Elk Ridge City Code as restricted or not permitted.
 8. All required fees have been paid.

E. City Administration Authority To Cancel The Permit.

1. In granting approval, the city administration may attach additional conditions as they deem appropriate to ensure that the use will not pose any detriment to persons or property. The city administration if deemed necessary may require public comment and City Council approval.

2. City administration has the authority to cancel a permit if applicant does not follow the conditions of the application. City administration has the authority to cancel the permit if the event has been misrepresented.

(Ord. 97-7-8-8, 7-8-1997; amd. Ord. 19-07, 10-8-2019)