

1 **4-1-9: TEMPORARY BUSINESSES:**

2 A. Lot Standards: All temporary businesses must be located on improved property containing
3 improvements such as paved off street parking, curb, gutter and sidewalk in good repair. The lot
4 must meet the site development standards for the zone in which it is located.

5 B. Zones Permitted: All temporary businesses must be located within the following zones: C-1, C-2,
6 CP-1, CP-2 or MP-1.

7 C. Departmental Review: Review and approval of the site and the proposed temporary business by
8 the following departments must occur prior to conducting any sale or rendering any service, if
9 applicable:

10 1. Weber/Morgan health department, for the purpose of ensuring adequate sanitary facilities;

11 2. Building inspector, for the purpose of examining and approving the construction of
12 temporary shelters, electrical, plumbing and heating installation, traffic flow and potential
13 hazards, off street parking and general site standards. (1987 Code § 5.04.190)

14 D. Site Plan: The applicant for a temporary business license must submit a site plan showing the
15 type of building or shelter from which sales are to be made, as well as its location on the lot.
16 ~~Temporary structures shall be so constructed as to withstand a seventy (70) mile per hour~~
17 ~~velocity force and to comply with the international building code.~~ Temporary structures shall be
18 adequately attached to the ground to prevent wind uplift as per building code, or as approved by
19 the building official and where the temporary business is conducted between November 15 and
20 March 15 of any year, a roof of substantial strength and design to support a snow load of not
21 less than thirty (30) pounds. If the business is conducted from a vehicle, its license number must
22 be given. The location of ingress and egress to the site from the street, the location and size of
23 all proposed signs and the number and size of off street parking stalls must also be shown. In
24 addition, the following is required: (1987 Code § 5.04.190; amd. 2006 Code)

25 1. The proposed hours of operation;

26 2. The dates upon which the sales are to be conducted;

27 3. A general description of goods offered for sale;

28 4. A letter from the property owner granting permission to the temporary business to use his
29 lot, together with any conditions for approval;

30 5. A revenue and regulatory license fee for each location, the same to be established by
31 resolution;

32 6. A refundable deposit in a sum to be established by resolution which shall accompany the
33 application and which shall be returned within fourteen (14) days from the date of
34 termination of the temporary business so long as the area is cleaned and placed in the pre-
35 business condition and order.

36 E. Term: Every license issued shall contain on the face thereof the date upon which the license
37 period ends. Every business shall immediately cease doing business at the conclusion of the

38 license period and shall vacate the temporary business site within five (5) days thereof, leaving
39 the same in its pre-business condition.

40 F. Cleaning Or Repairing Premises By City: In the event the city elects or deems it necessary to
41 utilize city manpower or equipment or expend public funds to replace the site of a temporary
42 business in its pre-business condition, the city shall have and be authorized to maintain a cause
43 of action against the applicant, its officers and employees, for the payment of all costs and
44 expenses, including a reasonable attorney fee, which may arise or accrue in cleaning or
45 repairing the said premises, or in pursuing any remedy provided by the laws of the state whether
46 such remedy necessitates or results in filing of a lawsuit or not. Such applicant further grants
47 unto the city a lien against all property of applicant located, brought or kept upon such premises
48 for the foregoing costs, expenses and fees. (1987 Code § 5.04.190)

49 **4-1-1: DEFINITIONS:**

50 ~~TEMPORARY BUSINESS: A business conducted on a lot for a period of no more than ninety five~~
51 ~~(95) consecutive days within a single calendar year (with or without a permanent building) and which~~
52 ~~is not associated with any other business conducted on the same lot. (1987 Code § 5.04.010; amd.~~
53 ~~Ord. 2003-11, 5-27-2003)~~

54 TEMPORARY BUSINESS: Any sale made by a person, firm, or corporation engaging in the
55 temporary business of selling goods, wares, or merchandise from a tent, truck, ending cart, or other
56 area outside of a permanent structure on property owned or leased by the person, firm, or
57 corporation on a lot for a period of no more than one hundred eight (180) consecutive days within a
58 single calendar years (with or without a permanent building) and which is not associated with any
59 other business conducted on the same lot. (1987 Code § 5.04.010; amd. Ord. 2003-11, 5-27-2003)

60 **11-10-23: TEMPORARY CARNIVALS, CIRCUSES, REVIVALS, RODEOS, SWAP**
61 **MEETS, OUTDOOR RETAIL SALES AND SIMILAR ACTIVITIES:**

62 A. Applicability: The provisions of this section do not apply to garage sales. All other temporary
63 carnivals, circuses, revivals, rodeos, swap meets, ~~outdoor sales~~ and similar activities may be
64 permitted only in commercial and manufacturing zoning districts, subject to the restrictions of
65 subsection B of this section.

66 B. Conditional Use Permit: A conditional use permit shall be obtained from the planning commission
67 in accordance with the following:

68 1. The planning commission shall ensure that health and safety are considered, and shall
69 obtain the approval of the county health department, the North View Fire Department ~~fire~~
70 ~~department~~ and the Police Department ~~police department~~ prior to issuing the conditional
71 use permit.

72 2. The planning commission shall ensure that land area and parking are adequate for the
73 proposed use, and shall ensure that traffic safety is considered.

74 3. The planning commission shall require any measures necessary to protect surrounding
75 property.

76 4. A time limit shall be established for each use conducted under the conditional use permit.
77 This time limit shall in no case exceed seven (7) consecutive days, nor shall more than
78 four (4) conditional use permits be issued for the same use during any calendar year.

79 5. Permanent structures shall not be permitted under a conditional use permit issued under
80 this section. (Ord. 2002-05, 4-9-2002)

81 **11-8A-5: SPECIAL REGULATIONS:**

82 Hereinafter specified permitted and conditional uses shall be permitted only when the following
83 conditions are complied with:

84 A. All business shall be conducted wholly within an enclosed building, except for the sale of gasoline
85 and oil by service stations, the parking of automobiles, service to persons in automobiles,
86 temporary businesses, Christmas tree sales, fruit and vegetable stands, fireworks stands and
87 garden supplies;

88 B. All uses shall be free of emissions such as odor, dust, smoke or noise;

89 C. All products, whether primary or incidental, shall, if sold, be sold at retail on the premises. Unless
90 a specific beer license¹ is issued by the city council, no beer shall be sold for consumption on the
91 premises, no entertainment, except as provided by ordinance, shall be permitted in cafes,
92 confectioneries or refreshment stands. (Ord. 2002-16, 10-8-2002)

93 **11-8A-7 USES**

94 Temporary Business including Christmas tree sales, blanket stand, fireworks stand, food vendors,
95 fruit store or stand, vegetable store or stand and other similar uses as determined by the zoning
96 administrator temporary, in accordance with section 4-1-9 of this code.

97 ~~Fruit store or stand, temporary, in accordance with section 4-1-9 of this code~~

98 ~~Vegetable store or stand, temporary, in accordance with section 4-1-9 of this code~~

99 **11-8C-2 Permitted Uses**

100 Temporary Business including Christmas tree sales, blanket stand, fireworks stand, food vendors,
101 vegetable store or stand, and other similar uses as determined by the zoning administrator in
102 accordance with section 4-1-9 of this code.