

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, CP-1,
6 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:

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

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

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

23 1. The proposed hours of operation;

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

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

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

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

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

34 E. Term: Every license issued shall contain on the face thereof the date upon which the license
35 period ends. Every business shall immediately cease doing business at the conclusion of the
36 license period and shall vacate the temporary business site within five (5) days thereof, leaving
37 the same in its pre-business condition.

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

47 **4-1-1: DEFINITIONS:**

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

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

58 **11-10-23: TEMPORARY CARNIVALS, CIRCUSES, REVIVALS, RODEOS, SWAP**
59 **MEETS, ~~OUTDOOR RETAIL SALES AND SIMILAR ACTIVITIES:~~**

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

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

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

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

72 3. The planning commission shall require any measures necessary to protect surrounding
73 property.

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

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

79 **11-8A-5: SPECIAL REGULATIONS:**

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

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

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

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

91 **11-8A-7 USES**

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

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

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

97 **11-8C-2 Permitted Uses**

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