CITY OF CLERMONT

TEMPORARY STRUCTURE, SPECIAL EVENT, OR OPEN AIR SALES PERMIT

FILING INSTRUCTIONS

<u>The following should be included with the application:</u>

A site plan or area plan drawn to scale must be submitted. The site plan should indicate the proposed location of the temporary structure, any operations associated with the event, and the location of all existing structures and parking area. Additional parking may be required.

Approved application and site plan must be submitted to the Planning & Zoning Department at least two (2) weeks prior to the event. If City Council approval is needed, at least one additional week may be required.

All sidewalks and driveways must remain clear at all times, unless approved by the City of Clermont as part of the event.

The structure or tent must meet fire code requirement. **A certificate of flame resistance for the tent to be used must accompany this application.**

Any other structures or operations must meet applicable codes as established by the federal, state, or local government. All federal, state and other applicable regulatory agencies rules must be adhered to.

If any electrical connections are required, a temporary hookup from the appropriate electric service provider is required and must be approved by the Fire Marshall.

Only one (1) temporary structure permit for a tent is permitted for a parcel per calendar year. Maximum time allowed is for ten (10) days. Any additional times/tents must be scheduled for and approved by the City Council. In addition, only one permit may be issued for up to 30 days strictly for Christmas Tree sales (see "Note" on application).

Only two (2) Open Air Sales Permits are permitted for a parcel per calendar year. Maximum time allowed is for 30 days. The City Manager may grant further approvals.

<u>City of Clermont – Land Development Code:</u>

Sec. 122-347. Open air sales.

(a) *Generally; issuance of permit by City Manager or designee*. All retail or wholesale sales must be located within a completely enclosed building, unless an open air sales permit has been issued. The City Manager or designee may issue an open air sales permit using the following criteria:

(1) *Number and duration of permits.* Two non-consecutive permits per calendar year may be issued for a maximum of 30 consecutive days.

(2) *Application for permit.* A written request must be submitted setting forth the name and address of the applicant, the location of the proposed operation, a description of the proposed operation, the number of days for which the permit is desired and the property owner's permission, if applicable.

(3) *Sign.* One two-sided sign, a maximum of eight square feet in size, shall be allowed and shall be set back a minimum of ten feet from all property lines.

(4) Exceptions.

a. Open storage for the sale of automobiles, farming implements, trailers, boats and gasoline is exempt from this section.

b. Open air sales permits for greater than 30 days or up to two non-consecutive times per year may be issued in the Central Business District and for shopping centers in C-1 Light Commercial Districts and C-2 General Commercial Districts if the open air sales are directly related to the established business on the subject site.

c. Single use/lot businesses located on State Road 50 between East Avenue and Linton Court that have existing open air sales that have existed for more than five years prior to the adoption of this Section shall be considered non-conforming and may continue such open air sales unless or until required parking is inhibited or access to the site becomes limited or the open air sales use of the property is abandoned as provided by Code.

(b) Permits for period greater than 30 days.

(1) Open-air sales permits in C-1 Light Commercial Districts and C-2 General Commercial Districts for a period greater than 30 days or up to two non-consecutive times per year may be approved by the City Manager or designee upon a showing that such use shall not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity.

(2) Such permit may be granted upon a showing by the permittee that the activity shall be confined to a specific parcel of property not otherwise utilized; that the activity shall be a minimum of 100 feet from State Road 50; and that no other open air sales permit has been granted by the City Council within one mile, except for open-air sales permits in conjunction with an established retail establishment.

(3) Signs for open-air sales are limited to one two-sided sign of a maximum of eight square feet per side.

Sec. 122-348. Temporary structures.

(a) *Permit required; issuance; restrictions.* All temporary structures, including tents or canopies, shall be required to obtain a temporary structure permit prior to erection or placement of the structure. The following restrictions shall apply:

(1) One permit per calendar year for a maximum of ten (10) days may be issued through the office of the City Manager or designee. Multi-unit developments shall only be allowed one permit per year for the development, not one per unit.

(2) More than one permit per year or permits for more than ten (10) days must be requested of the City Council and shall be considered during a public hearing.
(3) One permit per calendar year for a maximum of 30 days may be issued for Christmas tree sales. Such permit may include a maximum of two (2) signs or banners for advertising placed on the site in accordance with the Land Development Code. Maximum sign size shall be 32 square feet.
(4) The temporary structure and signage must be removed upon expiration or revocation of the permit.

(b) Exemptions. Funeral tents and camping tents are exempt from the frequency requirement, but shall not remain up for more than three days.
(c) Revocation of permit. Temporary structure permits may be revoked if it is determined that such action would be in the best interest of the general public.
(d) Existing temporary structures. Existing temporary structures as of the date of the adoption of the ordinance from which this land development code is derived shall be given a maximum of 180 days of removal

(Ord. No. 2010-05-C, 3/23/2010)

DO NOT include the instructions with your application

CITY OF CLERMONT

TEMPORARY STRUCTURE, SPECIAL EVENT, OR OPEN AIR SALES PERMIT APPLICATION

PROJECT OR BUSINESS NAME (if applicable)			Date:
APPLICANT/CONTACT INFORMATION			
Name			
Address	City	State	Zip
Telephone	Fax		
Email			
OWNER INFORMATION			
Owner's Name			
Owner Address	City	State	Zip
Telephone	Fax		
PERMIT INFORMATION			
Type of Structure & Size (tent, etc):			
Proposed location of structure, event, or open air sale (attach site plan, map, aerial, etc. as needed to demonstrate proposal):			
Description of operation or event (attach additional information as necessary):			
Date(s) for which permit is requested:		Hours of operation:	

I/We, the undersigned property owner/applicant, do hereby state the I/we have read the City of Clermont's regulations for Open Air Sales and will abide by these regulations. By signing below, applicant and/or property owner understands that should the Open Air Sales not occur on the date specified above, subsequent requests may be denied.

_____ _____

Applicant Name (print) Applicant Name *(signature)*

_____ _____

Owner Name (print) Owner Name *(signature)*

<u>NOTE:</u> The desired dates requested for the Temporary Structure or Event Permit must extend from the date the structure is proposed to be erected through the date the structure is proposed to be removed. Temporary Structure Permits more than 10 days or for more than one (1) time/year, must be scheduled on the agenda and requested of the Clermont City Council, and shall be considered at a public meeting.

_____ _____

Approved by the City of Clermont **Date**