



TEMPORARY USE PERMIT APPLICATION

\*NOTE: Not providing all required documentation at the time of submission will result in the delay or denial of the application.

PERMIT FEE: \$100.00 APPLICATIONS MUST BE RECEIVED A MINIMUM OF SEVEN DAYS PRIOR TO THE EVENT FOR REVIEW

THE EVENT IS LOCATED AT THE FOLLOWING ADDRESS:

PROPERTY ADDRESS: \_\_\_\_\_

OWNER'S NAME: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

EVENT NAME: \_\_\_\_\_

EVENT DATES: FROM: \_\_\_\_\_ THROUGH: \_\_\_\_\_

EVENT DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_

- ANY PROCESSING AND/OR SALE OF FOOD PRODUCTS: [ ] NO [ ] YES
- IF YES, SUBMIT A COPY OF TEMPORARY FOOD ESTABLISHMENT PERMIT ISSUED BY STATE COUNTY HEALTH DEPARTMENT
• DEPENDING ON THE NATURE OF THE EVENT, POLICE AND FIRE AUTHORIZATION MAY BE REQUIRED
• THIS PERMIT IS ISSUED ON THE EXPRESS CONDITION THAT THE ABOVE TEMPORARY USE PERMIT SHALL CONFORM IN ALL RESPECTS TO THE STATEMENTS CERTIFIED TO IN THE APPLICATION FOR SUCH PERMIT, AND ALL USES SHALL CONFORM TO THE DICKINSON MUNICIPAL CODE.
• SUBMIT A COPY OF THE STATE SALES AND USE TAX PERMIT {REQUIRED FOR ALL APPLICATIONS}
• SUBMIT A COPY OF THE STATE TRANSIENT MERCHANTS LICENSE {REQUIRED FOR ALL APPLICATIONS}

I certify that all information and attachments to this application are true and correct to the best of my knowledge. The applicant or property owner shall notify the City official once the event is concluded and all associated materials and equipment are removed from the property.

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_

PROPERTY OWNER'S SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_

Office use only
PERMIT #: \_\_\_\_\_ RECEIPT: \_\_\_\_\_ ISSUE DATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_
CITY PLANNER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_
DOCUMENTATION PROVIDED: [ ] STATE TRANSIENT MERCHANTS LICENSE [ ] STATE SALES AND USE TAX PERMIT
[ ] TEMPORARY FOOD ESTABLISHMENT PERMIT ISSUED BY STATE COUNTY HEALTH DEPARTMENT [ ] MAP OF PARKING AREA
APPLICATION IS: [ ] APPROVED [ ] DISAPPROVED
COMMENTS: \_\_\_\_\_

AN ORDINANCE ENACTING SECTION 39.12.007, AMENDING AND RE-ENACTING SECTION 39.02.002(a)(1) AND (2); AMENDING AND RE-ENACTING SECTION 39.11.003; AMENDING AND RE-ENACTING NOTE 8 TO TABLES 4-2 AND 4-3 OF ARTICLE 39; AND ENACTING NOTES 12, 13, AND 14 TO TABLES 4-2 AND 4-3 OF ARTICLE 39 OF THE CITY CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO ZONING

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

Section 1: Section 39.12.017 of the City Code of the City of Dickinson is hereby enacted as follows:

Section 39.12.017 Temporary Use Permits

Temporary Use Permits may be granted as provided in this Section.

(a) Application for Temporary Use Permit

Any applicant for a temporary use permit shall file an application for such permit with the Zoning Administrator, together with the following:

1. A completed application form as provided by the city;
2. Legal description of the property where the temporary use is to be located;
3. A map of the property where the temporary use is to be located depicting the location of any existing structures, parking spaces, and the temporary use itself;
4. A complete description of the proposed temporary use, including hours of operation, proposed method of merchandise display, proposed signage, list of all goods to be sold and material and equipment to be used in the proposed operations;
5. A letter of permission from the property owner pertaining to the authorized use of the site and any other facilities or services necessary to provide for the safe operation of the event;
6. For any use that includes the operation of a tent, a copy of the certificate of flame resistance;
7. For any use that involves the processing and/or sale of food products, a copy of the temporary food establishment permit issued by the State Health Department; and

8. Any other information deemed necessary to conduct a thorough analysis of the application.

(b) Temporary Uses, Performance Standards

All temporary uses shall comply with the following performance standards:

1. Temporary uses shall demonstrate the ability to display merchandise in a manner that does not create a nuisance, or adversely impact surrounding property or the visual quality of the city;
2. Signage for temporary uses shall be limited to one sign, not to exceed eight square feet. The sign shall be attached to a vehicle or structure associated with the special event;
3. No off-premise signs or attention attracting devices shall be allowed;
4. Special events shall be located in a manner that will not cause vehicular congestion or occupy required parking spaces for another uses;
5. Upon expiration of the permit, all associated materials and equipment shall be promptly removed from the property; and
6. Other reasonable conditions of approval may be imposed to ensure the protection of the public health, safety and general welfare.

Section 2: Section 39.07.002(a)(1) and 39.07.002(a)(2) of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Section 39.07.002 Setback Adjustments**

a. Exception to Openness of Required Yards

Every part of a required yard shall be open and unobstructed from finished grade upward, except as specified herein.

1. Common architectural projections, including roofs which cover porches, enclosed porches, window sills, belt courses, cornices, eaves, flues and chimneys, and ornamental features may project ~~four feet~~ up to six (6) feet into a required yard, excluding the front yard, in the R-2, R-3, Commercial and Industrial districts.

2. Terraces, patios, uncovered decks, steps, and ornamental features may project ten feet into a required yard. However, all such projections must be set back at least three feet from an adjacent side lot line; ~~or twenty feet from the property line bordering an arterial or collector street~~ or ten feet from the property line bordering an arterial or collector street.