

CITY OF WESTLAND
Temporary Sales, Uses, or Special Events and Temporary Buildings and Structures

PERMIT APPLICATION

Applicant must submit the following with their request:

1. An application form and required fee, as established by the City Council. An applicant for temporary fireworks sales must be state registered and certified for the sale of fireworks.
Please include a copy of applicant's driver's license.
2. A written statement describing the requested use or event and the start and end dates.
3. A written description of the procedures to be used for traffic/parking management, waste disposal, security and similar measures to minimize any negative impacts.
4. Proof of ownership, or if the applicant is not the owner of the land, written permission of the owner of the property to allow the proposed used or event.
5. Information establishing that reasonable liability insurance coverage is carried, to the satisfaction of the City Attorney.
6. A plot or sketch plan (to scale illustrating property lines, adjacent uses and zoning districts, existing and proposed buildings and structures, boundaries of proposed sales/activity areas, location of any proposed building or structures, and proposed lighting, calculation of required parking based on the standards of Article XVI, proposed traffic circulation, location of fire hydrants, proposed setbacks from all property lines and distance to any parcels zoned for residential use, location and size of any proposed signs, and any other information deemed to be necessary by the Building Director.
7. Whenever a temporary structure, tent or other enclosure is proposed, the applicant shall be required to submit the plans for such structure, covering, or enclosure to the Building Department for review, permits and inspection prior to commencement of sales or other activity under the temporary use permit. All proposals for temporary structures will be reviewed by the fire prevention division, and must comply with all requirements of the state construction code, the International Fire Code, NFPA regulations, and all other applicable codes, ordinances and regulations.
8. Whenever an applicant for a temporary use permit intends to utilize the site for fireworks sales, a copy of the state permit and site plan shall be provided with the application in accordance with the requirements of Public Act 256 of 2011.
9. A performance guarantee or escrow, in an amount and form acceptable to the City Attorney, but which shall be not less than the minimum established by the City Council. The performance guarantee shall be deposited prior to the issuance of a permit. The performance guarantee shall be used by the City to pay the cost of returning the property to its state prior to commencement of the event or refunded to the applicant upon compliance with the requirements of this and any other applicable City ordinances.

b. Standards and procedures for review: Proposed temporary uses, events, buildings and structures shall be reviewed by the Building Director and other such Departments as deemed necessary by the Building Director, using the following standards and a recommendation shall be made to City Council:

1. All required information has been submitted.
2. The proposed temporary use or event will be on a lot with a permitted principal building or on a vacant lot in a non-residential district, and the use meets the minimum required setback for buildings in the zoning district and as required in this section.
3. The proposed use, layout, hours of operation and site improvements, such as fencing, are designed to help ensure compatibility with surrounding land uses.
4. Adequate off-street parking and circulation will be provided. Where Article XVI does not require parking for the proposed use, at least one parking space shall be provided for each eight hundred (800) square feet of gross lot area used for the activity or the amount of parking shall be deemed sufficient by the City Council based on reference sources and past experience of the City or other communities.
5. Adequate provisions have been made for trash disposal, sewage disposal and security.
6. All applicable City Building Codes and Ordinances will be met.

c. Operational standards: A temporary or seasonal sale or event shall comply with the following operational standards:

1. The length of a temporary use or sales event shall not exceed seven (7) days during a season, except that sales of Christmas trees are permitted for up to forty-five (45) days. Uses and events which are to occur on a regular schedule (such as every weekend) or over a period of longer than seven (7) days shall be permitted only in commercially zoned districts, based upon a decision by the City Council that the use or event will comply with the intent and standards of this Section. Such a request must be made known at the time of application, and the permit shall specify the seasonal sales time period.
2. All equipment, materials, goods, poles, wires, lighting, signs and other items associated with the temporary uses and seasonal events shall be removed from the premises within five (5) days of the end of the event. Following the five (5) day period, the City shall use the escrow fee to clear such items from the property.
3. The Building Director shall immediately cease operations of any temporary use or seasonal event which does not conform to these standards.

d. Required Information and Standards for Temporary Uses, Events, and Structures:

(1) Temporary sidewalk sales or sales from a temporary structure, which are accessory to the permitted use of the property, shall meet the following requirements:

- (a) The sale shall be located on an improved lot or parcel which is zoned CB-1, CB-2, CB-3 or CB-4, which has access via an existing paved driveway from a primary road or State of Michigan thoroughfare.
- (b) All areas subject to vehicular use shall be paved.
- (c) There shall be no more than two temporary signs to advertise the sale.
- (d) The portion of the parcels used for accessory, temporary sales shall be located no closer than 250 feet from a parcel that is zoned for residential purposes.

- (e) The portion of the property used for accessory, temporary sales, and the temporary signs shall meet the setback requirements applicable to the district.
- (f) The temporary use shall not reduce the parking on the parcel below the required number of spaces for the principal and the accessory, temporary use.
- (g) The temporary structure must be a canvas, fabric or membrane tent structure. Rail boxes, semi-trailers, and other box type structures are prohibited. The color of the tent structure must be a neutral tan, white or gray.

(2) Temporary sidewalk sales or sales from a temporary structure, which are not accessory to the permitted use, shall meet the following requirements:

- (a) The sale shall be located on an improved lot or parcel which is zoned CB-1, CB-2, CB-3 or CB-4, which has access via an existing paved driveway from a primary road or State of Michigan thoroughfare.
- (b) All areas subject to vehicular use shall be paved.
- (c) There shall be no more than two temporary signs to advertise the sale.
- (d) The portion of the property used for non-accessory, temporary sales shall be located no closer than 250 feet from a parcel that is zoned for residential purposes.
- (e) The portion of the property used for non-accessory, temporary sales, and the temporary signs shall meet a minimum setback of 85 feet from the right-of-way line and be setback a minimum of 20 feet from any adjacent property line.
- (f) The temporary use shall not reduce the parking on the parcel by more than 10 percent, and shall not reduce the parking below the required number of spaces for the principal and the non-accessory, temporary use.
- (g) The temporary structure must be a canvas, fabric or membrane tent structure. Rail boxes, semi-trailers, and other box type structures are prohibited. The color of the tent structure must be a neutral tan, white or gray.

(3) Temporary uses for Christmas tree sales must be located in a commercial zoning district.

(4) Temporary uses for a circus, carnival, concert, air or watercraft show, or similar event shall meet the following requirements:

- (a) The use must minimize the impact of site activity on surrounding properties, with consideration given to security, parking, traffic, hours of operation, lighting, noise or sound, or other detrimental effects.
- (b) Security measures must be detailed and must demonstrate that they will adequately provide security for the event.
- (c) The City Council may deny the use based upon the impact that it will have on surrounding properties or security considerations, or may require reasonable conditions to reduce to a minimum any detrimental effect. Such conditions shall become a part of the permit.

(5) Temporary sales conducted by churches or non-profits on property owned by the church or non-profit shall meet the following requirements:

- (a) The sale shall be located on an improved lot or parcel which is owned by the church or non-profit.
- (b) All areas subject to vehicular use shall be paved.

(c) Reasonable measures shall be implemented to minimize the impact of site activity on surrounding properties.

(6) The Building Director may approve permits for a temporary residence during construction (including mobile homes) on sites for which a building permit has been issued for construction, major repair, or remodeling of a dwelling unit, and such temporary structure must meet the following requirements:

(a) Permits shall be issued for a period of six (6) months, and one addition six month period shall be permitted if the work is proceeding in an expeditious matter. However, the temporary residential structure shall be moved onto the site no more than fourteen days prior to commencement of construction and shall be removed from the site within fourteen days following the issuance of a Certificate of Occupancy for the construction project.

(b) The temporary residential structure shall meet district setback requirements.

(c) All electrical connections to the temporary residential structure shall be inspected and approved by the Building Department."

Please refer to ordinance 248-A-80.

Application Form *(Please Print)*

Name of Company: _____

Location / Address of Temporary Structure: _____

Dates of Operation: _____

Hours of Operation: _____

Contact Person Information

Name: _____

Telephone Number(s): _____

Email Address: _____

Current Consumers Fireworks Certificate number (if applicable) _____

Subject to City Council approval.

Fees

License and review fee for temporary sales from accessory or non-accessory temporary structures (retail stands, tents, canopies, and other membrane structures - \$476

Inspection fees for non-accessory temporary structures for each day of sales in excess of three days, per day - \$105