



DUMFRIES, VIRGINIA

17755 Main Street
Dumfries, Virginia 22026-2386
703-221-3400

www.dumfriesva.gov

date stamp

paid stamp

Taxes current Yes No

TEMPORARY USE APPLICATION

Fee: \$30.60

Deposit: \$100.00 or \$250.00 (based on activity)

Proposed Activity _____

Dates: _____ Times: _____

Site Address: _____

Is this activity being sponsored by a non-profit organization? Yes No

Number of parking spaces available: _____ Temporary Sign? Yes No (If Yes, provide drawings)

Location of sanitary facilities: _____

Temporary structure? Yes No (If structure is over 150 square feet, a building permit is required)

If so, provide name of organization: _____

I have read Section 70-22 AND 70-23 of the Town of Dumfries Zoning Ordinance and hereby agree to abide by the provisions of aforesaid section and temporary activity permit. Approval of this application is based solely on the documentation provided with this application. If such information should be proven inaccurate at a later date, then approval will be considered invalid.

Applicant

Name _____
Please Print

Signature _____

Address _____

Phone _____

Email _____

TEMPORARY ACTIVITY PERMIT CRITERIA

<u>MINIMUM SUBMISSION REQUIREMENTS</u>	Yes	No	N/A
Written authorization from the property owner identifying the site address, owner's name, owner's mailing address, owner's telephone number, owner's acknowledgment of proposed activity and dates activity is to operate, including availability of restrooms.			
Documentation or a letter of permission stating the specific location of restrooms that will be available throughout the duration of the activity.			
Commercial sites provide a site plan , survey plat or detailed (to scale) sketch of the site showing location of the proposed activity and the required parking at least 20 feet from all public rights-of-way. Residential sites provide a house location survey showing the location of the proposed activity.			
Private non-profit organizations must present evidence of non-profit status [i.e. copy of tax exempt certificate].			
Application fee and deposits.			
Sign drawing.			

Setbacks:

All elements of a temporary activity must be kept at least **20 feet** from the right-of-way. All structures, all tie-downs for tents, all products, and all storage must be kept at least 20 feet from the right-of-way.

Signs:

If a sign is to be erected, a drawing of the proposed sign *must accompany* the application. If a sign drawing is not submitted with this application, a sign is not permitted.

Parking:

Adequate parking must be provided and shown on the site plan. At least 4 parking spaces are required for roadside stands. Additional parking may be required as deemed necessary by the Zoning Administrator.

Final Approval:

A copy of the final zoning approval for this activity must be kept on site at all times.

Other permits:

Separate permits may be required by other agencies. On site food service will require a permit from the Health Department.

Inspections:

The Town will occasionally conduct inspections of temporary activities while they are in progress, to ensure compliance with all regulations of the Zoning Ordinance, especially signage and setback. **The deposit can be revoked for any violation of the Zoning Ordinance.**

Sec. 70-22. - Temporary uses.

The following temporary activities, and activities of a similar nature, may be administratively approved in any zoning district by the zoning administrator through the issuance of a temporary use permit when, in the administrator's judgment, the public health, safety and welfare will not be impaired, and when the use is not so recurring in nature as to constitute a permanent use, and when the following enumerated conditions are met:

- (1) Roadside stands for the temporary retail sales of seasonal and holiday goods, excluding fireworks, for a period not to exceed 30 consecutive days, and provided that:
 - a. No structure of a permanent nature shall be constructed;
 - b. Removal of temporary structures shall be guaranteed in writing, and such structures shall be removed within 48 hours after permit expiration;
 - c. Written approval of the owner of the site shall be obtained. This approval shall identify the site address, owner's name, owner's mailing address, owner's telephone number, owner's acknowledgment of proposed activity and dates activity is to operate;
 - d. Adequate and safe ingress and egress, such that the normal traffic pattern shall not be disrupted, shall be provided;
 - e. Removal of all freestanding signs, trash, or debris from the site and the immediate vicinity, upon termination of the activity shall be guaranteed in writing, and accomplished within 24 hours after permit expiration;
 - f. Documentation or a letter of permission shall be provided stating the specific location of rest rooms that will be available to the applicant throughout the duration of the activity. Adequate sanitary facilities shall be provided at the site, if deemed necessary by the administrator, for the intended activity and, when necessary, shall be approved by the health department;
 - g. A bond, cash escrow or other suitable guarantee in the amount of \$100.00 shall be provided to insure that conditions of the permit will be met;
 - h. The bond or other guarantee, required by subsection (a)(1)g., of this section, shall be forfeited to the town if the site is not adequately cleared of all trash debris, signs and temporary structures, the activity remains on the site after expiration of the permit, or violations of this section or the conditions of the permit are established (but nothing in this forfeiture provision shall limit the town's ability to enforce this section in any manner provided by law);
 - i. No more than four such permits shall be issued for the same lot during a calendar year; and
 - j. Adequate parking for the activity intended, but no less than four parking spaces, shall be provided on-site. Parking or stopping in public rights-of-way shall be prohibited, unless approved by the state department of transportation and/or the town public works department.
- (2) Carnivals, circuses, craft fairs, concerts, flea markets, car shows, meetings, religious activities not held on church property, business catered events, and similar outdoor activities, for a period not to exceed 14 days, provided that:
 - a. All the standards of subsections (1)a—(1)f., of this section shall be met;
 - b. Carnivals and circuses shall be sponsored by a town or the county nonprofit benevolent, religious, educational, patriotic, civic or charitable organization or recognized chapter thereof;
 - c. Adequate parking for the intended activity shall be provided on the site or on property immediately contiguous to the site. Parking or stopping in public rights-of-way shall be

prohibited unless approved by the state department of transportation and/or the town public works department;

d. A bond, cash escrow or other suitable guarantee in the amount of \$250.00 shall be provided to insure that conditions of the permit will be met;

e. The bond, or other guarantee, required by subsection (2)d., of this section shall be forfeited to the town if the site is not adequately cleared of all trash, debris, signs and temporary structures, the activity remains on the site after expiration of the permit, or violations of this section or the conditions of the permit are established (but nothing in this forfeiture provision shall limit the town's ability to enforce this section in any manner provided by law; and

f. No more than six such permits shall be issued for the same lot during a calendar year.

Sec. 70-23. - Temporary use general standards.

(a) Temporary use permits shall be issued in accordance with the following standards:

(1) Each activity or event shall be separated by a period of not less than 30 consecutive days from the previous event on that lot.

(2) No violation of law occurs in connection with the activity. Any illegal activity shall be grounds for immediate termination of the permit by the zoning administrator. Termination of the permit for this or other proper reason shall be accomplished by posting a notice of violation at the temporary use site.

(b) Only one temporary use permit can be active on a lot at any time, unless an event or activity is sponsored, managed or operated by a nonprofit organization, and in the judgment of the zoning administrator, adequate space exists for two temporary uses and the goals of section 70-22 et seq., are not jeopardized. In the event the zoning administrator so finds, no more than two events or activities can be active on the same lot at the same time.

(c) Nonprofit organizations shall submit a copy of tax exempt status or other documentation with the temporary use permit application to demonstrate bona fide nonprofit or not for profit status.

(d) For any temporary activity sponsored, managed or operated by a nonprofit organization, a representative from the nonprofit organization shall be present at the activity at all times it is in operation.

(e) All temporary activities and any appurtenant structures, signs, goods and other features must be set back from any public right-of-way at least 20 feet.

(f) No temporary use permit shall be issued to an applicant until at least 30 days after any permit issued to that applicant on an adjoining lot has expired.

(g) The zoning administrator may deny approval of all temporary activities on a site for a period of up to one year if any temporary activity is commenced without or prior to all required approvals by the town or other agencies, or the conditions of a previously issued permit were violated.

(h) Temporary activities authorized in accordance with section 70-22 shall be subject to all other applicable town permits and approvals including, but not limited to; schematic layouts, occupancy permits, hazardous use permits, itinerant vendor licenses, sign permits and similar requirements.

(i) Additional conditions may be required, as deemed reasonable and necessary by the zoning administrator, for any temporary activity.