



DEPARTMENT OF DEVELOPMENT SERVICES
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TEMPORARY USE PERMIT APPLICATION

Sec. 510-650 TEMPORARY USE, COMMERCIAL

- A. The following uses are permitted, by administrative approval by the Zoning Administrator for a period not to exceed 20 days or as otherwise indicated:
1. The sale of fruits or vegetables. On properties zoned A, RE or AR the Planning Director may approve a period in excess of 20 days if adequate documentation is provided proving that only locally-grown (i.e., sourced within Newton County) produce will be sold at that location.
 2. Charitable or non-profit events not to exceed four (4) days.
 3. Fall seasonal sales or activities such as Christmas trees, pumpkin patches, haunted houses and corn mazes between September 1 and January 1
 4. Sales of firewood between September 1 and March 31 on properties zoned A, RE or AR only.
 5. The sale of any item in association with an existing business located on the premises as a principal use (i.e. sidewalk, parking lot or tent sales) for a period not to exceed 20 days.
 6. Carnival rides not to exceed 15 days provided no structure or equipment is located within 500 feet of any residential property.
 7. Garage sales over two (2) per year. Garage sales may be held for up to four (4) days and no more than four (4) times per year. A permit must be obtained if a garage sale is to be held more than two (2) times in a calendar year.

In accordance with Section 505-010 B., any use not listed above shall be prohibited and the addition of any prohibited use shall require a text amendment.

- B. All temporary uses require written permission of the property owner.
- C. Uses may not be located within 50 feet of any public right-of-way.
- D. A sign may be permitted per Section 525-020 and erected on the property provided it does not exceed a total of sixteen (16) square feet or ten (10) feet in height and is not placed within twenty (20) feet of any public right-of-way.
- E. Adequate parking, ingress and egress are provided on site or written permission is obtained if provided on adjoining property.

- F. Temporary permit is applied for and approved by the Zoning Administrator using this application form. A fee of \$50 is required.
- G. All other requirements for licenses and regulations of Newton County shall be met.
- H. A permit for any temporary use on the same property may not be applied for or renewed for a period of not less than 6 months from the date of any prior approval of a temporary use. One 10-day extension of the 20-day period may be granted by the Director.
- I. No Temporary Commercial Use Permit may be issued on a property or for an applicant where there has been a violation of this section within the past two years.
- J. The application process is as follows:
 - 1. A temporary commercial use permit application shall be submitted to the Zoning Administrator. A decision will be issued within 30 days of receipt of a complete application.
 - 2. Except for garage sales, an application for a temporary commercial use shall include the following:
 - (a) Written permission of the property owner.
 - (b) A written description of the proposed activity, including but not limited to the estimated number of customers/attendees anticipated per day.
 - (c) A written plan addressing the provision of parking, sanitation, restroom facilities, and post-event cleanup.
 - (d) Written documentation of any vendors who will be selling food or merchandise. Food sellers must have approval of the Environmental Health Department as per 510-650 B.2.(f)(1).
 - (e) A site plan showing where the event will take place on the property, and the location of the parking area(s), ingress and egress.
 - (f) Written proof that all approvals necessary to show compliance with all other requirements for licenses and regulations of Newton County shall be submitted. These include but are not limited to:
 - (1) Approval from the Environmental Health Department for food or drink service. Events held by Places of Worship do not need Environmental Health Department Approval.
 - (2) Approval of the Sheriff's Office for traffic control, security, etc.
 - (3) Approval of the Fire Marshall (except for garage sales held at a private residence).

TEMPORARY COMMERCIAL USE PERMIT APPLICATION FORM

APPLICANT: _____

BUSINESS/HOME ADDRESS _____

PHONE # _____

TYPE OF USE (CIRCLE ONE)

- A. SALE OF FRUITS OR VEGETABLES
- B. CHARITABLE OR NON-PROFIT EVENT
- C. CHRISTMAS TREE SALES
- D. SIDEWALK, PARKING LOT, OR TENT SALES IN ASSOCIATION WITH AN EXISTING BUSINESS
- E. CARNIVAL RIDE
- F. GARAGE SALE
- G. OTHER _____

PLEASE PROVIDE THE FOLLOWING INFORMATION:

1. A plat or survey including dimensions, distances and property lines.
2. A site plan of the property showing the following:
 - a. Location of all existing structures
 - b. Setbacks of the proposed use from all property lines
 - c. Setbacks of the proposed use from streams or other bodies of water
 - d. Parking location and size.

PLEASE GIVE A DESCRIPTION OF THE MANNER & OPERATION OF THE BUSINESS THAT WILL TAKE PLACE. PLEASE REPORT ANY OF THE FOLLOWING: NUMBER OF EMPLOYEES, MATERIALS THAT WILL BE STORED ON PROPERTY, AND DAYS AND HOURS OF OPERATION.
