

VILLAGE OF BELLEVUE
2828 ALLOUEZ AVENUE
GREEN BAY WI 54311
PHONE: (920) 468-5225 FAX: (920) 468-4196

PERMIT FOR "TEMPORARY OUTDOOR SALES"

PURPOSE OF OUTDOOR SALE: _____

LOCATION: _____

NAME OF VENDOR: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: _____ DATE: _____



OFFICE USE ONLY:

YOU ARE HEREBY GIVEN A PERMIT FOR TEMPORARY OUTDOOR SALES AT
THE ABOVE LOCATION FOR THE FOLLOWING WEEKS:

DATES: _____

VILLAGE APPROVAL BY: _____ DATE: _____

PERMIT#: _____ ****PERMIT FEE \$50.00**** RECEIPT# _____

*PLEASE NOTE: VENDOR SHALL COMPLY WITH SEC. 1, ART. IV (GEN.
PROVISIONS) SEC. L OF BELLEVUE MUNICIPAL CODE OF ORDINANCES.

GAVE COPY OF ORDINANCE: _____ INITIALS: _____

Section 1: Article IV (General Provisions), Section L. is hereby created to read as follows:

L. TEMPORARY OUTDOOR SALES

1. Intent and Purpose. To establish regulations and restrictions to govern the temporary outdoor sale of merchandise and commodities within appropriate zoning districts. These regulations and restrictions are intended to ensure that such sales;

- a. do not interfere with the orderly and safe movement of pedestrian and vehicular traffic.
- b. do not interfere with the proper maintenance of parking and yard areas.
- c. do not cause congestion in the streets or public rights-of-way.
- d. are conducted within structures safe for public occupancy when structures are used.

2. Statutory Authority. This ordinance is enacted pursuant to the authority contained in Wis. Stats. 62.23(7)(a).

3. Definitions. For purposes of this ordinance, the following terms shall have the following meaning;

a. "Outdoor Sales" means the sale of any merchandise or commodities on a zoning lot not conducted within a permanent structure for which an occupancy permit has been issued.

4. Temporary Outdoor Sales. a. Districts. Temporary Outdoor Sales are permitted only in the B-2 General Business District, B-3 Intensive Business District, LI Light Industrial District, HI Heavy Industrial District, A-1 Exclusive Agriculture District, and A-2 Agriculture Transition Overlay District.

b. Uses. Temporary Outdoor Sales may be conducted for the purpose of selling any merchandise or commodities which could normally be sold pursuant to one or more of the listed permitted uses within the zoning district in which the Temporary Outdoor Sale is to take place. Temporary Outdoor Sale of merchandise or commodities which may only be sold pursuant to a use listed as a conditional use are not permitted.

c. Duration. Temporary outdoor sales may be permitted for a cumulative total of sixteen (16) weeks per zoning lot during each calendar year. Time required for set-up, assembly, stocking, and disassembly shall be inclusive of this time period. Each time a temporary outdoor sale is conducted on a zoning lot, a minimum of seven (7) days shall be counted against the cumulative sixteen week total, regardless of the actual duration of the temporary outdoor sale.

d. Location. All structures, storage, and employee and customer parking associated with the conduct of a Temporary Outdoor Sales operation must be located no closer to any property line than the setbacks listed in COMM 54 or 62, or the applicable zoning district, whichever is greater. Furthermore, all structures, employee and customer parking, and storage shall be arranged so as not to:

- 1) interfere with the orderly and safe movement of pedestrian and vehicular traffic.
- 2) interfere with the proper maintenance of parking and yard areas.
- 3) cause congestion in the streets or public rights-of-way.

In the event the Town Zoning Administrator finds that the layout of the Temporary Outdoor Sale is in violation of one or more of the above, or that the operation poses any other threat to public health or safety, he shall order such changes as may be needed to cause the hazard to be eliminated. If the changes ordered are not made by the permittee within the time ordered, the Zoning Administrator may revoke the permit. In no case shall the time granted by the Zoning Administrator to correct violations exceed three (3) days.

e. Parking. Adequate on-site parking must be provided on the zoning lot on which the Temporary Outdoor Sale is located.

f. Structures. The following restrictions shall apply when structures are used in conjunction with a Temporary Outdoor Sale:

1) Temporary Outdoor Sales may be conducted within tents, covered stands, or other temporary structures approved by the Town Zoning Administrator.

2) Semi-trailers may be used for the storage of merchandise or commodities being sold as part of a Temporary Outdoor Sale with the approval of the Town Zoning Administrator, and for a period not to exceed seven (7) days per calendar year.

3) All structures shall comply with COMM 54 or COMM 62 as applicable.

4) The size and height of structures used as roadside stands in the A-1 Exclusive Agriculture District and A-2 Agriculture Transition Overlay District are restricted in Article XIII (A-1 Exclusive Agriculture District), Paragraph B.7., and Article XIV (A-2 Agriculture Transition Overlay District), Paragraph B.6.

g. Signage. A Temporary Outdoor Sale may erect no more than two (2) temporary on-premise signs as follows.

1) One ground sign, not to exceed a total of 32 sq. ft., is permitted. Trailer mounted signs, to include those signs designed to be used as trailer signs which have been removed from the trailer, are not permitted.

2) One banner is permitted. The banner must be placed on the front face of the principal structure located on the zoning lot, or as an alternative, on a temporary structure in cases where such structures are being used as part of a temporary outdoor sale. The banner shall not exceed five percent (5%) of the surface area of the front face of the structure upon which it is placed.

3) Signs permitted for a Temporary Outdoor Sale in accordance with 1) and 2) above shall not be considered with respect to calculating the total square footage of signs contained within a zoning lot.

5. Permit Required. No person, business or corporation shall engage in Temporary Outdoor Sales without first being granted a permit from the Town of Bellevue. In addition to the regulations and restrictions contained in this ordinance, the Town Zoning Administrator may place such other reasonable restrictions or conditions on the permit as may be necessary to protect public health and safety pursuant to the intent and purpose of this ordinance.

a. Permit Fee. The fee for application of a Temporary Outdoor Sales permit shall be \$50 for each occasion.

6. Exceptions. This ordinance shall not apply to the following:

a. The outdoor display of merchandise in the B-3 Intensive Business District as permitted by Article XIX, Para. I.

7. Enforcement and Penalties. Failure to comply within any provision of this ordinance, or any condition of a permit issued pursuant to this ordinance, shall be a violation of this ordinance and subject to penalty as provided for in Paragraph 25.04 of the Code of Ordinances of the **Village of Bellevue.**