



## City of Hawthorne

### Special Temporary Use Permit Application

Name \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Name of Business/Organization \_\_\_\_\_

Proposed Event Location Address \_\_\_\_\_

Current Zoning of Proposed Location \_\_\_\_\_

Event Type:

- Parade
- Festival
- Outdoor Concert
- Religious Tent Revival
- Tent Sale or Seasonal Sale – Products Sold: \_\_\_\_\_
- Farmers Market
- Mobile Recycling Collection Unit
- Mobile Home Accessory Residence
- Other - \_\_\_\_\_

Dates and Hours of Event: Date(s) \_\_\_\_\_ Hours \_\_\_\_\_

(Permits for parades, festivals, or similar events are good for 7 days. Permits for outdoor tent sales of autos, truck and RV's are good for 4 days. Permits for all other outdoor sales are good for 30 days. Farmers market permits are good for 1 year.)

Please attach:

- Site plan that includes a description of the proposed activity and that shows structures, setbacks from streets, sidewalks, and property lines, and location of trash bins, portable toilets, and parking areas, if applicable
- Proof of insurance
- Letter of permission to use property from property owner, if applicable
- Copies of any applicable permits or licenses

I acknowledge that I have received and read the City's Rules and Regulations for issuance of temporary use permits and agree to comply with same including, but not limited to, the agreement to indemnify the City from and against any and all liability, loss, claim, suit, damage or expense, including attorney fees, which the City may suffer, sustain or incur, on account of the death of or injury to any person or loss of or destruction of any property, arising from or in any way connected with issuance of a permit or conduct of the activity or any of its participants. On behalf of the business/organization applying for this permit, I have the authority to make this application and acknowledge agreement to the City's Rules and Regulations.

\_\_\_\_\_  
Applicant Signature

**To be completed by the City:**

Application Fee Paid (circle one) Yes No       Permit Approved     Permit Denied

\_\_\_\_\_  
Kelly Moosbrugger, City Planner

\_\_\_\_\_  
Date

## Rules and Regulations

To obtain a special use permit, the applicant agrees to and confirms compliance with the following:

1. That the conduct of the temporary use will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic in, or contiguous to the route or location of the temporary use.  
For parades:
  - The maximum length of any parade route shall not exceed two miles exclusive of formation and disbanding areas.
  - The parade route must be in a location where traffic can be re-routed. The applicant must obtain all applicable county and state licenses and permits and arrange for the necessary law enforcement personnel to route traffic. Such documentation must be shared with the city.
  - The parade sponsor shall be responsible for the clean-up of any litter after the event. Failure to clean the parade route may result in a denial of a parade permit in the future.
2. That the conduct of the temporary use is not reasonably likely to cause injury or intended to cause injury to persons or property, create an environment not compatible with a residential neighborhood if within or abutting a residential neighborhood, or to result in disorderly conduct as defined by City ordinance or state statutes, provided that the City may not deny a permit solely on the basis of the proposed content of speech or ideas of the group involved.
3. That any nuisance or hazardous feature involved is suitably separated from adjacent uses.
4. That adequate sanitation and other required health facilities are, or will be, made available in or adjacent to the temporary use.
5. That there are sufficient parking places on site and/or written approvals from off-site property owners where off-site parking is to occur, to accommodate the approximate number of automobiles expected to be driven to the special use.
6. That the applicant has secured security personnel or police, fire and emergency medical services protection, as necessary for the type of temporary use to be conducted.
7. That the applicant has obtained general liability insurance, including property damage insurance, from a company authorized to do business in the State and in an amount approved by the City, for any temporary use that is held on City property or that utilizes City facilities, and has submitted a copy of the policy to the City.
8. That the organization on whose behalf an application is made for a temporary use permit agrees to indemnify, defend and hold the City harmless from and against any and all liability, loss, claim, suit, damage or expense, including attorney fees which the City may suffer, sustain or incur, on account of the death of or injury to any person or loss of or destruction of any property, arising from or in any way connected with issuance of a permit or conduct of the activity or any of its participants. The organization will not be required to indemnify the City for the negligent acts of the city's employees or agents.
9. That any temporary lighting will not adversely affect adjacent properties.
10. That applicant has obtained written permission from the property owner to conduct the temporary use.
11. That the applicant will pay for City personnel expenses and extraordinary services provided by the City, including any repairs, renovations and/or landscaping and turf restorations or replacement of City property which is necessitated by virtue of the temporary use.

No applicant shall be granted more than twelve (12) temporary use permits in a single calendar year.

For a special event with multiple vendors or participants, one (1) permit will be issued to the event sponsor and will cover all

vendors for the event.

Permits will be denied for failure of the applicant to satisfy the requirements above or if:

- The application, including any required attachments and submissions, is not fully completed and executed;
- The applicant has not tendered the required application fees or projected costs, indemnification agreement, or insurance certificate;
- The application contains a material falsehood or misrepresentation;
- The applicant is legally incompetent to contract or to sue or be sued;
- The applicant or the person on whose behalf the application was made has on prior occasions damaged city property and has not paid in full for such damage, or has other outstanding and unpaid debts to the city;
- A fully executed application for a temporary use permit for the same time and place has previously been submitted, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular property;
- The proposed use is prohibited or inconsistent with the City's comprehensive plan or land use and development code;
- The use or activity intended would present an unreasonable danger to the health or safety of the applicant or others;
- The applicant has not complied or cannot comply with other ordinances of the City concerning the sale or offering for sale of any goods or services; or
- The use or activity intended is prohibited by law.

A permittee hereunder shall comply with all permit directions and conditions, and with all applicable laws and ordinances. The permit shall be maintained on the site of the temporary use, or, if the temporary use is not tied to a particular site, the permit shall be maintained in the custody of the applicant, to be inspected upon demand by city authorities. Under no circumstances may a permit be transferred or assigned from the applicant to any other person or organization.

The land development regulation administrator shall have the authority to revoke a permit issued hereunder instantly upon violation of any one or more of the conditions or standards for issuance as herein set forth and all activities shall immediately cease. The permittee may appeal the revocation as set forth in the City's Code of Ordinances and Land Development Regulations.