



Resolution No. 2002-021

A RESOLUTION AUTHORIZING CITY STAFF TO REGULATE SHORT-TERM, TEMPORARY EVENTS THROUGH PRE-DETERMINED CRITERIA.

WHEREAS, short-term, temporary events such as carnivals, festivals, fireworks sales and rummage sales that take place within the City are currently reviewed and regulated by City Staff through the temporary use permit process, with few criteria upon which to make decisions and regulate such temporary uses; and,

WHEREAS, the cost and processing of temporary use permits is an inefficient way to deal with such uses; and,

WHEREAS, City Staff do have the authority to enforce the zoning code with corrective actions and/or fines when pre-determined criteria and/or regulations are present, and

WHEREAS, City Staff should review temporary events, individually and according to the criteria in the attached policy document, until the criteria can be adopted by ordinance; and,

WHEREAS, it is in the best interests of the City to encourage events without unnecessary regulation, and protect the citizens from potential impacts such events may have on the community; and,

WHEREAS, the season for temporary events is near, and policy should be established immediately to address them;

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Temporary events will be regulated by the following criteria as policy. City Staff will review temporary events when complaints are received, and enforce criteria with corrective actions and/or fines if necessary to achieve compliance. The Council directs staff to implement the provisions of this policy immediately, and prepare an ordinance for adoption at a later date.

TEMPORARY EVENTS

Temporary events are characterized by their short term or seasonal nature. Temporary events include but are not limited to: traveling carnivals, festivals, firework sales, sidewalk sales, tent sales, book sales, rummage sales, tree sales, and arts and craft fairs.

The following are criteria for all temporary events:

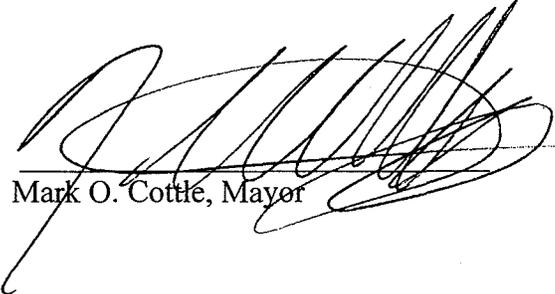
1. Site operations shall take place on private property for which the applicant has permission to use. No part of the site shall be located within the public right-of-way, unless a right-of-way permit has been previously granted by the City Engineer.
2. Temporary events can only occur on an improved site, one that has received site plan approval per the City of Sherwood Zoning and Development Code Section 5.100.
3. Operation of the site shall not result in cars stacking onto a public street or interfering with on-site traffic circulation.
4. Wheelchair paths and handicapped parking spaces shall not be blocked.
5. Pedestrian pathways such as; sidewalks bike-paths, walkways and breezeways, shall not be blocked.
6. All signs shall meet the sign code requirements set forth in Chapter 5.700 of the Development and Zoning Code.
7. The use proposed is temporary in nature, and is consistent with the intent of the underlying zone. Temporary events are prohibited in all industrial zones and residential zones except for publicly owned properties when authorized by the City Manager.
8. The event may take place annually for up to (4) four consecutive weeks in any given calendar year, with the exception of fairs, carnivals and other major public gatherings, these events are allowed for up to 9 consecutive days.
9. Temporary activities may not cause the elimination of required off-street parking.
10. Permanent changes to the site are prohibited.
11. These regulations do not exempt the operator from any other required permits such as City Business License, sanitation facility permits, electrical permits, or allow violations of code (e.g. Noise, nuisance, fire code, etc.)

12. Temporary activities on sites where the primary use is a conditional use may not violate the conditions of approval for the primary use.

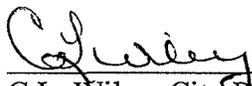
Enforcement for non-compliance is applied as follows:

- a. First time violations receive written notice of correction; if the violation/s are not corrected immediately, fines may be levied in accordance with the relevant ordinance.
- b. Second time violations will receive a written notice of correction and will be subject to a fine.
- c. Third time violations are subject to fines and the use may be terminated and removed immediately.

Duly passed by the City Council this 28th day of May 2002.


Mark O. Cottle, Mayor

ATTEST:



C.L. Wiley, City Recorder