

CHAPTER 29. TEMPORARY VEHICLE SALES LOTS.

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7-29-1. Definitions.

- (1) "Director" shall mean the Director of the Community Development Department or designee.
- (2) "Permit" shall mean a temporary vehicle sales permit.
- (3) "Temporary vehicle sales" and "temporary vehicle sales lot" shall mean a vehicle sales activity or event which is not fixed upon a given lot or parcel of land and which is of a maximum duration of seven days.
(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2003-13, 04-16-2003) (Ord. 2002-17, 08-07-2002)

7-29-2. Temporary Vehicle Sales Lot Permit.

Subject to the provisions of this Section, the Director may issue a permit for temporary vehicle sales, providing that the Director finds that the sales will not conflict with the existing and allowed uses in the neighborhood of the subject property. Temporary vehicle sales shall be restricted to commercial (GC, RC, not NC) and industrial (I, LI) zoning districts. However, a temporary vehicle sale shall be allowed on land zoned Open Space (OS) subject to the following conditions, which are in addition to the other requirements and conditions of this Chapter and Chapter 13a (OS Open Space Zone) of the Tooele City Code, as amended:

- (1) the sale shall not be permitted on land subject to recorded conservation or agriculture protection documents, or hillside or environmental protection regulations; and,
- (2) the sales lot shall contain permanent adequate lighting, permanent attached or detached restrooms, and a permanent structure that provides adequate patron shelter.
(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2003-13, 04-16-2003) (Ord. 2002-17, 08-07-2002)

7-29-3. Permit Duration.

Permits shall be for a maximum of seven days, and no more than four permits shall be issued to the same or affiliated applicant in any calendar year.
(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2003-13, 04-16-2003) (Ord. 2002-17, 08-07-2002)

7-29-4. Permit Display.

Permits shall be displayed at all times in a prominent location at the site of the temporary use.
(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2002-17, 08-07-2002)

7-29-5. Permit Application Information and Requirements.

Permit applications shall be in writing and shall contain sufficient information to evaluate the proposed temporary vehicle sales lot's compliance with the requirements of this Section. The information shall include, but not be limited to, the following information, and shall demonstrate compliance with the following requirements:

(1) a site drawing indicating the location of the temporary vehicle sales lot and any existing structures and improvements on the lot or parcel on which the temporary vehicle sale is to be conducted, including, but not limited to, the following information, and shall demonstrate compliance with the following requirements:

- (a) parking areas;
- (b) existing curb and gutter;
- (c) existing sidewalks;
- (d) existing curb cuts;
- (e) proposed outside storage;
- (f) proposed retail display areas;
- (g) public restroom facilities;
- (h) building setbacks required by the applicable zoning district;
- (i) existing fire hydrants;
- (j) existing and proposed fencing; and
- (k) proposed dust control, as required by the Director; and,
- (l) any other information reasonably required by the Director or the Tooele City Code.

The site drawing need not be professionally drawn, but must be accurate, legible, and to scale;

- (2) either evidence of property ownership or written authorization of the owner of the property upon which the temporary vehicle sale will occur;
- (3) proposed hours of operation, which shall be limited to between 7:00 a.m. and 10:00 p.m.;
- (4) proposed duration of the sales event;
- (5) proposed days of the week the sales event will occur;
- (6) proposed lighting plan for hours of operation after sunset;
- (7) proposed fencing;
- (8) proposed buildings, including tents;
- (9) the level and nature of anticipated noise (see Section 11-2-6 of the Tooele City Code) and/or dust generated by the temporary vehicle sale; and,
- (10) other items reasonably requested by the Director.
(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2003-13, 04-16-2003) (Ord. 2002-17, 08-07-2002)

7-29-6. Parking Requirements.

- (1) Temporary vehicle sales shall provide one on-site customer parking stall for each ten motorized vehicles

being offered for sale, sold but still on site, and accepted in trade but still on-site.

(2) The requirement may not include parking required for or associated with another use, and shall be adequate to accommodate both the temporary use and the regular use of the property.

(3) The location of the temporary vehicle sale must have safe, supporting, maintained surfacing, as required by the Director, for both the sales and parking areas.

(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2003-13, 04-16-2003) (Ord. 2002-17, 08-07-2002)

7-29-7. Other Requirements.

In addition to other reasonable requirements made by the Director or the Tooele City Code, Sections 7-29-5(1)(a) (parking), -5(1)(g) (public restrooms), and -5(1)(k) (dust control), herein, as amended, shall constitute affirmative obligations of the permit applicant.

(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2003-13, 04-16-2003)

7-29-8. Licensing Requirements.

Nothing in this Chapter shall exempt temporary vehicle sales lots from complying with the licensing regulations contained in Title 5 of the Tooele City Code or the building and development regulations contained in Titles 4 and 7 of the Tooele City Code.

(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2002-17, 08-07-2002)

7-29-9. Waste Disposal Deposit.

The applicant for each approved permit shall clean the sales site and dispose of all waste generated by the temporary vehicle sale. Prior to permit issuance, each permit applicant shall deposit with the Finance Department a \$200.00 waste disposal cleaning deposit and arrange for a dumpster to be delivered to the temporary sales lot.

Failure to clean the site or dispose of all waste generated by the temporary vehicle sale may result in the forfeiture of all or a portion of the deposit, depending on the cost of third-party cleanup, and shall constitute a violation of this Chapter.

(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2002-17, 08-07-2002)

7-29-10. Revocation.

Any violation of the provisions of this Chapter may result in revocation of the current permit. Upon revocation, the permit applicant and the business entity represented by the permit applicant shall be ineligible for a new permit for 12 months following the date of revocation.

(Ord. 2019-08, 03-20-2019) (Ord. 2005-05, 03-02-2005)
(Ord. 2002-17, 08-07-2002)

7-29-11. Appeals.

Any discretionary decision of the Director made pursuant to this Chapter may be appealed in writing to the administrative hearing officer within ten days of the

decision. The appeal shall set forth the appellant's reasons why the Director's decision should be overturned or modified.

(Ord. 2019-08, 03-20-2019) (Ord. 2016-15, 10-19-2016)
(Ord. 2005-05, 03-02-2005) (Ord. 2002-17, 08-07-2002)