

ZONING PERMIT – SEASONAL SALES Permit Guidelines

ZONING REQUIREMENTS:

- **Location.** Commercial or Industrial Zoning District.
- **Time Period.** Pumpkin sales are permitted from October 1st through November 7th. Christmas tree sales are permitted from November 15th through December 31st. Seasonal sales associated with other holidays are permitted up to a month preceding and one week following the holiday.
- **Owner Authorization.** Written permission shall be submitted from the owner of the property on which the sales are to be conducted.
- **Parking.** The property shall be of sufficient size to provide adequate on site parking in addition to any required parking for any existing use on the property. If located on an undeveloped lot, adequate dust control measures are met as per the discretion of the Development Services Director.
- **Access.** Appropriate access to the site has been reviewed and approved by the Development Services Department.
- **Signage.** One (1) banner per street frontage allowed, maximum 32 square feet. All other forms of signage shall require review and approval.

BUILDING SAFETY CODE REQUIREMENTS:

An electrical permit will not be required if there is no electrical wiring being installed at your Seasonal Sales event supplied by any power source (including extension cords, generators, temporary power poles or any other source of power).

If there will be any electrical installation at your Seasonal Sales event, you will need to obtain an electrical permit before any work has started on the installation at your site. When the electrical installation has been completed you must call for an inspection of your electrical installation (Consult your permit for the phone number to call for an inspection).

The 1999 National Electric Code must be followed for the installation of any and all electrical components at your Season Sales event. Consult these applicable codes for your installation requirements. **Some of the usual installation requirements are:**

1. No electrical installation may be started unless an electrical permit is obtained from the City of Maricopa.
2. Overhead strings of lights must clear the ground by a minimum of 10 feet above grade in pedestrian areas and a minimum of 18 feet above grade at parking lots and other areas subject to vehicular traffic.
3. When using cords, only Type S (Hard Service Cord) must be used. No cords will be allowed to be routed across walkways. All junction boxes, splice boxes and receptacles must be located at least 6 inches above grade. No electrical cords or any lighting can be attached to metal fencing in any manner. Strings of lights with any unprotected bulb may not be installed on any metal surface. All cords must be protected from damage and must not present a trip hazard.
4. All outlets must be protected by a GFCI breaker or outlet.
5. No exposed wiring or open splices are allowed.
6. Call for an electrical inspection of your Christmas Tree Lot before operating your electrical installation.
7. The electrical permit is only valid for a 90-day period.
8. Please note that additional follow up electrical inspections may be conducted to verify continued compliance of all applicable codes. Continued failure to comply with the codes may require removal of

FIRE CODE REQUIREMENTS:

The 2006 International Fire Code as amended and adopted by City Ordinance 08-04 must be followed for any Seasonal Sales event within the City of Maricopa. Additionally, a fire inspection must be scheduled with the Division of Fire Prevention prior to the event.

If the event will include the sale of consumer fireworks, a fireworks permit (\$250.00) must be obtained at the City Hall with subsequent fire inspection. Refer to the Fire Prevention Fee Schedule for any applicable fees. You may contact the Division of Fire Prevention with any questions you may have and or schedule an inspection at 520-494-2303 or 520-494-2304.

Some of the usual fire inspection issues encountered are as follows:

1. Fire hydrants shall be accessible at all times
2. Fire access lanes must be maintained at all times
3. Tents or canopies must be properly secured and tied down
4. Tents or canopies greater than 200 square feet require a permit (\$150.00 + \$100.00 each add)
5. Always call for a fire inspection prior to opening
6. 2A-10BC fire extinguishers are required
7. Lighted exits with emergency lighting may be required if operating after dark
8. Proper Isle widths and exiting to be maintained at all times
9. Separation distance from permanent structures and fueling stations shall be maintained

BUSINESS LICENSE REQUIREMENTS:

It is unlawful for any person, whether as principal or agent, either personally or for another person, or for any corporation, or as a member of any firm or partnership, to commence, practice, transact or carry on any trade, calling, profession, occupation or business within the city limits without first having procured a license from the city to do so and without complying with all regulations of such trade, calling, profession, occupation or business as specified or required by the United States Government or the State of Arizona and its political subdivisions. No license shall be issued without proof by the applicant of such compliance and verification by the clerk that no violation of the city's zoning or sales tax regulations will occur by such issuance.

REVOCATION OF PERMIT

Any permit issued may be suspended or revoked when it is determined that:

- (a) The permit is used for allocation other than that for which it was originally issued.
- (b) Any conditions or limitation set fourth in this section or pertinent codes have been violated.
- (c) The possessor of permit fails, refuses, or neglects to comply with any order to notice served upon him under the provisions of this section within the time period provided therein.
- (d) Any false statement or misrepresentation as to a material fact in the plans, specifications or documentation upon which the permit was based.
- (e) Any deviation from any element or item contained with the approved site plan.

Over-All Review Time Frames

City will either grant or deny each type of permit (license) that it issues. The time frame includes an administrative completeness review period to accept or reject the application, and a substantive review period to provide a technical review of the request. The City shall approve or deny the request within the overall time frame listed below, however, should the City extend the review period for additional submittal(s), said extensions shall not exceed 25% of the overall time frame.

Please note: These are projected time frames only and may change due to workload and staffing considerations

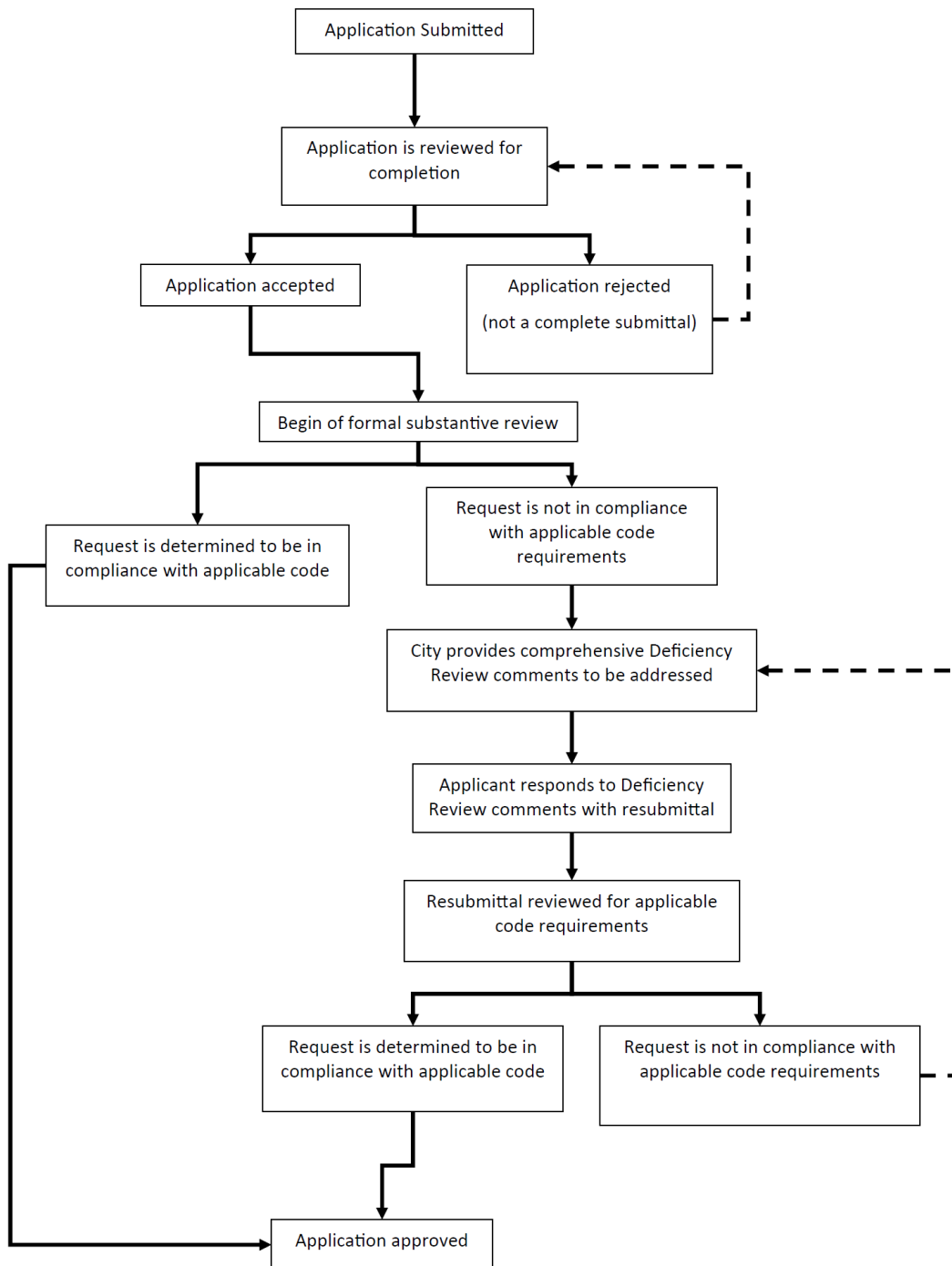
Application Type	Administrative Completeness Review (business days)	Substantive Review (business days)	Total Time Frame (business days)
Zoning Permit – Seasonal Sales Event	10	20	30

Submittal Review Turn Around Time Frames

Timeframes exclude all holidays, weekends and during the period where the applicant is revising plans. The listed timeframes are not all-inclusive and are subject to change. These timeframes are for plan review only and do not apply to submittals that require public notification outreach and approval through the Planning and Zoning Commission.

Application Type	First Review (business days)	Subsequent Reviews (business days)
Zoning Permit – Seasonal Sales Event	10	5

ZONING PERMIT – SEASONAL SALES PROCESS FLOW CHART



ZONING PERMIT – SEASONAL SALES

This application must be completed and submitted for review at least **14 days prior** to the date the sale is scheduled to take place. Seasonal sales include New Year’s, Easter, Valentine’s Day, Fourth of July, Halloween and Christmas.

PROJECT NAME: _____

SECTION I: PROPERTY INFORMATION

***If more than one owner, attach additional sheet with names, addresses and signatures as requested below**

Property Owner Name: _____

Property Address: _____

Parcel # _____

Zoning: _____ Current use of site (vacant, parking lot, etc): _____

Phone: _____ Fax: _____

Email: _____

SECTION II: APPLICANT INFORMATION

Company Name: _____

Mailing Address: _____

Phone: _____ Fax: _____

Primary Contact: Name: _____ Email: _____

City of Maricopa Business License # _____

SECTION III: REQUEST

Type of Request (Christmas trees, fireworks, etc.): _____

Date of Sales (maximum of 30 days) Beginning: _____ End: _____

Signage Proposed (list all types of signs, i.e. banners, a-frame signs, tear drop/wind sail signs, etc): _____

Parking spaces provided (1 space for every 375 SF of sales area): _____

Will there be any lot lighting at this site? Yes _____ No _____

Power will be supplied by: Existing Circuit _____ Temporary Power Pole _____ Portable Generator _____

Will there be fencing? (if so, please provide type and height of fencing): _____

Number of exits that will be provided within the fenced area: _____

Will you be setting up a tent/canopy? (if so, please provide the # of tents, square footage size and # of sides that will be enclosed): _____

SECTION IV: SUBMITTAL REQUIREMENTS

Please provide the following (attach additional sheets):

Applicant Checklist

- Provide a narrative describing the following information: Description of the proposed use, hours of operation, and the facilities proposed for the land use
- Sketch site plan depicting:
 - Location of sales area including any portable structures (tents, canopies, trailers, etc) and any other ancillary items for the event (see Sketch Plan requirements below)
 - North arrow and property boundary lines
 - Location of existing buildings, structures and adjacent streets
 - Location of perimeter fencing
 - Boundary and dimensions of proposed event area
 - Location of width of driveways, parking aisles and Fire Department Access
 - Location and type of surface for existing and proposed parking areas
 - Location, numbers of, and size of tents
 - Location of generator (permit required)
 - Type, height and location of proposed lighting
 - Location of storage area
 - Existing landscape area
- Sign Plan (include the following):
 - Location of all signs shown on sketch plan.
 - Exhibit of each proposed sign (include dimensions).
 - Existing landscape area
- Property owner authorization: which includes the owner's name, phone number, mailing address and the dates for which the approval of land use has been granted.

- Fees: 1st Tent or canopy \$150 (additional tents \$100 each)
 Zoning permit: \$100 base fee + \$100 every other hour of review.
 Minor electrical permit: \$50
 Permit Issuance Fee: \$10
 Fireworks tent sales: \$250 (if applicable)
 Temporary Sign Permit: \$50

I hereby certify that the above information is correct, and that I am authorized to file an application on said property, being either the owner or authorized agent to file on behalf of the owner. Anyone applying without authorization from the property owner(s) shall be subject to penalty under all applicable laws. **I also understand that by submitting this application does not constitute approval to operate without full approval from Planning, Fire, Building Safety and City Clerks Department.** I have read this application and understand that if my application is not complete in all respects it will not be processed until such time as it is complete.

Signature of Applicant	Print Name	Date
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Signature of Property Owner	Print Name	Date
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*If more than one owner, attach additional sheet with names, addresses and signatures

REGULATORY BILL OF RIGHTS

This past legislative session (Fiftieth Legislature, First Regular Session), the Arizona Legislature passed **Senate Bill 1598**. This “Regulatory Bill of Rights” went into effect on **July 20, 2011 (with full implementation on December 31, 2012)**. The rights afforded private regulated parties under the new law are provided below.

A.R.S. § 9-832: REGULATORY BILL OF RIGHTS

TO ENSURE FAIR AND OPEN REGULATION BY CITIES, A PERSON:

- IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST A CITY IN A COURT PROCEEDING REGARDING A CITY DECISION AS PROVIDED IN A.R.S. § 12-348.
- IS ENTITLED TO RECEIVE INFORMATION AND NOTICE REGARDING INSPECTIONS AS PROVIDED IN A.R.S. § 9-833 (EFFECTIVE JUNE 30, 2012).
- IS ENTITLED TO HAVE A CITY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED AS PROVIDED IN A.R.S. § 9-834.
- MAY HAVE A CITY APPROVE OR DENY **THE PERSON’S LICENSE APPLICATION WITHIN A** PREDETERMINED PERIOD OF TIME AS PROVIDED IN A.R.S. § 9-835 (EFFECTIVE DECEMBER 31, 2012).
- IS ENTITLED TO RECEIVE WRITTEN OR ELECTRONIC NOTICE FROM A CITY ON DENIAL OF A LICENSE APPLICATION (EFFECTIVE DECEMBER 31, 2012).
 - THAT JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTE, ORDINANCE, REGULATION, DELEGATION AGREEMENT OR AUTHORIZED SUBSTANTIVE POLICY STATEMENT ON WHICH THE DENIAL IS BASED AS PROVIDED IN A.R.S. § 9-835.
 - **THAT EXPLAINS THE APPLICANT’S** RIGHT TO APPEAL THE DENIAL AS PROVIDED IN A.R.S. § 9-835.
- IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN A.R.S. § 9-836.
- MAY INSPECT ALL ORDINANCES, REGULATIONS, AND SUBSTANTIVE POLICY STATEMENTS OF A CITY, INCLUDING A DIRECTORY OF DOCUMENTS, AT THE OFFICES OF THE CITY AS PROVIDED IN A.R.S. § 9-837.
- UNLESS SPECIFICALLY AUTHORIZED, MAY EXPECT CITIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE AS PROVIDED IN A.R.S. § 9-834.
- MAY FILE A COMPLAINT WITH THE CITY COUNCIL CONCERNING AN ORDINANCE, REGULATION OR SUBSTANTIVE POLICY STATEMENT THAT FAILS TO COMPLY WITH A.R.S. § 9-832.