



# CITY OF NEWMAN



## APPLICATION/PERMIT FOR OUTDOOR DISPLAY, SALES AND PROMOTIONS

*PLEASE READ PAGE TWO BEFORE PROCEEDING WITH APPLICATION. ↻*

Complete The Following And Submit A Minimum Of Two Weeks Prior To Event:

Name: \_\_\_\_\_ Phone # \_\_\_\_\_

Address: \_\_\_\_\_

Name of Business/Promotion: \_\_\_\_\_ Date(s) of Sale/Promotion: \_\_\_\_\_

Description of Outdoor Display, Sale or Promotion (Include Number of Days and/or Occurrences Requested): \_\_\_\_\_

Location (site plan or drawing):

I hereby understand and agree to the conditions set forth by NMC §5.23.110 and am aware that a violation of the City Zoning Code is subject to citation and/or billing of enforcement costs.

INITIALS: \_\_\_\_\_

*I hereby declare that all statements contained in this application are true and correct and understand that false or inaccurate information in the application will be the basis for application denial or revocation.*

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

## EXCERPT FROM NEWMAN MUNICIPAL CODE §5.23.110 OUTDOOR DISPLAYS, SALES AND PROMOTIONS

- 5.23.110 Outdoor displays, sales and promotions.
- A. Guidelines for Outdoor Displays, Sales, and Promotions. The display or sale of goods, merchandise or services which customarily occurs indoors shall be allowed to occur outdoors, subject to the following conditions:
1. Outdoor displays, sales or promotions are permitted in any district where commercial or “C” uses are permitted.
  2. Outdoor displays, sales or promotions must be by a licensed City business, City merchant association, school, charitable or not-for-profit organization.
  3. When applicable, all merchandise or services sold or displayed outdoors shall be of the same type(s) ordinarily sold indoors at the business conducting the sale.
  4. Prior to any outdoor sale, displays or promotion, an “Application Permit for Outdoor Displays, Sales and Promotions” must be obtained from the Planning Department and renewed annually with the Business License for the business conducting the outdoor sale, display or promotion.
- B. Examples of Outdoor Displays, Sales and Promotions.
1. The following are examples of outdoor displays, sales and promotions:
    - a. Tables of merchandise, clothing on rolling or stationary racks, picnic tables (outside eating area), large individual items such as lawn mowers, garden tractors, etc., which encroach on the public right-of-way.
    - b. Outdoor art and craft shows, and exhibits.
    - c. Sidewalk sales, or farmer’s market.
    - d. Religious, patriotic, historic, or similar displays, or exhibits.
- C. Application Required. An application for an outdoor display, sale or promotion must be approved by the Planning Department prior to the event. The application shall include, but shall not be limited to, the following information:
1. The identification of the person and/or business conducting the display, sale or promotion;
  2. A description of the event, the days and hours of operation and its location;
  3. The property owner’s authorization, if applicable; and
  4. A site plan (drawing) illustrating the location and/or placement of the displays.
- D. Performance Standards. Outdoor displays, sales or promotions are subject to the following general performance standards:
1. The display of merchandise must be arranged or situated so that it does not create a hazard to pedestrians or encroach on a required building exit, driveway, parking space, landscaped area or setback area.
  2. A minimum four-foot passage shall be maintained between and/or around any tree, newsstand, bike rack, planter, trash receptacle, etc.
  3. Sidewalks may not be restricted in such a manner as to prohibit safe and convenient movement of pedestrian traffic.
  4. The display area must be maintained so that is not unsightly and does not create a condition that is detrimental to the appearance or the premises or surrounding property.
  5. The display area, when utilizing a public right-of-way, must not create a hazardous condition for pedestrians or the public or otherwise create a public liability for the City.