

TEMPORARY STRUCTURE OR USE

Excerpted from the 2001 Lower Nazareth Township Zoning Ordinance, Article XIV, GENERAL REGULATIONS, Section 1410, Temporary Structure or Use

1410. TEMPORARY STRUCTURE OR USE.

A temporary zoning permit may be issued by the Zoning Officer for structures or uses subject to the following additional provisions:

- A. Duration. In the case of a special event, except under special circumstances, this shall be a maximum of five (5) days in a sixty (60) day period. The Zoning Officer may grant approval once for a recurring event.
- B. Statement from Owner. Prior to the issuance of a permit for a temporary use or structure, the applicant shall present a statement from the owner of record of the land recognizing the application and accepting responsibility and liability to ensure that the use or structure is removed once the permit expires.
- C. Removal. Such structure or use shall be removed completely upon expiration of the permit without cost to the Township. If the structure or use is not removed in a timely fashion after proper notification, the Township may remove the use or structure at the cost of the person who owns the land upon which the structure or use is located.
- D. Bond. The Zoning Officer may require that a bond or other acceptable form of security be posted by the applicant to ensure removal of the temporary use or structure. Such a bond shall be equal to 125 percent of the cost of removing the structure or use, as estimated by the Township Engineer.
- E. Compatibility. The temporary use or structure shall be compatible with adjacent uses.
- F. Conditions. The temporary use or structure shall clearly be of a temporary nature.
- G. Construction Vehicle Parking and Temporary Offices. ~~See Section 1503.C.16.B(6)~~
- H. Tents. This section shall not apply to tents erected for a maximum of (five) 5 days in any calendar year for 1) routine and customary accessory non-commercial uses and for routine and 2) customary accessory uses to an existing commercial use, which are permitted by right. All tents used for peddling purposes or solicitation (tents for selling flowers) are permitted only by special exception approval from the Zoning Hearing Board. Tents shall not be erected within retail or shopping center parking lots unless by special exception approval from the Zoning Hearing Board. All tents must be placed outside of the ultimate right-of-way of any street and must be placed on a vegetated surface.
- I. Fee. The Board of Supervisors may waive and/or return the required application fee if the applicant is a Internal Revenue Service recognized and well-established in the local community non-profit organization, and the applicant clearly shows that the proposed use is temporary and will be used to clearly primarily serve a charitable or public service purpose.

- J. Non-Profit. Only a well-established in the local community and Internal Revenue Service-recognized non-profit organization proposing a temporary use to clearly primarily serve a charitable or public service purpose shall be eligible to receive approval for a temporary commercial use in a district where that use is not permitted.
- K. Special Events. If determined by the zoning officer that this special event will attract significant numbers of the public then the Township Board of Supervisors shall, by conditional use only, permit the proposed special event. The Board of Supervisors may deny the use if they determine that sanitary and water service, traffic control, off-street parking and protection of the public health and safety have not been adequately addressed. Please refer to the Township Outdoor Amusement Ordinance as amended.