

**TOWN OF ROTTERDAM
SEASONAL SALES PERMIT APPLICATION**

The below-identified applicant requests Seasonal Sales approval. The following documentation is attached as required for the Building Department Inspector's review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
 - ❖ All structures on site
 - ❖ All parking areas on site (parking spaces 9' x 18')
 - ❖ Interior floor plan of usable area by applicant
3. Descriptive narrative of Seasonal Sales occurring on the site including but not limited to:
 - ❖ Number of employees
 - ❖ Exact nature of business, hours of operation and expected customers to the site
4. \$75 application fee – made payable to the Town of Rotterdam.

PRESENT OWNER(S): _____

APPLICANT(S): _____

ADDRESS: _____

TELEPHONE: (H) _____ (W) _____ (F) _____

PROJECT ADDRESS: _____

APPLICANT IDENTIFIED AS: ___ Owner ___ Lessee ___ Contract Vendee

REQUEST: _____

By signing the application, it is understood by the applicant that he/she must fully comply with Town Code 228, Seasonal Sales.

SIGNATURE OF APPLICANT _____ DATE _____

BUILDING INSPECTOR APPROVAL: _____

DATE: _____

Chapter 228, SEASONAL SALES

[HISTORY: Adopted by the Town Board of the Town of Rotterdam 11-24-1993 by L.L. No. 23-1993. Amendments noted where applicable.]

§ 228-1. Intent.

It is the intent of this chapter to permit and establish regulations and procedures for seasonal outdoor sales of Christmas trees, produce, holiday decorations and certain other seasonal activities conducted for financial gain.

§ 228-2. License required.

It shall be a violation of this chapter for any person to store or sell Christmas trees, holiday decorations, produce and other seasonal sales out-of-doors in the Town of Rotterdam without having a license therefor.

It shall be a violation of this chapter for any owner to allow his property to be used for the storage and sale of Christmas trees, related holiday decorations, produce and other seasonal sales out-of-doors by any person or persons who do not have a license therefor.

§ 228-3. Application; approval.

All applications for a license that allows the outdoor storage and sale of Christmas trees, related holiday decorations, produce and other seasonal sales shall be made to the Town Building Inspector/Code Enforcement Officer on a form prescribed by him.

The application shall be accompanied by a plan, drawn to 40-scale, identifying the size of the lot, where such storage and sales are to take place and also showing provisions for site access and parking, and buildings or structures thereon.

The Building Inspector/Code Enforcement Officer shall transmit the application and all materials to the Rotterdam Planning Commission, which shall act upon the application as prescribed in Chapter 270, Zoning, Article XVII, Site Plan Approval.

§ 228-4. Fees.

The application shall be subject to fees as prescribed in Chapter 270, Zoning Article XVII, Site Plan Approval.

§ 228-5. Permissible locations.

Any outdoor seasonal sales may be permitted on any lot in the Town of Rotterdam that meets the specifications for issuance of a license.

§ 228-6. Conditions for issuance of license; revocation.

The Planning Commission may approve an application and direct the Building Inspector/Code Enforcement Officer to issue a license if it finds that the lot is suitable for the sale in terms of vehicular access, parking and pedestrian safety, and further provided that such use of the lot will not generate hazardous traffic or fire conditions. All vehicular parking must be off-street, and adequate utilities must be provided for the use. The Planning Commission shall grant only one seasonal business activity per license application.

No offensive noise, vibration, smoke, dust, odors, heat or glare shall be, produced from the seasonal sales.

Signs shall not exceed one foot square and must be denoted on the required plan.

The license may be revoked at any time if the licensee deviates from the plan as submitted and/or if the sale is deemed to create a public health or safety hazard. If the license is revoked, all sales shall be terminated until a new license is obtained, subject to the provisions of §§ 228-3 through 228-6.

The Planning Commission may impose any condition upon the application it deems appropriate and necessary to ensure congestion on any public street is avoided.

Only one license for seasonal business activities may be issued for a specific premises per year.

§ 228-7. Term of license; renewals.

All licenses shall be issued for a period not to exceed 120 days and are renewable pursuant to the terms of this chapter. Renewals shall be subject to the Planning Commission review prior to their reissuance.

§ 228-8. Penalties for offenses; enforcement.

Any person committing an offense against any provision of this chapter shall be guilty of a violation which shall be punishable by a fine of not less than \$250 nor more than \$500 for each offense. Enforcement of the provisions of this chapter shall be by the Building Inspector/Code Enforcement Officer of the Town of Rotterdam.

§ 228-9. Exceptions.

This chapter shall not apply to garden shops or nurseries which are open for business during the other parts of the year or commercial establishments which may be subject to Article XVII of Chapter 270 of the Rotterdam Zoning Code.