

**ARTICLE 37**  
**Temporary Uses, Events, Structures and Buildings**

**§ 170-37.1. Intent**

The intent of this article is to establish procedures and consistent regulation of temporary uses and structures. This article provides procedures for allowing temporary uses and structures, while ensuring that they are truly temporary in nature, minimize adverse impact on surrounding uses and retain a high quality environment.

**§ 170-37.2. Submittal requirements**

Temporary use requests will be reviewed administratively by Township staff. The staff will coordinate reviews by Township Police, Fire, Planning and Building Departments. A building compliance permit may be required as defined by § 170-42.1(E)(6 & 7).

- A. A completed application and required fee.
- B. A written statement describing the requested use, operations plan, traffic control and the proposed time period.
- C. A plot plan or sketch that illustrates the following, plus any other information needed to demonstrate compliance with the specific use requirements contained within this Article.
  - (1) The site boundary.
  - (2) Adjacent uses and zoning districts.
  - (3) Location of fire hydrants.
  - (4) Existing and proposed buildings or structures.
  - (5) Boundaries of proposed sales or activity areas.
  - (6) Proposed lighting.
  - (7) Parking calculations based on the standards of Article 26, Off-Street Parking and Loading.
  - (8) Proposed traffic circulation.
  - (9) Location and method of waste disposal.

- (10) Any other information deemed necessary by the Planning and Building Departments.
- D. Proof of ownership, or if the applicant is not the owner of the land, written permission from the owner to use the property for said use.
- E. Information establishing reasonable liability insurance is carried.
- F. Outside agency permits and approvals, if necessary.

**§ 170-37.3. Seasonal Sales on Sidewalks**

- A. Sales shall be located on a sidewalk of a permitted principal building.
- B. Sales shall only be allowed in the B-1 and B-3 districts, or for an approved retail use such as a PUD, and only as an accessory use to a permitted retail use.
- C. An annual permit shall be obtained from the Planning Department.
- D. All merchandise or services sold during the sale shall also be sold within the store or be live seasonal items such as flowers, fruit/vegetables, pumpkins, Christmas trees or other similar products.
- E. Sales shall not obstruct traffic, ingress/egress to the building and the sidewalk shall remain ADA compliant.
- F. Merchandise/display shall be a maximum ten (10) feet from the building.
- G. The minimum required five (5) wide unobstructed sidewalk, or eight (8) foot wide if the sidewalk abuts a parking space, shall be maintained for pedestrian traffic.
- H. Sale items shall not occupy more than 75% of the length of the sidewalk in front of the store.
- I. If outdoor display of merchandise is located under a canopy, the canopy must be suppressed per fire department requirements.
- J. All structures associated with the outdoor display shall be temporary, yet have a finished appearance that is consistent with the image of the building. Pallets or cardboard boxes shall not be used for displays.

- K. All items associated with a sale shall be removed within five (5) days after the conclusion of the sale.
- L. Sales are permitted May 1 through December 31 (within a calendar year).

**§ 170-37.4. Temporary sales within parking lots**

- A. Sales shall only be allowed in the B-1 and B-3 districts, or for an approved retail use such as a PUD, and only as an accessory use to a permitted retail use.
- B. All merchandise sold during the sale shall be regular merchandise that is sold within the store or be live seasonal items such as flowers, pumpkins, Christmas trees or other similar products.
- C. The area occupied by the sale shall not exceed 10% of the floor area of the permanent retail space, or 2,000 square feet, whichever is less, and the longest dimension of a tent shall not exceed the width of the permanent retail space of the business.
- D. Sales shall be located in a manner that does not conflict with vehicular or pedestrian circulation.
- E. The minimum amount of required parking shall be maintained outside of the sale area.
- F. The hours of operation shall be the same as the principal business.
- G. One temporary sign, not to exceed 12 square feet in size, is permitted.
- H. Sales shall not exceed 60 days total within a calendar year.

**§ 170-37.5. Grand openings**

New businesses may have a one-time grand opening event subject to the following conditions.

- A. The event shall not exceed 10 days and shall be conducted within the 30 days of opening the business.
- B. Two temporary signs, or one temporary sign and one non-moving inflatable, are permitted, provided they are not illuminated. Temporary signs shall not exceed 12 square feet in size.
- C. The event shall not negatively impact traffic, site circulation or surrounding properties.

**§ 170-37.6. Outdoor cafes and eating areas**

- A. Permits shall be granted for May 1<sup>st</sup> through October 31<sup>st</sup>. All furniture and fixtures shall be removed after October 31st.
- B. Amplified music is not permitted within 300’ of a residential lot or dwelling as measured from the seating area to the adjacent residential lot line.
- C. Where there is wait staff or alcohol service, outdoor seating areas shall be enclosed. Enclosures shall consist of metal railing, wood railing, brick walls or other high quality material.
- D. Proposed area must meet Michigan Barrier Free Design Rules.
- E. When located on a sidewalk, the minimum required five (5) foot wide unobstructed space shall be maintained for pedestrian traffic. The width of the unobstructed space shall be at least eight (8) in locations where a sidewalk abuts parking.
- F. Parking shall be provided per Article 26 Off-Street Parking & Loading.

**§ 170-37.7. Temporary construction buildings or structures**

Temporary construction buildings or structures shall be reviewed in accordance with the following standards:

- A. Temporary construction buildings or structures are permitted for a period of up to 12 months.
- B. Adequate parking, paved or gravel surface, must be provided based on nature of the use and appropriate ordinance standards.
- C. Landscaping may be required based on site location, visibility and duration of the trailer.
- D. If electricity is required, an electrical permit is required.
- E. Trailers must meet the following requirements.
  - (1) One (1) trailer per builder or contractor.
  - (2) Setback requirements for the zoning district must be met.
  - (3) Anchored per Building Department requirements.

- (4) Must have skirting.
  - (5) Roads and parking areas must be an all-weather surface capable of supporting a fire apparatus.
  - (6) Meet presently adopted Michigan Building Code, Michigan OSHA and Michigan Barrier Free requirements.
  - (7) Must have one (1) ten (10) pound ABC fire extinguisher.
  - (8) Obtain C permit or street protection permit from Wayne County.
- F. Storage of materials under the trailer is not permitted.
- G. All equipment, materials, goods, poles, wires and other items associated with the temporary building shall be removed from the premises within five (5) days of issuing a final certificate of occupancy.

**§ 170-37.8. Temporary sales office**

Temporary sales offices shall be reviewed in accordance with the following standards:

- A. Permitted in residential developments only when construction of a model home for sales operations occurs simultaneously with the permit for a temporary sales trailer. Upon issuing a temporary certificate of occupancy for the model home, the approval for the temporary sales office shall expire.
- B. Adequate parking, paved or gravel, must be provided based on nature of the use and appropriate ordinance standards.
- C. Landscaping may be required based on site location, visibility and duration of time that the sales office will remain on site.
- D. If electricity is required, an electrical permit is required.
- E. Trailers must meet the following requirements.
  - (1) Anchored per Building Department requirements.
  - (2) Must have skirting.
  - (3) Setback requirements for the zoning district must be met.

- (4) Located in an area that provides minimal impact from the road or adjacent property.
  - (5) Roads and parking areas must be an all-weather surface capable of supporting a fire apparatus.
  - (6) Water meter and plumbing permit.
  - (7) Meet presently adopted Michigan Building Code, Michigan OSHA and Michigan Barrier Free requirements.
  - (8) Trailers with more than three (3) risers must have a guardrail.
  - (9) Must have one (1) ten (10) pound ABC fire extinguisher.
  - (10) Obtain C permit or street protection permit from Wayne County.
- F. Storage of materials under the trailer is not permitted.

**§ 170-37.9. Garage sales, estate sales, auctions and other similar events**

When proposed on an individual homeowner's lot, a permit is not required.

**§ 170-37.10. Portable moving and storage containers & roll-off dumpsters**

- A. A single portable moving and storage container may be placed on an occupied lot for the purpose of loading or unloading personal belongings to be transported to another location for a period of up to 14 days.
- B. Portable moving and storage containers or roll-off dumpsters used in conjunction with a home improvement or construction project are permitted for the duration of an active building permit.
- C. In the event of remodeling that does not require a township permit, flood damage, fire damage, asbestos removal or similar catastrophes or emergency repairs, a single portable moving and storage container or roll-off dumpster is permitted on an improved driveway surface for a period of up to 30 days.
- D. Containers shall be located on an improved driveway surface and shall not be located in the public right-of-way or a private road easement.

**§ 170-37.11. Membrane Structures (tents, canopies and other similar structures)**

- A. Rental of membrane structures for the purpose of special events such as graduations, weddings and other similar events or the use of membrane structures for temporary storage is permitted on residential properties for a period of time up to seven (7) days.
- B. Membrane structures used for the purpose of parking or storage of vehicles, recreation vehicles and/or equipment, maintenance equipment and utility trailers are prohibited.