

<p>Village of Wilmette Temporary Use Application Handbook</p>
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**When is a Temporary Use/Structure Permit required?**

Any temporary use, structure or activity that is not a permitted use or a special use in a particular Zoning district cannot be conducted or erected without a temporary use or structure permit issued by the Village Board or the Director of Community Development.

A Temporary Use is requested for such commercial events as sidewalk sales, carnivals, festivals, fun runs, and open houses.

**Who approves the Temporary Use/Structure?**

The **Zoning Administrator** may issue a temporary use or structure permit for the following temporary uses and structures:

1. A temporary use that is conducted entirely indoors for no more than five (5) days, upon finding that the temporary use complies with all other Village ordinances and will not be noticeable outside of the structure in which it is conducted.
2. A temporary construction trailer or an equipment storage shed, provided that:
  - a. The trailer or shed is accessory to the construction of a building or other development.
  - b. The trailer or shed is located on the same lot as the building or development.
  - c. The trailer or shed remains on the property no longer than the time of the construction but not longer than six (6) months.
  - d. The trailer or shed will be located no closer than twenty (20) feet from any other property located in a residential district.
  - e. The trailer or shed will be located no closer than three (3) feet from any lot line.
3. Commercial film production, conducted in accordance with the Village Code.
4. Any temporary use or structure substantially similar to any temporary use or structure that has been approved by the Village Board a minimum of three (3) times consecutively in the immediate past ten (10) years that such a request has been made. Such administrative approval is at the discretion of the Zoning Administrator.

In issuing a temporary use or structure permit, the Zoning Administrator may attach additional conditions to the issuance of the permit as are deemed appropriate and necessary to achieve the purposes of the zoning ordinance.

The **Village Board** may issue a temporary use or structure permit for the following temporary uses, and any other temporary uses and structures not otherwise specified below:

1. Any temporary use or structure that continues for more than five (5) days.
2. Construction trailers and equipment storage sheds that do not comply with one or more requirements above.
3. Christmas tree sales lots, provided that:
  - a. The use is located on a lot that fronts a collector or arterial street.
  - b. The use is located on a vacant lot or parking area.
  - c. The trees are located at least fifty (50) feet from any structure on another lot.
  - d. Trees remaining on hand after December 25 must be removed from the premises no later than December 31 of the same year.
  - e. A refundable bond, in an amount established by the Village, is posted with the Village.
4. Carnivals/circuses, provided that:
  - a. Trailers and other equipment do not block driveways or other points of emergency vehicular access to any property.
  - b. Trailers and other equipment do not block a public street, alley or sidewalk.
  - c. The operation will be located entirely on private property.
5. The following temporary retail uses:
  - a. Vendors' carts and stalls, based on the adequacy of traffic access and the absence of undue adverse impact on other properties.
  - b. Art, craft, book, and produce/farmers markets.
  - c. Sidewalk sales.
  - d. Garage and yard sales not to exceed a total of five (5) days per calendar year.
6. Tents used for public assembly, display or sales in excess of five (5) days.

In issuing a temporary use or structure permit, Village Board may attach additional conditions to the issuance of the permit as are deemed appropriate and necessary to achieve the purposes of the zoning ordinance.

### **Are there limits on how long a temporary use/structure can go on?**

Yes. A temporary use is limited to a maximum of six months. An applicant who has obtained a temporary use or structure permit may request an extension of the permit period by filing a letter with the Zoning Administrator stating the reasons for the request. The Zoning Administrator shall transmit the letter to the Village Board, which at a regular meeting may grant the request for good cause shown by the applicant.

### **Do I need to notify anyone about my request?**

It depends. If the temporary use or structure will continue for more than five days total, all owners and occupants within 250 feet of the property are to be notified in writing. The Zoning Administrator may require notice for uses or structures that continue for less than five days total, when the proposed use or structure is of such scope or magnitude that the surrounding neighborhood might be impacted by temporarily increased traffic, parking, noise, artificial sound or lighting or other affects. In either case, notice is to be given by first class mail or by hand delivery as described below.

- Notices delivered **by U.S. mail** must be given as follows:
  - Any notice that is delivered by mail must be sent to the person's last known address by first-class mail. Notices delivered by mail are deemed to have been given when deposited in the U.S. Mail.
  - Any notice that is mailed to an occupant may be addressed simply to "Occupant" at the appropriate address, without the actual name of the occupant being specified.
- Notices delivered **by hand** must be given as follows:
  - In the case of a natural person, to the person entitled to the notice or a member of that person's household over the age of thirteen (13).
  - In the case of a corporation, to any officer or registered agent.
  - In the case of a partnership, to any general partner.
  - Where the recipients of such notice occupy a multi-tenant building, hand delivery may also be completed as follows: by personally delivering the notices to the owner of the building or president of the condominium association for the building (in the manner set forth above), requesting the building owner or association president to distribute the notices to each tenant and unit owner, and having the building owner or association president sign a sworn affidavit stating that he/she has in fact distributed the notices to each tenant and unit owner.
- The notice must be mailed in a plain white envelope or the words "Village of Wilmette Public Notice Enclosed" must be on the front of the envelope to indicate that the contents are an official notice and not a commercial solicitation. Mailings where the applicant is a unit of local government may use envelopes pre-printed with the name of the unit of local government without being labeled as a public notice.

### **How long before the meeting does notice need to be given?**

All such notices shall be delivered or mailed not less than 10 days nor more than 45 days in advance of the date of the Village Board meeting. The applicant will be provided with a notice packet in sufficient time to meet the notice timeframe.

### **What is my proof that I did the notice?**

The applicant will be provided an affidavit form. This affidavit is your sworn statement of the complete list of names and last known addresses of the persons entitled to notice served and the method of service. Such affidavit shall be notarized and returned to the Zoning Administrator at least seven days before the Village Board meeting.

## Checklist for Other Approvals for Your Event

Temporary events often involve a number of different aspects that are reviewed by different village departments and may include additional permits besides the temporary use approval. **The following checklist will help you identify who to contact.** Also, please address in your application letter any aspects below that apply to your request.

**Activity on Public Property**      **Please contact the deputy village clerk at (847) 853-7511**

- Will the event take place on public property (street, sidewalk, Village property)? If yes, a public demonstration permit is required.

**Alcohol**      **Please contact the deputy village clerk at (847) 853-7511**

- Will there be alcohol served and/or sold at your event? If yes, a temporary liquor license is required.

**Animals**      **Please contact the police department at (847) 256-1200**

- Will there be any animals at/participating in your event? If yes, please contact the police department to discuss.

**Dumpsters**      **Please contact the engineering department at (847) 853-7660**

- Do you require dumpsters for trash collection and removal? If yes, a dumpster permit may be required.

**Food/Sanitation**      **Please contact the sanitarian at (847) 853-7508**

- Will food be prepared, cooked, and/or served at your event?
- Do you intend to provide portable toilets?  
If yes, please contact the sanitarian to discuss.

**Fire Safety**      **Please contact the fire marshal at (847) 853-7693**

- Does your event require an open flame, as in grilling? If yes, please contact the fire department to discuss.

**Outdoor Music Performance**      **Please contact the police department at (847) 256-1200**

- Will music (either live or recorded) be played outside for your event?
- Will be using an amplifier or public address system?  
If yes, please contact the police department to discuss.

**Raffle**      **Please contact the deputy village clerk at (847) 853-7511**

- Will your event have a raffle? If yes, a raffle license is required.

**Tents**      **Please contact the electrical inspector at (847) 853-7525**

- Does your event require a tent or tents? If yes, a tent permit is required for any open sided tent in excess of 700 square feet and any enclosed tent in excess of 350 square feet. All tents must meet applicable building and fire codes. Please see the tent handbook for complete information.

**Traffic**      **Please contact the police department at (847) 256-1200**

- Will any part of this event take place on public property (street, sidewalk parkway, etc.)?
- Does your event require the closing of any street/intersection/alley?
- Does your event require the closing of any public sidewalk?
- Does your event require barricades/cones?
- Does your event require a police presence (traffic control, security, etc.)?  
If yes, please contact the police department to discuss.

## APPLICATION SUBMISSION

The following items must be submitted to the Community Development in order to request review of your temporary use/structure.

- Pre-Application Meeting. Although this step is optional, it is highly recommended for new events, particularly those that involve review and approval by multiple village departments.
- Completed Temporary Use/Structure Application. Attached is the application form and checklist (pages 3-4 of this booklet).
- Filing Fee. For those events lasting longer than five (5) days, a filing fee is required. Please consult the village's public hearing fee schedule.
- Letter to the Zoning Administrator. The letter should contain a brief description of the request, including purpose of the event, dates and times, staffing, anticipated vendors, parking, and any other information relevant to the proposed temporary use.
- Plans. If applicable, please submit a site plan indicating the location and layout of the event in a format no larger than 11" x 17". Additional information may be requested depending on the scope of the event or the nature of the structure.
- Application Deadline. For requests that do not require public notice, please submit your application a minimum of three weeks prior to the event. For requests that last more than five days and public notice is required, be submit your application a minimum of five weeks prior to the event. The pre-application meeting with staff can determine when your request will be reviewed and approved.

Applications that involve approval from other village departments or other permits, such as temporary food permit or public demonstration permit, should be filed a minimum of 30 days before the event.

All correspondence should be addressed to:

Community Development Department

Village of Wilmette

1200 Wilmette Avenue

Wilmette, IL 60091

(847) 853-7550

(TDD (847) 853-7634)

comdev@wilmette.com

**Application for Temporary Use/Structure Permit Hearing**

Address of Event: \_\_\_\_\_

Name of Event: \_\_\_\_\_

Description of Event: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is this the first year for this event?       Yes       No

Date(s) and Time(s) of Event:

	Date 1	Date 2	Date 3	Date 4	Date 5
Set Up Time					
Start Time					
End Time					
Take Down Time/End					

If the event spans **more than 5 days**, please attach a **SEPARATE LETTER** describing the event. Events in excess of 5 days require notice to property owners and occupants within 250' of the location. For events 5 days or less that may have a significant impact on surrounding properties, the Village reserves the right to require applicants for these events to provide notice.

**Event Sponsor**

Organization or Company: \_\_\_\_\_

Contact Person

Name: \_\_\_\_\_

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

Daytime Telephone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

Number of anticipated: Attendees: \_\_\_\_\_ Volunteers: \_\_\_\_\_

Description of parking provisions: \_\_\_\_\_

Number, size, and location of signage: \_\_\_\_\_

Number and size of tents: \_\_\_\_\_

Number and location of portable toilets: \_\_\_\_\_

Describe any music to be played outside: \_\_\_\_\_

Describe the scope of food to be provided: \_\_\_\_\_

Describe any public personnel/assistance requested: \_\_\_\_\_

Are you the legal owner of the property?  Yes  No

**If not, please provide the following information with the property owner's signature or attach a signed letter of authorization.**

**Property Owner**

Name: \_\_\_\_\_

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

Daytime Telephone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Letter of Authorization Attached

I agree that if the temporary use is approved, sales tax receipts from this event, if any, will be property reported to the State as attributable to the Village.

Petitioner's Signature \_\_\_\_\_ Date \_\_\_\_\_