



Administrative Temporary Event

Douglas County, Georgia

Applications will be received on business days between 9:00 AM and 3:00 PM

The Douglas County Planning & Zoning Department processes Administrative Temporary Event applications for unincorporated areas of Douglas County only. To file an application for property located within the city limits of Douglasville, please contact the City of Douglasville at (770) 920-3000 for details.

Applications should be typed or clearly written in black or dark blue ink. Illegible applications will not be accepted. Applications, including all required application fees must be submitted to the Douglas County Planning & Zoning Department in person. All applications will be reviewed and determined complete within two (2) working days of the application deadline. Incomplete applications will be returned.

After the application has been accepted, the Planning & Zoning Department will schedule the applicant of the proposed Temporary Event for a meeting with Staff. Various departments – including: Douglas County Code Enforcement, Engineering, Douglas County Board of Health/Center for Environmental Health, Fire Department, Office of Risk & Safety, Sheriff's Department and Department of Transportation - will complete a thorough evaluation (Impact Study) of the requested temporary event taking into consideration existing County ordinances, policies and Future Land Use Plan.

The results of the evaluations completed by these various departments will be consolidated into the file and any conditions of the permit listed in writing with the approval or denial. The applicant will be notified in writing within ten (10) calendar days of application of the Staff decision.

NOTE: Liability insurance will be required subject to review by the Douglas County Office of Risk & Safety.

A detailed route and/or access plan indicating the proposed route for access to the event location is required. All parking shall be submitted on a detailed drawing for review and approval. No parking is allowed on any Douglas County or State right-of-way.

Please understand that no work should begin on any site before proper permits are obtained, including, but not limited to, building permits, sign permits and construction or setup of temporary structures.

DOUGLAS COUNTY BOARD OF COMMISSIONERS

8700 Hospital Drive • Douglasville, GA 30134 • Telephone (770) 920-7348 • Fax (678) 715-5366

**DOUGLAS COUNTY GEORGIA
RELEASE AND INDEMNITY AGREEMENT**

In consideration of participation in said special event the undersigned organization/business/group/individual hereby agrees and warrants that they shall release, defend, indemnify and save harmless Douglas County Georgia, its officers, directors, employees and any other person, firm or corporation charged or chargeable with responsibility or liability, their heirs, administrators, executors, successors and assigns and agents from any and all costs, expenses, restrictions, claims, demands, suits, actions, proceedings, damages, liabilities, deficiencies, judgments, levies, costs or expenses, including, but not limited to, attorney's fees and expenses of any kind and nature, including, but not by way of limitation, any claim for damages to property or injuries to or death of any person or persons relating to or arising from the special event or related activities, regardless of whether arising from the negligence or wrongful acts, errors or omissions of Douglas County Georgia.

Without limiting the generality of the foregoing, the undersigned organization/business/group/individual agrees that they shall reimburse Douglas County Georgia for legal fees and other costs incurred in the Douglas County Georgia's defense of such claims of litigation. Douglas County Georgia shall have the right to participate in the defense of any claims or litigation and shall have the right to approve any settlement. This release extends and applies to, and also covers and includes, all unknown, unforeseen, unanticipated and unsuspected injuries, damages, loss and liability, and the consequences thereof, as well as those now disclosed and known to exist. The provisions of any state, federal, local or territorial law or statute providing in substance that releases shall not extend to claims, demands, injuries or damages which are unknown or unsuspected to exist at the time, to the person executing such release, are hereby expressly waived.

The undersigned organization/business/group/individual acknowledges that the agreement hereby releases and discharges Douglas County Georgia, its officers, directors, employees and agents, of any and all claims, relating to any bodily and personal injuries or damages to property and the consequences thereof resulting from their participation in the said special event. I do hereby covenant with the Douglas County Georgia that I, my heirs, executors, assigns and transferees will never at any future time sue the Douglas County Georgia for or on account of any claim for damages arising out of my participation in the said special event whether such claims arise by negligence of the Douglas County Georgia, its employees or agents, or by the negligence of any other participant. It is further agreed and understood that said participation in the special event is not to be construed as an admission of liability and acceptance of assumption of responsibility by Douglas County Georgia, its officers and members.

This is the _____ day of _____, 20_____.

NAME OF ORGANIZATION/BUSINESS/GROUP/INDIVIDUAL:

INDIVIDUAL RESPONSIBILITY _____

(Signature)

THE LAWS OF THE STATE OF GEORGIA SHALL BE USED TO GOVERN THIS AGREEMENT

Sec. 348 - Temporary events.

Purpose and Intent: The purpose and intent of this ordinance is to create regulations applicable to all lands in the County that address impacts of temporary events such as noise, light, dust, traffic and parking. The purpose and intent of this ordinance is to provide for event uses that are incidental to the primary use of land and shall not displace or impede the primary use. All applicable fire, health and safety ordinances and regulations shall apply.

Applicability: The provisions of this section shall apply to all temporary events held in the County. Such uses shall be subject to all provisions set forth herein, as applicable.

Section 348(a) Definitions

Temporary Special Event: A use established for a limited duration, such as parties, receptions, weddings, celebrations and fundraisers, with the intent to discontinue such use upon the expiration of the time period. A temporary special event is subordinate to the principle use on the lot and requires approval of an Administrative or Special Use Permit.

Temporary Outdoor Event: A use established for a limited duration that may include in excess of 200 guests or participants in attendance at one time during a 24-hour period, such as festivals, concerts, road races, or bike races.

Seasonal Business Use: an activity having a specific duration related to a holiday or special event which is secondary to the primary business or group occupying the property such as Christmas Tree Sales, Pumpkins/Gourds, Valentines Baskets, etc.

348 (b) Temporary special event permits.

All temporary events are subject to the requirements of other Douglas County Departments such as Emergency Medical Services Plans, Emergency Planning and Preparedness, tent permits, pyrotechnics permits, food service permits, etc.

(1) Filing

A person seeking issuance for one (1) temporary event per year shall file an administrative event permit with the Director of Development Services or his designee on the designated form. A person seeking issuance for more than one temporary event permit per year shall file an application for a special use permit with the Director of Development Services or his designee on the designated form.

(2) Indemnification agreement -No temporary event permit will be issued unless the applicant agrees to release, indemnify and hold harmless the County for and from any liability for personal injuries or property damage sustained by any person in connection with any activities for which a permit under this section would be issued.

(3) Filing period - An application for administrative approval of a temporary event shall be filed with the Director of Development Services or his/her designee not less than 14 business days prior to when such temporary event shall occur. Applications

requiring special use permit approval must meet all of the filing requirements of Article 12 of this Code.

(4) Contents - The application for the temporary event shall include at a minimum the following and shall be evaluated on this criteria in addition to those standards listed for each type of temporary event:

- (a) The name, address and telephone number of the person seeking to conduct such temporary event.
- (b) If the temporary event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarter/office of the organization and of the authorized and responsible parties for such organization.
- (c) The name, address, and telephone number of the person who will be the event chairman/coordinator and who will be responsible for the conduct at the event.
- (d) The date when the temporary event shall occur.
- (e) The route(s) proposed for ingress/egress to access the temporary event location. All ingress and egress shall be shown on the plan submitted and shall be from a public right-of-way to include adherence to roadway design standards for safety of the travelling public as evaluated by DCDOT.
- (f) The approximate number of people, patrons, vendors, vehicles which will attend the event.
- (g) The hours the event will start and terminate (including set-up and break-down times). Allowable hours of operation are listed in each section of allowable temporary events in this section.
- (h) A written parking plan for off-street parking for the event. There shall be no parking allowed on the right-of-way for any event. All parking must be clearly marked and must meet safety standards as determined by DCDOT as shown on a parking plan to include aisles, stalls, and parking management.
- (i) A written emergency action plan (including private medical services as required). All events must provide for Fire and EMS services in the case of an emergency whether by private service as may be required or through 911 services of the county.
- (j) Outdoor lighting; There shall be no lighting directed towards any right-of-way or any adjacent residential property. All lighting shall be shown to be directed towards the interior of the property containing such temporary event.
- (k) Applicant shall provide sufficient proof of an adequate level of insurance in full force and effect to the satisfaction of the Douglas County Risk Manager.
- (l) Any additional information enumerated on the application form provided by Development Services for such temporary event.

(5) Review - The application shall be reviewed by a panel of administrative personnel to include Development Services, DCDOT, DC Fire Department, DC Sheriff's Department and other staff as required.

(6) Approval - The applicant shall be scheduled for a meeting with Douglas County staff within 7 days to review the application. The application shall be approved or denied within 14 calendar days of submittal based upon the criteria listed in the application, taking into consideration the use of the adjoining properties and the health, safety and welfare of the public. The applicant will receive written notification of the decision by staff including any conditions if any of the temporary event permit approval.

(7) Appeals - Any person or persons aggrieved by any decision of the Development Services Director or his designee relating to the Temporary Event Permit may initiate an appeal to the Planning & Zoning Board within 30 days as set forth in Article 13, Section 1306, Appeal of an Administrative Decision of the Douglas County Unified Development Code.

348 (c) Yard and garage sales.

Yard and garage sales shall be permitted within any agricultural or residential district as an accessory use. It shall not be the intention of this regulation to prohibit the occasional sale of personal belongings on one's property.

(1) Permit required.

(a) All yard sales shall require a permit, which shall be obtained from the Development Services Department by phone or personal application. This permit will contain the name and address of the applicant, and the 3-day period for which the applicant wishes to sell property and the permit number.

(b) No permit shall be extended for more than 72 hours in any 7-day period.

(c) No street address may obtain a permit for more than 4 times each year.

(d) It shall be the responsibility of the property owner to obtain the permit and to post said permit in full view of the public at the place of the yard sale.

(e) It shall be a violation of this regulation to sell merchandise in a yard sale or offer merchandise for sale or to display merchandise in any yard, carport, garage or house without a yard sale permit.

(2) Exclusions

This Section shall not regulate the private sale of major possessions such as homes and personal autos.

348 (d) Seasonal business use.

Definition: an activity having a specific duration related to a holiday or special event which is secondary to the primary business or group occupying the property such as Christmas Tree Sales, Pumpkins/Gourds, Valentines Baskets, etc.

- (1) Allowed in AG and residential district only when the property is occupied by a church, school, lodge/retreat, farm, plant nursery, etc. existing as a conforming or legal non-conforming use.
- (2) An administrative permit shall not be issued for the same business use more than once in any calendar year. Said seasonal business use must correlate to a calendar holiday or event. Said permit shall not exceed a total of 30 consecutive days for each use. Said permit must be posted on site such that it is visible from the street. An application for said permit shall be made no less than 14 days prior to the event. Example: one permit may be issued for the sale of Christmas trees for a maximum of 30 consecutive days. A second permit may be issued for the sale of pumpkins for a maximum of 30 consecutive days.
- (3) The hours of operation shall be 8:00 a.m. to 9:00 p.m. Sunday through Thursday and 8:00 a.m. to 10:00 p.m. Friday and Saturday. This shall include all set-up and breakdown of events and any sound check by live performers.
- (4) Two copies of a drawing, no larger than 11" × 17", with dimensions (distances in feet) of the activity's location from the site's property lines and other minimum distance requirements as specified by this Section shall be submitted to the Development Services Department with the permit application for approval. Drawing shall incorporate north arrow, curb cuts and traffic patterns/parking.
- (5) Any display or sales activity shall maintain a minimum 20-foot setback from the right-of-way and shall not be located within a required landscape strip or buffer. Said displays shall also maintain a minimum 10-foot setback from any internal drive or permitted curb cut.
- (6) A minimum of 10 parking spaces shall be provided for the exclusive use of the seasonal business and shall not occupy the minimum required parking spaces for any other use on site.
- (7) No temporary sanitary facility or trash receptacle may be located within 100 feet of a property line of a residential use.
- (8) No tent, table or other temporary structure shall be located within 100 feet of a residential structure. Sales from vehicles are prohibited.
- (9) Tents less than 5,000 square feet do not require a building permit; tents equal to or greater than 5,000 square feet require a structural plan review and a building permit. All tents are subject to approval by the Fire Department.
- (10) No equipment, vehicle or display or sales activity shall block access to a public facility such as a mail box, parking meter, fire hydrant, fire alarm box, traffic control box, driveway or other access point.

(11) A sound level of 65 DBA shall not be exceeded at adjacent property lines of any residential use as determined by Douglas County Officials and measured utilizing an approved sound meter device.

(12) Signage shall be in accordance with Article 7 of the Unified Development Code.

348 (e) Temporary outdoor event.

(1) No more than four Outdoor Temporary Event Permits shall be granted per year and no permit shall be effective for more than 7 consecutive days for a single event on the same property. A complete application for said permit shall be made no less than 14 days prior to the event. Said permit must be posted on site such that it is visible from the street.

(2) Any business that desires to exceed four (4) outdoor temporary event permits per calendar year is required to apply for a Special Use Permit.

(3) The hours of operation shall be 8:00 a.m. to 8:00 p.m. Monday through Thursday, and Sunday, and 8:00 a.m. to 10:00 p.m. Friday and Saturday. This shall include all set-up and break down of events and any sound check by live performers.

(4) Two copies of a drawing, no larger than 11" x 17", with dimensions (distances in feet) of the activity's location from the site's property lines and other minimum distance requirements as specified by this Section shall be submitted to the Development Services Department with the permit application for approval. Drawing shall incorporate north arrow, curb cuts and traffic patterns/parking.

(5) The applicant shall provide a notarized written permission statement from the property owner (if different from applicant) of the subject site to the Development Services Department. A 24-hour contact number of the property owner shall be provided along with the permit application.

(5) Any display or sales activity shall maintain a minimum 20-foot setback from the right-of-way and not be located within a required landscape strip or buffer. Said displays shall also maintain a minimum setback of 10 feet from any internal drive or permitted curb cut.

(6) Any stage or other live entertainment shall not be located within 250 feet of a property line of any residential use.

(7) No temporary sanitary facility or trash receptacle may be located within 100 feet of a property line of a residential use.

(8) No activity area, tent, table or other temporary structure shall be located within 250 feet of a residential structure. Sales from vehicles are prohibited.

- (9) Tents less than 5,000 square feet do not require a building permit; tents equal to or greater than 5,000 square feet require a structural plan review and a building permit. All tents are subject to approval by the Fire Department.
- (10) The entire site/event must comply with Douglas County's parking requirements based on the proposed use. All parking shall be located at least 100 feet from a property occupied by a residential structure.
- (11) All permitted access/curb cuts shall be from local streets.
- (12) No equipment, vehicle, or display or sales activity shall block access to a public facility such as a mailbox, parking meter, fire hydrant, fire alarm box, traffic control box, driveway or other access point.
- (13) A sound level of 65 DBA shall not be exceeded at adjacent property lines of any residential use as determined by Douglas County Officials and measured utilizing an approved sound meter device.
- (14) Signage shall be in accordance with Article 7 of the Unified Development Code.
- (15) No parking is allowed within the right-of-way.
- (16) All parking and access areas must be of an all-weather surface approved by the Douglas County DOT.

348 (f) Agricultural-related activities.

Certain agricultural-related activities are allowed on property zoned AG, R-A or R-LD with a Special Use Permit in compliance with the development standards listed in this section to preserve the nature of agricultural areas. Such uses shall include, but are not limited to, petting zoo, educational tours, dude ranches, pay fishing, health and wellness activities, community supported agriculture (CSA) cooperatives, pick-your-own produce activities, and roadside produce stands

- (1) Minimum lot size is 5 acres in the R-LD zoning district. There is no minimum lot size in the AG and R-A zoning district.
- (2) All permitted access/curb cuts shall be from local streets.
- (3) Food service activities must obtain all required permits and comply with any additional requirements of this ordinance.
- (4) A minimum 100-foot setback is required from all property lines for activity areas, including parking, unless a reduction is granted with the issuance of the Special Use Permit.
- (5) All structures housing animals shall be setback a minimum of 200 feet from all property lines, unless a reduction is granted with the issuance of the Special Use Permit.

- (6) All parking and access areas must be of an all-weather surface approved by the Douglas County DOT.
- (7) A sound level of 65 DBA shall not be exceeded at adjacent property lines of any residential use as determined by Douglas County Officials and measured utilizing an approved sound meter device.
- (8) Hours of operation shall be from 8:00 a.m. to 8:00 p.m. Monday through Sunday, unless otherwise approved through special use permit approval. This shall include all set-up and break down of events and any sound check by live performers.
- (9) No temporary sanitary facility or trash receptacle may be located within 100 feet of a property line of a residential use.

348 (g) All other special temporary events.

Any temporary events meeting the definition in Section 348 for a Temporary Event but not specifically listed in this section must apply for a Temporary Event Permit with the required documents listed in Section 348(b)(1)—348(b)(7).