

TEMPORARY/SEASONAL SALE REQUIREMENTS

CITY OF PLANO BUILDING INSPECTION DEPARTMENT

- (a) *Permit required.* No itinerant vendor may intermittently occupy any privately owned property for the purpose of operating a temporary business within the city without having previously obtained a temporary sales permit from the building inspection department. The applicant must have such permit within his or her personal possession during the time that the temporary business is in operation and must display the permit in such a manner that it is clearly visible from the abutting street.
- (b) *Permit fee.* Prior to the issuance of a permit, the applicant must pay the City of Plano a permit fee refer to the fee schedule for applicable fees. The city will not require payment of this permit fee by locally-based charitable organizations or organizations engaged in activities such as bake sales or car washes.
- (c) *Permit duration.* A permit requested under this article will issue for a minimum of five (5) days, but not to exceed forty-five (45) days. Each eligible property may only allow use of the property for a temporary business for a maximum of forty-five (45) days per calendar year.
- (d) *Requirements for permit issuance.* The building inspection department shall only issue a permit if the applicant has complied with the following requirements:
 - (1) The itinerant vendor must conduct his business on the property in a manner that does not violate any code of the city, including all zoning, building, and health codes. The city will exempt an itinerant vendor from zoning provisions where the proposed location of the temporary business is an improved property that contains an active institutional use, such as a church or school; and
 - (2) The itinerant vendor must possess a valid state sales tax certificate or proof of a tax exemption; and
 - (3) The itinerant vendor must provide the city with a copy of either a lease or written permission from the owner of the private property showing that the itinerant vendor may use the property; and
 - (4) The itinerant vendor must submit a dimensioned or scaled site plan indicating the location of the display area, curb cuts, and parking area. The city requires all parking on an all-weather surfaced area; and
 - (5) The itinerant vendor must provide one unisex portable sanitary facility. In lieu of the portable sanitary facility, the vendor may provide a permission letter from the owner or manager of a property located within a two-hundred-foot radius of the temporary business granting permission to use their sanitary facilities; however, the property where the itinerant vendor has permission to use the sanitary facilities cannot be located across a thoroughfare of four lanes or larger; and
 - (6) If the sale involves food products, the itinerant vendor must obtain all the necessary health permits.
- (e) An itinerant vendor may not use a tent or temporary building, except a portable sanitary facility, in conjunction with a temporary sale.

This handout is for informational purposes only and should not be relied on in place of official regulations and/or policies. The CITY OF PLANO makes no representations, guarantees, or warranties as to the accuracy, completeness, currency, or suitability of the information provided via the handout. Customers and citizens are personally responsible for complying with all local, state and federal laws pertaining to projects within the city. Copies of the CITY OF PLANO adopted codes and Zoning Ordinances can be found on the city website at www.plano.gov or at the CITY OF PLANO Municipal Center at 1520 K Avenue, Plano, Texas.



Requirements

1. Locate a property zoned for miscellaneous retail stores. (R, BG, LC, CE, CB-1, LI-1, LI-2, TC, CC)
2. Determine if any temporary/seasonal sale permit has been issued for the property in the current calendar year and determine the number of days sales existed, if applicable (Note: each property is limited to 45 days of temporary sales per calendar year).
3. Receive written permission from the property owner in the form of a letter on company letter head or with company stamp or a lease which contains:
 - a. Specific address of property.
 - b. Legal description of property (lot, block and addition).
 - c. Date of sale (minimum 5 days, maximum 45 days) per calendar year.
 - d. Items to be sold.
4. Submit a completed permit application to the Building Inspection Department (see attached) and include:
 - a. Two copies of a scaled or dimensioned site plan identifying the following:
 - 1) Location of the display area, including the location of portable sanitary facility, in relation to the property lines and proximity to any buildings (a minimum 50 foot setback from the front property line (s) is required).
 - 2) Location of curb cuts for access and egress.
 - 3) Location of paved or gravelled area for parking.
 - b. Valid State of Texas sales tax certificate (State Comptroller: Address: 9241 LBJ Freeway. #205 (972-671-7166).
 - c. If electricity is to be used, a licensed current registered electrician is required to be listed on the permit.
5. For Temporary /Seasonal sales involving food:
A Health Department permit will be required in addition to the Temporary/Seasonal Sale permit issued by Building Inspections. Health Department approval is required prior to issuance of Temporary/Seasonal Sale permit issued by Building Inspections. See reverse side for Health Department information.
For Temporary/Seasonal Sales involving carwashes:
Health Department approval is required prior to issuance of Temporary/Seasonal Sale permit issued by Building Inspections. See reverse side for Health Department information.
6. **Signage for Temporary/Seasonal Sales is limited to the following:**
A temporary freestanding sign, maximum 32 sq. ft. in area with an 8 foot setback from the front property line.
A temporary banner, maximum 32 sq. ft. in area, with an 8 foot setback from the front property line. The banner must be securely installed and be completely mounted on a rigid surface.
All signage limited to the property of the temporary sale.

FEES: Refer to the fee schedule for applicable fees

NOTE:

1. If water is needed on site, contact the City of Plano Utility Operations Department.
2. City of Plano Code of Ordinances, Chapter 11, Article IV "Peddlers and Solicitors", Section 11-141
Definition: Itinerant Vendor shall mean any person who sets up and operates a temporary business on privately owned property, whether improved or unimproved, in the City, soliciting, selling, or taking orders for, or offering to sell or take orders for any goods or services. A temporary business is one that continues for forty-five (45) days or less; and, exists whether solicitation is from a stand, vehicle, or freestanding.
3. An itinerant vendor may not use a tent or temporary building, except a portable sanitary facility, in conjunction with a temporary sale.

(See following page)

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Department of Environmental Health & Sustainability Requirements

TEMPORARY/SEASONAL FOOD SALES

The Environmental Health Division requires vendors who sell or give away food intended for human consumption to obtain a temporary or seasonal health permit, unless an annual permit has been issued by the Environmental Health Division.

All foods must be obtained from an approved source. Home cooked or prepared items (including baked goods) will not be allowed to be sold or given away to the public, unless the vendor complies with all provisions of the Texas Cottage Foods Law 2013.

Temporary and seasonal health permit applications must be submitted at least five (5) working days prior to the event date. Any applications received less than five (5) working days prior to the event will be subject to an administrative fee. Temporary permit fee is \$75.00. Seasonal permit fee is \$150.00.

Please submit application and fee to: Plano Environmental Health Division, 1520 Avenue K, Suite 210, Plano, TX. 75074.

If you have any questions, please call the Environmental Health Division at 972-941-7143.

CAR WASH INFORMATION

Approval from the Environmental Health Division must be obtained to do a car wash prior to the issuance of any Temporary Sale Permit through the Building Inspection Department. Please contact the Environmental Health Division at the number listed above.

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Building Inspections Department ~ 1520 K Ave, Suite 140 Plano, TX 75074 ~ 972-941-7140 fax 972-941-7187

www.buildinginspections.org ~ email address ~ buildingpermits@plano.gov

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