



A Temporary Miscellaneous Sales Use includes those activities which bring goods to a retail use in trucks, and sell that merchandise from the trucks or a temporary outdoor or tented sales area. Examples include, but are not limited to, holiday tree sales, flower and plant sales, furniture and other similar goods and products.

Attention non-profit and/or charitable organizations – Flower/plant and holiday tree sales and sales of similar items for the benefit of the community, or community, service or non-profit organization now fall under the provisions of a public interest event. Such organizations are only required to complete and submit a Public Interest and Special Event Non-Profit/Charitable Organization Information Sheet in advance of the event. Refer to the information sheet for Public Interest and Special Events for further details.

Regulations for the Sale of Agricultural Products – Refer to NCC Code 40.03.331(I) and section 2061(b)(5) of Title 9 Delaware Code as each defines exceptions for the sale of agricultural products including extended permit periods and other waivers.

Please be aware of the following requirements concerning applications for Temporary Miscellaneous Sales Permits as defined in the New Castle County Unified Development Code Section 40.03.331:

- Property must be zoned commercial (CN or CR)
- May include the placement of a temporary shed, security trailer, or tent. Temporary structures shall not encroach into setbacks nor shall they cover required parking spaces. A separate permit shall be required.
- All displays areas and temporary structures shall comply with the minimum required yard setbacks for the zoning district and may not displace required parking for the primary use of the property.
- No temporary structure, display, sales, or parking shall obstruct pedestrian or vehicular access, nor is permitted in any street or right-of-way.
- No open fires for the disposal of tree trimmings, scrap wood, or other material is permitted.
- Temporary Miscellaneous Sales Permits shall be valid for a period not to exceed thirty (30) consecutive days.
- The property may only be used a total of four (4) times per calendar year for temporary miscellaneous sales.

REQUIRED PAPERWORK

All New Castle County forms are available via the County website or Land Use customer service.

Temporary Miscellaneous Sales Permit Application

Site Plan This shall show all highway entrances, buildings, parking spaces and rights-of-way. Please indicate location of any structures such as tents, stands and the like (Appendix #1, 3.C. of UDC). Review fee for basic review of site plan is \$55 at time of application. **However**, if it is determined by the Plan Reviewer that a more comprehensive review is required, involving the submittal of an application and review by a Land Use Planner, the \$575 review fee will apply. In the event that a comprehensive review is required, please allow several additional days for processing, review, and approval.

Entrance/Exit Permit or Waiver from Delaware Department of Transportation (DeIDOT - 302-326-4679)

Delaware Vendor's License from the State Division of Revenue (577-8654)

Written Permission from the Property Owner This may consist of the owner's signature on the permit application or a copy of the property lease.

Flame Retardant Certification All tents must have Flame Retardant Certifications submitted with permit application. (provided with the rental or purchase of the tent)

Verification of Paid Taxes Property taxes and sewer billing fees must be paid on the property for which you are requesting a building permit and on any tax parcel that such landowner owns in New Castle County prior to building permit submission (*New Castle County Code* 06.03.012.H). This will be verified as part of the application process.

REQUIRED INSPECTION

Site Clean-up Inspection The site must be cleared of all temporary structures and debris within 15 days of the expiration of the permit. A \$200 security, in the form of cash, certified check, or money order, may be required by the Department as assurance for site clean-up compliance. If collected, this fee shall be refunded to the designee listed on the permit application, upon verification that the site has been cleared. Failure to schedule for the site clean-up inspection within 15 days of the expiration of the permit will result in forfeiture of the security. Upon approval of the Department, a signed contract with a disposal firm to cover clean-up of the site may be submitted in lieu of the security.

FEES:	\$50	Temporary Certificate of Use	(Minimum Fee: \$105.00)
	\$55*	Site Plan Review Fee (referenced above) - * should a site plan submission to the Planning section be required, the review fee will increase to \$575.	
	\$200	Security for Site Clean-up (referenced above)	
	\$60	Engineering Fee - A floodplain/wetland review fee may apply to applicable projects not receiving prior site plan review.	

**NEW CASTLE COUNTY
APPLICATION FOR TEMPORARY MISCELLANEOUS SALES PERMIT**

Tax Parcel Number

JOB LOCATION

No. _____ Street _____ Zoning _____
Description of Property _____

IDENTIFICATION

Applicant Name _____ Phone # (____) - ____ - ____
Company _____ Phone # (____) - ____ - ____
Street _____ City _____ State _____
Applicant Signature _____ **Date** ____ / ____ / ____

Property Owner Name _____ Phone # (____) - ____ - ____
Street _____ City _____ State _____

I, the undersigned, give permission to the above named applicant to use this property for the purpose indicated below.

Owner Signature _____ **Date** ____ / ____ / ____

Products to be sold _____

Dates of operation – From ____ / ____ / ____ to ____ / ____ / ____ (Maximum of 30 days*)

*Limited Use permits for the sale of agricultural products are valid for 60 days – please refer to NCC Code 40.03.331 (I)

****Please refer to the Temporary Miscellaneous Sales Permit Requirements
Sheet for complete permit submission requirements****

State of Delaware Vendor's License # _____ (attach copy of license)

Delaware Dept. of Transportation Entrance Permit # _____ (attach Entrance/Exit Permit)

- The site must be cleared of all temporary structures and debris within 15 days of the expiration of the permit.
- All tents must have Flame Retardant Certifications submitted with the permit application.

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Plan Examiner

Date

Permit Number

Issue Date