

APPLE SPRINGS ROAD DISTRICT
ORDINANCE NUMBER 2012-09-R

AN ORDINANCE TO REGULATE – TEMPORARY USE OF ROADS PERMIT

WHEREAS, the Apple Springs Road District Board of Trustees deems it necessary, for the purpose of promoting safety and general welfare of the district to adopt an ordinance intended to provide for the regulation and permitting of uses which are not so recurring in nature to constitute a permanent use. These requirements are not intended to regulate temporary use on public property.

SECTION 1 – PERMIT REQUIRED

1. No person shall conduct a temporary event upon District roads without first obtaining a permit from the Apple Springs Road District Board as prescribed in this section. The Apple Springs Road District Board may determine that a hearing shall be held due to the scope of the proposed use, if such occurs, the temporary use permit shall be referred for a public hearing.

SECTION 2 – APPLICATION

2. Submission deadline for all temporary use permit applications shall be made to the Apple Springs Road District Board at least forty-five (45) days prior to the proposed commencement date of the use, provided a lesser time may be allowed consistent with the requirements of this section.

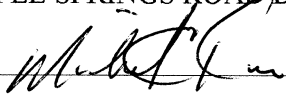
3. All temporary use permit plans shall be subject to a approval and shall describe the nature and location of all temporary activity, the location of intended use, the time period for which the use is requested, roadway or right-of-way to be used, and such other information in sufficient detail as the Apple Springs Road District Board determines is reasonably necessary to adequately review the application and to ensure the use will be conducted in a manner consistent with the requirements of this section.

SECTION 3 – FEE

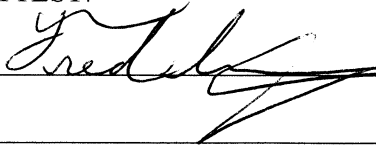
1. Upon the filing of any application for a Temporary Use of Roads Permit (TUP), the applicant shall pay Apple Springs Road District one hundred (\$100.00) dollars. This fee shall be utilized to help defray necessary administrative costs of processing the applications as required. The fee may be waived, as deemed appropriate by the Apple Springs Road District Board, for a charitable or nonprofit organization or similar entity. Permittee may be required to pay a deposit, in an amount as deemed appropriate by the District, which shall serve as security ensuring compliance with the terms and conditions of this permit requiring that roadway or right-of-way is cleaned-up and returned to its pre-use condition. Permittee will be billed for the actual labor, materials and other costs associated incurred by District to return the roadway or right-of-way to its pre-use condition, in the event the District, at its sole discretion, deems it necessary to do so.

THEREFORE BE IT RESOLVED that the Apple Springs Road District Board of Trustees adopt the foregoing ordinance. Dated this 19th day of July 2012.

APPLE SPRINGS ROAD DISTRICT BOARD OF TRUSTEES



ATTEST:



First Reading: June 21, 2012
Second Reading: July 19, 2012
Date Published: July 19, 2012
Date Effective: July 19, 2012

