

Town of Queensbury  
Special Sales and Events Application [amended per Local Law 2, 2005]

Office Use Only

Application No.: \_\_\_\_\_  
Fee Paid: \$ 125.00 Check # \_\_\_\_\_  
Deposit Paid: \$ 500.00 Check # \_\_\_\_\_

1) Established Business: principal location of established business lawfully in existence and operation within the Town of Queensbury [provided that the items being offered for sale are those items already primarily offered for sale by that business at its principal location]:  
\_\_\_\_\_  
\_\_\_\_\_

2) Applicant: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

3) Event Location: \_\_\_\_\_

4) Event Duration: \_\_\_\_\_

5) Owner of Premises where event is to take place:  
Owner: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

6) Zone: \_\_\_\_\_

7) Tax Map ID: \_\_\_\_\_

- 8) Application shall be accompanied by the following items:
- a. A letter from the applicant describing the proposed event, the hours of operation, the duration of the event, anticipated attendance, and any structures, signs or attention-attracting devices including visual devices used in conjunction with the event.
  - b. A scaled drawing showing the location of the proposed activities, structures, lighting and signs in relation to existing buildings, parking areas, streets, property lines and any other elements integral to the proposed event and/or considered necessary by the Zoning Administrator.
  - c. A letter from the property owner or manager, if different from the applicant, authorizing the special sales event.
  - d. See Checklist Criteria on page 3.
  - e. The special sales event permit shall be posted on the site for the duration of the event.

Please Note:

- a. Duration of the permit shall not exceed twelve (12) days. See § 161-5.
- b. Tent or similar structure may be erected and maintained for a maximum of seven (7) consecutive days and no more than twice in any year. See § 161-5(B) 11. Application fee and Deposit to be paid per event.
- c. No more than two (2) special sales events permits per calendar year shall be issued administratively to any one applicant. See § 161-4.
- d. \*See attachment from Fire Marshal's office (pages 4 & 5) - **Failure to contact the Fire Marshal; schedule an inspection and gain approval PRIOR to the event will result in revocation of approval and the end to the event. This process may take up to two weeks.**

**FOR OFFICE USE ONLY**

Approved: \_\_\_\_\_  
Craig Brown, Zoning Administrator

Date Approved: \_\_\_\_\_

Duration of Permit: \_\_\_\_\_

Criteria to be met (To be completed by Staff):

- \_\_\_\_\_ Application Received
- \_\_\_\_\_ Application Fee Paid
- \_\_\_\_\_ Deposit Paid [\$500]
- \_\_\_\_\_ Event shall not cause undue traffic congestion or accident potential given anticipated attendance and design of adjacent streets, intersections, and traffic controls
- \_\_\_\_\_ Event shall not cause overcrowding of parking facilities given the anticipated attendance and possible reduction in number of available spaces caused by the event itself
- \_\_\_\_\_ Event shall not endanger the public health, safety, or welfare given the nature of the activity, its location on the site and its relationship to parking and access points
- \_\_\_\_\_ Event should not impair the usefulness, enjoyment or value of adjacent property. (Dept. will consider the generation of excessive noise, smoke, color, glare, litter, or offensive visual appearance
- \_\_\_\_\_ Any structure used in conjunction with the event will be subject to all applicable building codes and shall be promptly removed upon the cessation of the event
- \_\_\_\_\_ Event may be conducted only on property to be determined by Zoning Administrator
- \_\_\_\_\_ Duration and hours of operation (duration may not exceed 12 days)
- \_\_\_\_\_ Tent or similar structure may be erected and maintained for a maximum of seven (7) consecutive days and no more than twice in any year. See § 161-5(B) 11
- \_\_\_\_\_ No more than two (2) Special Sales Event permits per calendar year shall be issued administratively to any one applicant
- \_\_\_\_\_ Prior event permits granted within a plaza must be considered when determining whether the criteria for issuing the requested permit can be met

(5/15/2009)

## NOTICE

### TENTS, CANOPIES & OTHER MEMBRANE STRUCTURES

This notice is provided as a courtesy to all commercial occupancies in the Town of Queensbury.

Chapter 24 of the New York State Fire Code provides for specific inspection and compliance regulations for all tents, canopies, and other membrane structures.

The use of these structures in the Town of Queensbury requires a permit. An application for a certificate of occupancy, approval of the Zoning Administrator and approval of the Fire Marshal are required prior to erection of any of these units. One application shall be submitted for each location.

Inspection by the Fire Marshal's office is required prior to occupation of the structure and shall be arranged by the permit holder.

An operating permit will be issued only after these requirements are met.

Failure to comply will result in an order to remedy violation notice that will require the immediate removal of the structure. Non-compliance with the order will require a court summons to be issued.

Questions may be directed to Craig Brown in the Zoning Office or to the Fire Marshal's office.

Canopy: A structure, enclosure or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.

Membrane Structure: An air-inflated, air-supported cable or frame covered structure as defined by the Building Code of New York State and not otherwise defined as a tent or canopy. See Chapter 31 of the Building Code of New York State.

Tent: A structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

### **2403.2 Approval required.**

Tents and membrane structures having an area in excess of 200 square feet (19 m<sup>2</sup>) and canopies in excess of 400 square feet (37 m<sup>2</sup>) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the code enforcement official.

#### **Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Fabric canopies open on all sides which comply with all of the following:
  - 2.1 Individual canopies having a maximum size of 700 square feet (65 m<sup>2</sup>).
  - 2.2 The aggregate area of multiple canopies placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m<sup>2</sup>) total.
  - 2.3 A minimum clearance of 12 feet (3658 mm) to all structures and other tents.

### **2404.2 Flame-resistant treatment.**

Before a permit is granted, the owner or agent shall file with the code enforcement official a certificate executed by an approved testing laboratory, certifying that the tents, canopies and membrane structures and their appurtenances, sidewalls, drops and tarpaulins, floor coverings, bunting, combustible decorative materials and effects, including sawdust when used on floors or passageways, shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner and meet the requirements for flame resistance as determined in accordance with NFPA 701, and that such flame resistance is effective for the period specified by the permit.

### **2404.3 Label.**

Membrane structures, tents, or canopies shall have a permanently affixed label bearing the identification of size and fabric or material type.

### **2404.4 Certification.**

An affidavit or affirmation shall be submitted to the code enforcement official and a copy retained on the premises on which the tent or air-supported structure is located. The affidavit shall attest to the following information relative to the flame resistance of the fabric:

1. Names and address of the owners of the tent, canopy, or air-supported structure.
2. Date the fabric was last treated with flame-resistant solution.
3. Trade name or kind of chemical used in treatment.
4. Name of person or firm treating the material.
5. Name of testing agency and test standard by which the fabric was tested.

### **Other Compliance:**

- Fire Extinguishers
- Means of Egress
- Exit signs and Illumination
- Means of Egress Illumination
- No Smoking Signs