



150 East Main Street, Hillsboro, OR 97123
 4th Floor • 503/681-6153
 FAX 503/681-6245
 www.ci.hillsboro.or.us

MOBILE OR TEMPORARY BUSINESS PERMIT APPLICATION

Note to Applicant: On original application form, please print legibly using black/dark blue ink or type. Approval of a Mobile or Temporary Business Permit is required to operate a business from a mobile vehicle (power or self-propelled) or to operate a fixed location business on a temporary basis, to protect the health, welfare and safety of the patrons and employees, and of the general public living and working in proximity to mobile or temporary businesses. Applicants are advised to review the approval criteria attached to this application form prior to completing this application. It is the applicant's responsibility to ensure that the proposed business complies with all applicable City and County regulations including, but not limited to, Fire Department and Health Department regulations. **Incomplete applications, or applications submitted without the required fee, will be denied.**

APPLICATION TYPE: (Please check one. See attached Municipal Code Section 1.01.020 for definitions)

Mobile Business **Temporary Business**

BUSINESS INFORMATION:

Business Name: _____

Type of Business: (Please check all that apply) Food vendor General merchandise vendor Services/information vendor

Please explain business activities and type of product/services sold: _____

If mobile business, list the number of mobile vehicles (power or self-propelled): _____

Address of commissary (if food vendor): _____

SITE LOCATIONS: Please list the address of each temporary business site, or mobile business site if used for two hours or longer. See attached Site Plan forms; one form must be filled out for each site.

Site Address #1: _____

Site Address #2: _____

Site Address #3: _____

Site Address #4: _____

Site Address #5: _____

APPLICANT INFORMATION:

Applicant Name(s) _____

Mailing Address/State/Zip _____

Phone # _____ Fax # _____ Email Address _____

I hereby certify that my business will continually conform to the standards of Chapter 5.08 of the City of Hillsboro Municipal Code pertaining to mobile and temporary business. I understand that this permit is subject to revocation at any time by the City Council for cause, pursuant to Hillsboro Municipal Code 5.08.090.

Applicant's Signature _____ **Date** _____

TRACKING INFORMATION (For Office Use Only) Review Date _____

Approved Denied for the following reasons _____

File # _____ Fees Paid: _____ Receipt # _____ Planner _____

**MOBILE OR TEMPORARY BUSINESS PERMIT
SITE PLAN #1**

SITE LOCATION & DESCRIPTION:

Frontage Street or Site Address _____

Nearest Cross Street _____

Tax Map #(s) _____ Tax Lot #(s) _____

Plan Designation _____ Zoning _____ Site Size _____ (acres or sq. ft.)

List days of the week and hours per day that business vehicle or use will be operating on this site:

Will the general public have access to the structure, use or vehicle? ___Y ___N

Will the structure, use or vehicle be restricted to use by employees of the applicant only? ___Y ___N

If temporary business, duration of operation on the site: (please check one) ___ 1 -30 days ___ 31 - 60 days

Dates of temporary business operation: Start Date: _____ End Date: _____

(Note: temporary businesses may be approved for a maximum of 60 consecutive days, with up to two 60 consecutive day extensions, upon written request. See attached Municipal Code Section 5.08.060.)

Site Owner Name(s) _____

Mailing Address/State/Zip _____

Phone # _____ Fax # _____ Email Address _____

I hereby grant permission to the applicant to utilize the subject property for a mobile or temporary business under the provisions of Section 5.08 of the City of Hillsboro Municipal Code.

Site Owner's Signature _____ **Date:** _____

SITE PLAN: (include dimensions of the lot, names of adjacent streets, location of any permanent structures on the site, driveways, fire lanes, business vehicles, proposed mobile vehicle in relation to all structures, temporary electrical hookups, furniture, trash receptacles, and parking as required in Sections 5.08.050 and 5.08.070 of the Municipal Code.)

For Office Use Only

Site Plan #1 Reviewed by: _____ Date: _____

Approved Denied for the following reasons: _____

**MOBILE OR TEMPORARY BUSINESS PERMIT
SITE PLAN #2**

SITE LOCATION & DESCRIPTION:

Frontage Street or Site Address _____

Nearest Cross Street _____

Tax Map #(s) _____ Tax Lot #(s) _____

Plan Designation _____ Zoning _____ Site Size _____ (acres or sq. ft.)

List days of the week and hours per day that business vehicle or use will be operating on this site:

Will the general public have access to the structure, use or vehicle? Y N

Will the structure, use or vehicle be restricted to use by employees of the applicant only? Y N

If temporary business, duration of operation on the site: (please check one) 1 -30 days 31 - 60 days

Dates of temporary business operation: Start Date: _____ End Date: _____

(Note: temporary businesses may be approved for a maximum of 60 consecutive days, with up to two 60 consecutive day extensions, upon written request. See attached Municipal Code Section 5.08.060.)

Site Owner Name(s) _____

Mailing Address/State/Zip _____

Phone # _____ Fax # _____ Email Address _____

I hereby grant permission to the applicant to utilize the subject property for a mobile or temporary business under the provisions of Section 5.08 of the City of Hillsboro Municipal Code.

Site Owner's Signature _____ **Date:** _____

SITE PLAN: (include dimensions of the lot, names of adjacent streets, location of any permanent structures on the site, driveways, fire lanes, business vehicles, proposed mobile vehicle in relation to all structures, temporary electrical hookups, furniture, trash receptacles, and parking as required in Sections 5.08.050 and 5.08.070 of the Municipal Code.)

For Office Use Only

Site Plan #2 Reviewed by: _____ Date: _____

Approved Denied for the following reasons: _____

**MOBILE OR TEMPORARY BUSINESS PERMIT
SITE PLAN #3**

SITE LOCATION & DESCRIPTION:

Frontage Street or Site Address _____

Nearest Cross Street _____

Tax Map #(s) _____ Tax Lot #(s) _____

Plan Designation _____ Zoning _____ Site Size _____ (acres or sq. ft.)

List days of the week and hours per day that business vehicle or use will be operating on this site:

Will the general public have access to the structure, use or vehicle? ___Y ___N

Will the structure, use or vehicle be restricted to use by employees of the applicant only? ___Y ___N

If temporary business, duration of operation on the site: (please check one) ___ 1 -30 days ___ 31 - 60 days

Dates of temporary business operation: Start Date: _____ End Date: _____

(Note: temporary businesses may be approved for a maximum of 60 consecutive days, with up to two 60 consecutive day extensions, upon written request. See attached Municipal Code Section 5.08.060.)

Site Owner Name(s) _____

Mailing Address/State/Zip _____

Phone # _____ Fax # _____ Email Address _____

I hereby grant permission to the applicant to utilize the subject property for a mobile or temporary business under the provisions of Section 5.08 of the City of Hillsboro Municipal Code.

Site Owner's Signature _____ **Date:** _____

SITE PLAN: (include dimensions of the lot, names of adjacent streets, location of any permanent structures on the site, driveways, fire lanes, business vehicles, proposed mobile vehicle in relation to all structures, temporary electrical hookups, furniture, trash receptacles, and parking as required in Sections 5.08.050 and 5.08.070 of the Municipal Code.)

For Office Use Only

Site Plan #3 Reviewed by: _____ Date: _____

Approved Denied for the following reasons: _____

MOBILE OR TEMPORARY BUSINESS PERMIT SITE PLAN #4

SITE LOCATION & DESCRIPTION:

Frontage Street or Site Address _____

Nearest Cross Street _____

Tax Map #(s) _____ Tax Lot #(s) _____

Plan Designation _____ Zoning _____ Site Size _____ (acres or sq. ft.)

List days of the week and hours per day that business vehicle or use will be operating on this site:

Will the general public have access to the structure, use or vehicle? ___Y ___N

Will the structure, use or vehicle be restricted to use by employees of the applicant only? ___Y ___N

If temporary business, duration of operation on the site: (please check one) ___ 1 -30 days ___ 31 - 60 days

Dates of temporary business operation: Start Date: _____ End Date: _____

(Note: temporary businesses may be approved for a maximum of 60 consecutive days, with up to two 60 consecutive day extensions, upon written request. See attached Municipal Code Section 5.08.060.)

Site Owner Name(s) _____

Mailing Address/State/Zip _____

Phone # _____ Fax # _____ Email Address _____

I hereby grant permission to the applicant to utilize the subject property for a mobile or temporary business under the provisions of Section 5.08 of the City of Hillsboro Municipal Code.

Site Owner's Signature _____ **Date:** _____

SITE PLAN: (include dimensions of the lot, names of adjacent streets, location of any permanent structures on the site, driveways, fire lanes, business vehicles, proposed mobile vehicle in relation to all structures, temporary electrical hookups, furniture, trash receptacles, and parking as required in Sections 5.08.050 and 5.08.070 of the Municipal Code.)

For Office Use Only

Site Plan #4 Reviewed by: _____ Date: _____

Approved Denied for the following reasons: _____

MOBILE OR TEMPORARY BUSINESS PERMIT SITE PLAN #5

SITE LOCATION & DESCRIPTION:

Frontage Street or Site Address _____

Nearest Cross Street _____

Tax Map #(s) _____ Tax Lot #(s) _____

Plan Designation _____ Zoning _____ Site Size _____ (acres or sq. ft.)

List days of the week and hours per day that business vehicle or use will be operating on this site:

Will the general public have access to the structure, use or vehicle? ___Y ___N

Will the structure, use or vehicle be restricted to use by employees of the applicant only? ___Y ___N

If temporary business, duration of operation on the site: (please check one) ___ 1 -30 days ___ 31 - 60 days

Dates of temporary business operation: Start Date: _____ End Date: _____

(Note: temporary businesses may be approved for a maximum of 60 consecutive days, with up to two 60 consecutive day extensions, upon written request. See attached Municipal Code Section 5.08.060.)

Site Owner Name(s) _____

Mailing Address/State/Zip _____

Phone # _____ Fax # _____ Email Address _____

I hereby grant permission to the applicant to utilize the subject property for a mobile or temporary business under the provisions of Section 5.08 of the City of Hillsboro Municipal Code.

Site Owner's Signature _____ Date: _____

SITE PLAN: (include dimensions of the lot, names of adjacent streets, location of any permanent structures on the site, driveways, fire lanes, business vehicles, proposed mobile vehicle in relation to all structures, temporary electrical hookups, furniture, trash receptacles, and parking as required in Sections 5.08.050 and 5.08.070 of the Municipal Code.)

For Office Use Only

Site Plan #5 Reviewed by: _____ Date: _____

Approved Denied for the following reasons: _____

MOBILE OR TEMPORARY BUSINESS PERMIT APPLICATION APPROVAL CRITERIA

The approval criteria and requirements for a Mobile and Temporary Business are listed in Section 5.08 of the City of Hillsboro Municipal Code as follows:

5.08 MOBILE AND TEMPORARY BUSINESS

5.08.010 Purpose

The purpose of this subchapter is to provide minimum standards to protect the health, safety, welfare and economic development of the city and its residents, as well as that of the patrons and employees of mobile and temporary businesses.

5.08.020 General provisions

- A. Except as otherwise provided herein, licensed under any other ordinance or specifically exempted by state law, a person operating a mobile or temporary business in the city must obtain a business license and pay the related fees under HMC 5.04.020 through 5.040.040.
- B. The provisions of HMC 5.04.070 apply to mobile and temporary business.
- C. Except as otherwise provided herein and in addition to obtaining a business license, a person operating a:
 - 1. Mobile business must obtain a mobile business permit;
 - 2. Temporary business must obtain a temporary business permit; and
 - 3. An operator of a mobile or temporary business must pay the related, nonrefundable fees, at rates set by council resolution to cover the administrative costs of administration and enforcement of the permitting program.
- D. Applications for a mobile or temporary business permit must be on a form provided by the city and include all of the information required under HMC 5.08.070 and 5.08.050 respectively.
- E. Incomplete applications or applications submitted without the required fee will be denied outright.
- F. Applications are subject to approval by the manager.
- G. The operator of a mobile or temporary business must provide written permission from the owner, leasing agent or person in charge of the property at which the business will operate.
- H. No mobile or temporary business may conduct operations at a fixed location for more than two hours at one time unless the location is approved by the city as part of the permit.
- I. Any vehicle used in the operation of a mobile or temporary business must comply with all applicable federal, state and local regulations.
- J. At no time may a vehicle related to or the operation itself of a mobile or temporary business block the public right-of-way, a vision clearance area or a fire lane.
- K. If a mobile or temporary business uses electricity for operation, the electrical connection must be of a type which can be quickly disconnected and must comply with all applicable laws, including National Electrical Code Chapter 550.
- L. A mobile or temporary business operator must at all times comply with HMC 6.04.030 in so much as solid waste is located within 50 feet of operations.
- M. A mobile or temporary business operation may not occupy or block the minimum parking spaces required for existing businesses or residences on the subject property or adjacent properties under the applicable city zoning ordinance, a copy of which is available for public inspection at the recorder's office.
- N. No water, sanitary sewer or storm drainage connections are allowed between a mobile or temporary business operation and any utility systems.
- O. All buildings, vehicles, equipment and parking areas associated with a mobile or temporary business must be located on an improved surface, such as asphalt or concrete.
- P. Mobile and temporary businesses may only conduct business during the following hours:
 - 1. Eight a.m. to midnight in commercial zones except within 50 feet of a residential zone; and
 - 2. Eight a.m. to nine p.m. in residential zones and in commercial zones within 50 feet of a residential zone.

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5.08.030 Permit display

- A. The operator of a mobile or temporary business must continuously post during the hours of operation, in a conspicuous place at the business, their business license and any mobile or temporary business permits issued.
- B. A mobile or temporary business operator must retain and be able to immediately provide upon request any other required approvals or permits from the city fire department and county department of health and human services.

5.08.040 Permit and fee exemptions

- A. The following mobile or temporary businesses are exempt from the provisions of this subchapter:
 - 1. If operating under HMC 5.36;
 - 2. Amusements, booths, attractions and other operations conducted on the grounds of the Washington County Fairplex; and
 - 3. If operating within a park under a different agreement with the city.
- B. The following businesses are exempt from payment of a mobile or temporary business permit fee:
 - 1. Religious, educational and charitable organizations specifically exempt from taxation under the Federal Internal Revenue Code; and
 - 2. Producers of farm products raised in Oregon that are produced and sold in the city by themselves or their immediate families.

5.08.050 Application for temporary business permits

In addition to the requirements of HMC 5.08.020, an application for a temporary business permit must include application fees for each proposed location for operation. The temporary business permit application must include the following additional information:

- A. Tax assessor's map and tax lot numbers for the sites proposed;
- B. Names and locations of adjacent streets;
- C. Addresses and locations of any permanent buildings on the sites;
- D. Locations of all driveways on the sites and adjacent properties;
- E. Location of all drive aisles and fire lanes on the sites;
- F. Diagram of on-site parking lot and parking space configuration (i.e., right-angle vs. angled, single-loaded vs. double-loaded);
- G. Proposed location of the business operation on the sites;
- H. Dimensions from proposed temporary business building or vehicle location to all permanent buildings, drive aisles and driveways;
- I. Location of any temporary electrical hookups;
- J. Location of any furniture, solid waste containers and similar fixtures to be placed in the immediate vicinity of the temporary business operation; and
- K. Documentation showing the consent of the property owner.

5.08.060 Additional requirements for temporary businesses

- A. Temporary businesses may operate only on property zoned for commercial retail use pursuant to the applicable city zoning ordinance, a copy of which is available for public inspection at the recorder's office, or on such properties owned by organizations which qualify for business license exemption certificates under HMC 5.04.020(C)(1), (3), (4) or (7).
- B. Temporary businesses may obtain approval for a maximum of 60 consecutive days of business operation, with up to two 60-consecutive day extensions, upon written request. Temporary business operations on a site may not exceed 180 days in a 12-month period.

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- C. Temporary buildings, equipment, furniture and other stand-alone items approved by the manager for conducting temporary business operations may be placed within the operation area of the temporary business and remain on-site throughout the period of operation. All temporary buildings, equipment, furniture, other stand-alone items and merchandise must be removed from the site upon cessation of business operation.

5.08.070 Application for mobile business permits

In addition to the requirements of HMC 5.08.020, an application for a mobile business permit must include an application fee as set by council resolution. When a mobile business operator plans to conduct business at a location for more than two hours at one time the permit application must also include an additional fee for approval of each location as set by council resolution and the following additional information:

- A. Tax assessor's map and tax lot numbers for the sites proposed;
- B. Names and locations of adjacent streets;
- C. Addresses and location of any permanent buildings on the site;
- D. Locations of all driveways on the sites and adjacent properties;
- E. Location of all drive aisles and fire lanes on the sites;
- F. Diagram of on-site parking lot and parking space configuration (i.e., right-angle vs. angled, single-loaded vs. double-loaded);
- G. Proposed location of the business vehicle on the sites;
- H. Dimensions from proposed mobile business operations to all permanent buildings, drive aisles and driveways;
- I. Location of any temporary electrical hookups;
- J. Location of any furniture, solid waste containers and similar fixtures to be placed in the immediate vicinity of the mobile business; and
- K. Documentation demonstrating compliance with minimum parking requirements

5.08.080 Additional requirements for mobile businesses

- A. All temporary buildings, equipment, furniture, wastebaskets and other stand-alone items must be placed in the immediate vicinity of the mobile business and must be removed from the site upon cessation of business operations.
- B. Mobile business operations may not exceed six consecutive hours on a single property except an additional hour is allowed for set-up and take-down for a maximum time of seven hours total.
- C. Any mobile business operations in excess of 20 minutes in any one day on a single property must occur only on property:
 - 1. Zoned for commercial or industrial use;
 - 2. Zoned for multi-family residential uses that contains 10 or more multi-family dwelling units; or
 - 3. That is publicly-owned.

5.08.090 Revocation of permits

- A. Grounds. A mobile or temporary business permit may be revoked if the operator:
 - 1. Is charged with and fails to contest, or is conclusively determined to be in violation of, two or more provisions of this subchapter in a 12-month period, or
 - 2. Operates the business in a way that creates a nuisance.
- B. Notification.
 - 1. If the city determines that grounds for revocation of a mobile or temporary business permit exist, a notice of revocation will be issued in writing and delivered to the permittee in a manner reasonably calculated to give notice, including delivery by United States first-class mail, postage prepaid.

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2. The revocation is effective 14 calendar days after issuance of the notice unless the permittee files a written appeal with the city or upon failure to appear at the hearing should an appeal be filed.
- C. Appeal.
1. An appeal is initiated by the filing of a written appeal with the manager no later than 14 calendar days after issuance of the notice of revocation.
 2. Upon filing of an appeal, the manager will appoint a hearings officer to hold an administrative hearing on the appeal.
 3. The hearings officer has the authority to administer oaths, take the testimony of witnesses and prescribe procedures for conducting a hearing in conformity with those procedures under ORS 183.
 4. The appealing party or any other person the hearings officer deems has relevant evidence concerning the existence of grounds for revocation will be allowed to present testimony and documentary evidence at the hearing.
 5. After consideration of the arguments and evidence, the hearings officer will determine whether the city has established by a preponderance of the evidence that grounds for revocation exist and issue a written decision containing findings of fact that address the allegations contained in the notice of revocation such that if:
 - a. Grounds for revocation have been established, the hearings officer will revoke the mobile or temporary business permit; or
 - b. Grounds for revocation have not been established, the proceedings will end.
- D. Review. Review of a hearings officer decision will be by the council.
1. A review of a hearings officer decision is initiated by the filing of a written request for review with the manager no later than 14 calendar days after issuance of the hearings officer's decision.
 2. The review is on the record created before the hearings officer only.
 3. The council will affirm the decision of the hearings officer unless it finds that there was no substantial evidence to support the findings of fact made by the hearings officer or that the hearings officer made an error of law.
 4. The council will issue a written decision on the appeal.
 5. If the council affirms the decision of the hearings officer, the permit revocation is immediately effective.
 6. The decision of the council is conclusive and final.
- E. Revocation of a temporary business permit is in addition to any other remedy that the city might have under the law.
- F. A revocation of a temporary business permit bars the permittee from obtaining a temporary business permit from the city for one year after the effective date of revocation.

MOBILE OR TEMPORARY BUSINESS PERMIT APPLICATION SUBMITTAL REQUIREMENTS

- The original, completed and signed Mobile or Temporary Business Permit Application. This information must be reproduced so please print clearly using black or dark blue ink or type.
- Permission from property owner (if other than applicant) by signature on each site plan or in a separate attached letter.
- The appropriate filing fee **PAYABLE TO CITY OF HILLSBORO**. Please consult the fee schedule for current fees.

FOR MORE INFORMATION PLEASE CONTACT:

City of Hillsboro Planning Department
150 East Main Street, 4th Floor, Hillsboro, OR 97123
Phone: (503) 681-6153
Fax: (503) 681-6245
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Website: www.ci.hillsboro.or.us