



# TEMPORARY USE PERMIT APPLICATION

## ONE-STOP-SHOP

CITY OF EL PASO ■ 811 TEXAS AVE. ■ EL PASO, TX 79901 ■ (915) 212-0104

**P**ursuant to §20.10.680 (Temporary Uses) of the El Paso City Code, certain uses may be permitted on a temporary basis in cases where they may not otherwise be permitted. One-Stop-Shop staff are available to advise you in the preparation of this application. Call (915) 212-0104 or email [OSSHelp@elpasotexas.gov](mailto:OSSHelp@elpasotexas.gov) for further information.

### What is a Temporary Use Permit?

Temporary use permits are intended to accommodate reasonable requests for interim or temporary uses for a limited period of time on a particular parcel when such activities are desirable for the community. Temporary uses allowed must be consistent with the health, safety and general welfare of persons residing and working in the community, shall be conducted so as not to cause any detrimental effects on surrounding properties and the community, and shall not violate any other ordinance or state and federal regulations.

Typical temporary use permits authorize such short-term uses as mobile food establishments, seasonal Christmas tree and pumpkin sales, real estate sales offices, festivals or carnivals, outdoor sporting events, special outdoor retail sales promotions, and similar unique and infrequent, irregularly or intermittently occurring events. See §20.10.680 (Temporary Uses) of the El Paso City Code for additional information and requirements for permitted temporary uses.

A temporary use permit from the Planning and Inspections Department is frequently one of a number of City permits required to operate a temporary use. The Fire and Health Department among others may also require separate permits before such operations can commence.

While a Temporary Use Permit authorizes a specific use or activity on a given parcel, it does not authorize any construction-related activities. Construction, demolition or alteration of a structure, regardless of association with a temporary use, is subject to the permitting requirements of the Building & Development Permitting Division of the Planning & Inspections Department.

### When is a Temporary Use Permit Necessary?

If a particular use is not intended to be permanent and complies with applicable restrictions found in §20.10.680

(Temporary Uses) of the El Paso City Code, a Temporary Use Permit may be appropriate. A Temporary Use Permit may authorize a particular use ranging from 1 day to 6 months, subject to conditions. Further time may be authorized only by action upon a new application and is limited to no more than six months in a single calendar year.

Temporary Use Permits may only be granted for individual parcels; they may not be authorized within any public right-of-way (e.g. streets or sidewalks). If a proposed temporary use would be conducted within a public right-of-way, an alternate permitting process administered by the Planning & Inspections Department is required; such permits may be obtained at the One-Stop-Shop.

Additionally, temporary structures such as construction sheds, canopies, tents and fences used in construction work in conjunction with a building or grading permit are exempt from temporary use permitting requirements so long as such structures are completely removed upon the completion of the work authorized by the building or grading permit.

### How Does the Permitting Process Work?

Many applications for a Temporary Use Permit can be reviewed and acted upon an “over-the-counter” basis, however, please plan to submit your application at least ten (10) calendar days prior to the proposed commencement of the temporary use to allow adequate time for review and, if necessary, revisions. With limited exception, temporary uses may be authorized administratively without a public hearing before City Council; in such cases, allow for an additional thirty (30) day review period. At a minimum, your request will be reviewed by Zoning and Fire staff; other reviews may be required depending on the nature of the proposed temporary use. Once all reviews are completed and the Temporary Use Permit is ready to be issued, a One-Stop-



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Shop staff member will contact you with instructions on how to obtain the permit.

Note that a Temporary Use Permit is valid only for a specific duration and frequency noted on the permit. Subsequent applications are required to continue operation of the use. Upon expiration of the Temporary Use Permit, the premises must be cleaned and cleared of any associated structures, debris and litter and returned to its original state. Clean-up must commence within a twenty-four (24) hour period after the use has concluded.

### Who May Apply for a Temporary Use Permit?

A Temporary Use Permit is associated with a particular property and its use rather than a particular business or individual. Therefore, only property owners (or authorized agents) or operators of the temporary use may submit a Temporary Use Permit application. In the instance that the temporary use operator is the applicant and that the operator and property owner are not the same then a notarized letter from the property owner (or authorized agent) must be submitted with the application granting permission to the applicant to use the property for the proposed temporary use.

### What is the Fee for a Temporary Use Permit?

The Temporary Use Permit fee follows the Schedule C fee list. This fee is due at the time the permit is issued, payable by cash, check (remit to the City of El Paso), money order or credit card (Visa, MasterCard, and Discover are accepted and subject to a 1.98% credit card fee). Please note additional fees may apply should other permits and licenses be required.

### Temporary Use Permits and the Authority of Other City Departments

The Temporary Use Permit is a land-use approval only. It does not establish the right to conduct activities that require authorization from other City Departments (e.g. Health Department, Fire Department, Animal Services Department, Building & Development Permitting, etc.). As part of the temporary use application review, staff at the One-Stop-Shop will make every effort to notify you of any

other permits/licenses required and provide instruction with how to obtain them.

However, should other authorizations be required, it is your responsibility to obtain these prior to commencing the proposed temporary use. Failure to do so may result in the immediate revocation of the Temporary Use Permit as well as monetary penalties pursuant to §20.24 (Enforcement – Penalty) of the El Paso City Code. We strongly advise that applicants contact any other potential agencies involved at the earliest possible point in the permitting process.

### Contact Information

Please call the One-Stop-Shop at (915) 212-0104 or email staff at [OSSHelp@elpasotexas.gov](mailto:OSSHelp@elpasotexas.gov) with any questions regarding the Temporary Use Permit application process. We are also available to answer questions in person at the following location and hours:

**One-Stop-Shop**  
**811 Texas Ave.**  
**El Paso, Texas 79901**  
**Mon – Fri: 8:00 am – 5:00 pm**

### Instructions for Application Submittal

Applicants must fill out the attached application and submit it in person or by mail to staff at the One-Stop-Shop located at 811 Texas Ave. El Paso, Texas 79901; applications may also be submitted via email to [OSSHelp@elpasotexas.gov](mailto:OSSHelp@elpasotexas.gov).

In addition to a complete application, the following documents must be submitted to process your request for a Temporary Use Permit:

- **Site Drawing:** A detailed site drawing is required at the time of submission. While drawings are not required to be professionally drawn, they must be legible, close to scale and provide sufficient detail to describe what your temporary use will look like. The following is a list of minimum requirements your site



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plan should meet:

- ▶ **Property Overview:** Show locations of all temporary and permanent structures, fire lanes, fencing and abutting streets and alleys. Fencing must indicate location of exits and gates. Show the footprint of any building, location of building exits, sidewalks and pathways.
- ▶ **Parking/Transportation:** Parking and transportation options must be sufficient for the number of attendees expected. Parking areas should be clearly marked on the site drawing and show the internal parking layout to include all driveways and fire lanes within the property. If structures are proposed within the property's parking lot, parking calculations must show the number of spaces occupied by the proposed temporary use and the number of parking spaces available for use by both the temporary use and permanent existing uses located on the site must be provided. Under no circumstances shall the proposed temporary use occupy the minimum required parking for permanent existing uses located on the site. Under limited circumstances, vehicles may be parked on unpaved or pervious surfaces. When permitted, such areas must be watered or suitable oil applied to control air pollution, as denoted by the permit. Off-site parking locations, shuttle availability or alternative transportation options must also be noted.
- ▶ **Temporary Use Layout:** Include the location of tents, canopies, portable restrooms, stages or other temporary structures (including dimensions); food vendors and other merchandise areas, amusement rides, temporary power sources, and any other specific details of the layout for the temporary use. For tents and other membrane structures enclosed on four sides and greater than two hundred (200) sq. ft., include a floor plan identifying location of exits and pathways under the structure. Show temporary use setbacks from property lines.
- ▶ **Map Key:** Include a north arrow and temporary use boundary lines, in addition to any other helpful symbology. Note that the temporary use must have a setback a minimum of ten (10) feet from the property line.
- **Notarized Property Owner's Consent Letter:** A notarized letter from the property owner or authorized agent, granting permission to the applicant to use the property for the temporary use is required when the property owner and the applicant for the temporary use permit are not the same. ***For convenience, a fillable sample consent letter has been included in this application packet.***
- **Authorization for Use of Restroom Facilities:** Temporary uses are required to have access to on-site restroom facilities. If restroom facilities are unavailable on the site, a portable facility may be used. Alternatively, the property owner or a business owner located may provide permission to use on-site restroom facilities during the proposed temporary use's hours of operation. ***A fillable restroom authorization form has been included in this application packet and must be submitted if portable restrooms will not be provided.***



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### 1. Applicant Information

Case Number

Applicant's Name:

Company/Business Name (if applicable):

Mailing Address:

Phone:

Email:

City:

State:

Zip Code:

### 2. Property Owner Information

Property Owner's Name:

☐ Same as Above

Company/Business Name (if applicable):

Mailing Address:

Phone:

Email:

City:

State:

Zip Code:

Note: If the property owner is not the same as the applicant, a notarized letter from the property owner is required authorizing use of his/her property for the proposed temporary use. For convenience, a sample fillable letter has been included in this application packet.



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### 3. Temporary Use Site Information

Zoning District:

Site Address:

City:

State:

Zip Code:

Description of Current Use of Property:

### 4. Temporary Use Description

Name of Temporary Use, Event, or Business:

Description of Temporary Use:

Primary Contact / Responsible Party During Use Operation:

Phone:

Duration of Temporary Use / Window of Authorization:

Start Date:

End Date:

Note: Dates are inclusive (e.g. they are valid days of operation, including set-up and break-down).

Frequency of Temporary Use  
(e.g. every day, only weekends, etc.):

Hours of Operation  
(e.g. 9 am to 8 pm, etc.):

Note: Total number of days in operation may not exceed 180 days in a calendar year.



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**A. Indicate which, if any, of the following will be used in conjunction with the proposed temporary use?**

<input type="checkbox"/> Amusement Rides	<input type="checkbox"/> Signs/Banners
<input type="checkbox"/> Alcohol	<input type="checkbox"/> Stages
<input type="checkbox"/> Amplified Sounds	<input type="checkbox"/> Temporary Fences
<input type="checkbox"/> Animals	<input type="checkbox"/> Temporary Parking Areas
<input type="checkbox"/> Fireworks/Other Pyrotechnics	<input type="checkbox"/> Tents / Canopies / Membrane Structures
<input type="checkbox"/> Food	<input type="checkbox"/> Use of Park(s)
<input type="checkbox"/> Portable Restroom Facilities	<input type="checkbox"/> Use of Streets / Sidewalks / Alleys
<input type="checkbox"/> Other:	

**B. Will the use occur in an existing parking lot?**

☐ Yes

☐ No

▶ How many spaces are being used by the event?

▶ How many total spaces are on the site?

▶ How many cars are expected to attend?

**Note:** Minimum parking required for existing uses and temporary uses must be accommodated on the site.

### 5. Temporary Use Category (check which of the following applies)

✓		Use type
<input type="checkbox"/>	A	Seasonal sales of food items (e.g. farmer's markets, intermittent sales from a mobile food establishment)
<input type="checkbox"/>	B	Seasonal sales of non-food items (e.g. Christmas tree or pumpkin sales, blowout sales)
<input type="checkbox"/>	C	Haunted House.
<input type="checkbox"/>	D	Fair, circus, rodeo, festival, carnival or concert operated at a location other than a stadium, auditorium or other facility designed to accommodate such an event.
<input type="checkbox"/>	E	Bazaar (e.g. church or school fundraising sale of goods)
<input type="checkbox"/>	F	Temporary use of a lodge by a fraternal club for temporary fund-raising activities.



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## 5. Temporary Use Category (check which of the following applies) continued

✓		Use type
<input type="checkbox"/>	G	Outdoor sporting events held at a location other than a stadium, auditorium or other facility designed to accommodate such an event.
<input type="checkbox"/>	H	Other assembly use (i.e. gathering of persons for worship, entertainment, eating, drinking, amusement)
<input type="checkbox"/>	I	Temporary real estate or rental offices (e.g. to accommodate a sales/rental office for a real estate development or subdivision)

## 6. Temporary Use Category (check which of the following applies)

Complete this Section ONLY if you have checked box "B", "C", "D", "E", "F", "G", or "H" in Section 5 of this application.

A. Is attendance expected to reach 500 or more at any one time? ☐ Yes ☐ No

► What is the expected attendance?

Note: If yes, classified as a use listed in Category A under Section 5 of this application, and occurring in a district zoned to R-F, City Council approval is required before the temporary use permit can be issued.

B. Will the proposed temporary use be conducted on a paved surface? ☐ Yes ☐ No

Note: If no, driving surfaces and temporary parking areas will be required to apply water to control air pollution in compliance with Title 30 of the Texas Administrative Code, Chapters 101 and 111 to prevent a nuisance condition or traffic control.

C. Does the proposed temporary use occur inside a building? ☐ Yes ☐ No

► If yes, will partitions be erected? ☐ Yes ☐ No

Note: If partitions are being erected, a floor plan will be required to verify adequate egress is maintained. Depending on partitions and egress lighting requirements, a building permit may be required.

D. Will amusement rides be used? ☐ Yes ☐ No

► If yes, how many rides will be included?

Note: A separate amusement ride permit is required. Proof of Texas Department of Insurance Amusement Ride Inspection is required for each ride, in addition to a certificate of liability insurance with minimum coverage of \$1,000,000 in the aggregate and per occurrence.





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### 7. Specific to Temporary Uses Involving Tents, Canopies & Other Membrane Structures

Complete this Section ONLY if your temporary use will involve tents, canopies or membrane structures.

A. How many tents (enclosed on three or more sides)?

▶ What is the area (sq. ft.) of the largest tent?

B. How many canopies (open on all four sides)?

▶ What is the area (sq. ft.) of the largest canopy?

C. How many other membrane structures?

▶ What is the area (sq. ft.) of the largest structure?

Note: If items will be placed under the tent, canopy or membrane structure, a floor plan may be required to ensure adequate egress is maintained. Additionally, fire retardant certificates are required for each structure being erected, regardless of size.

### 8. Applicant's Declaration

By submitting this application, I certify that all the information provided is correct and hereby agree to all terms and conditions of the City of El Paso Municipal Code regarding Temporary Use Permits and all other applicable local, state and federal regulations. If I am not the property owner of the site where the temporary use is proposed, I certify that I have obtained the property owner's permission. I understand that failure to comply with code requirements may result in permit revocation.

Applicant Printed Name

Applicant Signature

Date

It is incumbent on the applicant to familiarize him/herself with the conditions of any Temporary Use Permit issued and with all applicable Code provisions and to abide by them at all times. Failure to do so shall be grounds for the immediate suspension or revocation of the Permit. Any Temporary Use Permit issued is a land-use approval only. It does not establish any right to conduct activities that require authorization from other City Departments, such as the Fire Department, the Health Department, etc. If you have questions about your Temporary Use Permit, contact the One-Stop-Shop at (915) 212-0104 or at [OSSHelp@elpasotexas.gov](mailto:OSSHelp@elpasotexas.gov).





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### Property Owner's Consent Letter

I, \_\_\_\_\_ do hereby at-  
Property Owner / Authorized Agent Name

test that I am the owner or authorized agent of the owner of the property as described below. I consent to  
providing \_\_\_\_\_  
Applicant Name

access to this property for the purpose of \_\_\_\_\_

\_\_\_\_\_  
Description of Temporary Use Activity  
as further described in the accompanying application for a Temporary Use Permit.

Property Address: \_\_\_\_\_

Property Owner Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

THE STATE OF TEXAS §  
COUNTY OF EL PASO §

Sworn and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_  
NOTARY PUBLIC, Signature



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### Authorization for Use of Restrooms

Temporary uses permitted under §20.10.680 (Temporary Uses) of the El Paso City Code are required to have access to restroom facilities. This form is to be completed by, and have an original signature from, the owner of the business or property providing the restroom facilities. Note that restroom facilities must be located on the same site as the site permitted for the temporary use.

This form is to be completed by, and have an original signature from, the owner/authorized representative of the business providing the restroom facilities for the proposed temporary use which will operating on the same site.

Business / Property Name (if applicable):

Business/Property Owner Name:

Contact Telephone:

Days of Operation:

Hours of Operation:

Your signature below indicates that you agree to allow the applicant and temporary use described below to use your restroom facilities.

Description of Temporary Use:

Printed Name of Restroom Facility Owner:

Signature Name of Restroom Facility Owner:

Date:

Printed Name of Permit Applicant:

Signature of Temporary Use Permit Applicant:

Date: