

## Chapter 18.44

### USE PERMITS

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18.44.010 Issuance. Use permits may be issued by the town council for any of the uses or purposes for which the permits are required or permitted by the provisions of this code. (Prior code §10 111 (part)).

18.44.020 Application. Application for any use permit shall be made in writing in the form, and accompanied by the fee, prescribed by the town council.

Use permit applications will be heard by the town council at a public meeting. The town council will review the application at its next available meeting following a determination by the town planner that the application is complete. The town clerk will mail written notice at least ten calendar days prior to the hearing to the applicant and to all owners of property within five hundred feet from the exterior boundaries of the project site. (Ord. 534 (part), 1996; prior code §10 111 (part)).

18.44.030 Granting. Before granting any use permit, the council must find that the establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

In granting any use permit under the provisions of this chapter, the town council shall designate such conditions in connection therewith, as will, in its opinion, secure substantially the objectives of protection to the public welfare and property or improvements as hereinbefore set forth. (Prior code §10 111 (part)).

18.44.040 Conformity. Any use permitted under the terms of any use permit shall be established and conducted in conformity with the terms of the use permit and with any conditions designated in connection therewith. (Prior code §10 111 (part)).

18.44.043 Denial of incomplete or inactive applications. Consistent with state law, the town planner may administratively deny without prejudice any application which remains incomplete or inactive for a period of greater than ninety days, or is continued at the applicant's request for more than sixty days. (Ord. 584 §3, 2004).

18.44.045 Revocation of permits upon violation. In the event any person, firm or corporation holding a use permit for any of the uses or purposes for which such permits are required or permitted by the terms of this title violates any of the conditions of the permit, any of the provisions of this title, or any other law or ordinances, or conducts or carries on said use in such a manner as to materially affect adversely the health, welfare or safety of persons residing or working in the neighborhood of the property of the said permittee, or conducts or carries on said use so that the said use is materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the town council may revoke or modify the said use permit, using the procedure set forth in subsection (a) of Section 18.44.050. (Ord. 387 §1, 1977).

18.44.050 Revocation or modification. (a) Whenever revocation because of noncompliance with conditions, or modification of a use permit is proposed, notice of public hearing to be held on such revocation or modification shall be given to the permittee in writing at least ten days prior to the hearing and shall also be given as provided in Section 18.44.020.

(b) In any case where a permit has not been used within one year after the date of granting thereof, then without further action by the town council the use permit granted shall be null and void. Where a new structure, or an addition to an existing structure, is involved, the failure to secure a building permit and commence construction within the one-year period shall be deemed to be such nonuse. (Ord. 375 §6, 1977; prior code §10 111 (part)).