

. INTERIM USE PERMIT

Subd. 1. The purpose and intent of allowing interim uses is to allow a use:

- 1) for a brief period of time until a permanent location is obtained or while the permanent location is under construction.
- 2) that is presently judged acceptable by the Township Board, but that with anticipated development or redevelopment, will not be acceptable in the future or will be replaced in the future by a permitted or conditional use allowed within the respective district.
- 3) which is reflective of anticipated long-range change to an area and which is in compliance with the Comprehensive Plan provided that said use maintains harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development.

Subd. 2. General Standards. An interim use shall comply with the following:

- 1) The use is allowed as an interim use in the respective zoning district and conforms to zoning regulations.
- 2) The date or event that will terminate the use can be identified.
- 3) The use will not impose additional unreasonable costs on the public if it is necessary for the public to take the property in the future.
- 4) The applicant agrees to any conditions that the Township Board deems appropriate for permission of the use including the requirement of appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit.
- 5) Application, Public Hearing, Notice, and Procedure. The application, public hearing, public notice, and procedure requirements for Interim Use Permit shall be the same as those for a Conditional Use Permit as provided in this Ordinance.
- 6) Certification of Taxes Paid. Prior to approving an application for an interim use permit, the applicant shall provide certification to the Township that there are no delinquent property taxes, special assessments, interest, or utility fees due upon the parcel of land to which the interim use permit application relates.
- 7) Permit Transferability and Termination:

Subd. 3. Any Interim Use Permit (IUP) issued under this Ordinance is granted solely to the applicant and/or the business entity named in the application, and for the premises named in the IUP application. No IUP of any sort granted pursuant to this Ordinance is transferable to any other person or premises. An IUP does not run with the land. If a change of ownership, control, or location of any licensed premises occurs, whether pursuant to move, sale, transfer, assignment, or otherwise, the owner or proposed new owner must complete a new application subject to approval pursuant to this Ordinance. A change of ownership or control includes, but is not limited to:

- 1) The sale of all or substantially all of the company assets;
- 2) Sale or acquisition of forty (40) percent or more of the controlling interest (voting) stock if the company stock is publicly traded;
- 3) Sale of fifty-one (51) percent of the voting stock if a non-publicly traded stock or closely held corporation;
- 4) Execution of a management agreement; or
- 5) The change of any officer or majority stockholder if the company is a closely-held corporation.

Subd. 4. An IUP shall terminate on the happening of any of the following events, whichever occurs first:

- 1) With a change of ownership,
- 2) If the approved use is inactive for one (1) year or longer as determined by the Zoning Administrator or Town Board,
- 3) The date or event stated in the permit.
- 4) Upon violation of conditions under which the permit was issued.
- 5) Upon change in the Township's zoning regulations which renders the use nonconforming.