



VILLAGE/TOWN OF MOUNT KISCO

WESTCHESTER COUNTY, NEW YORK

104 Main Street

Mount Kisco, New York 10549

Building Department

(914) 864-0019, Fax (914) 864-1085

Telephone

(914) 241-0500

**SALE OF CHRISTMAS TREES AND RELATED HOLIDAY DECORATIONS**

**APPLICATION FOR LICENSE**

*Subject to Local Law Regulations – Copy Attached*

Name of Applicant: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Location of Sales Area: \_\_\_\_\_

Type of Sales: \_\_\_\_\_

Origin of Merchandise: \_\_\_\_\_

Owner of Property: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**License Fee: \$250.00**

**Site Restoration Deposit: \$1000.00**

Please provide fees; a copy of signed lease from property owner authorizing use of property for sales; as well as a plan, drawn to scale, showing the general location on the lot where such storage and sales are to take place of trees and other items for sale and showing provisions for site access and parking.

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

By: \_\_\_\_\_

Denied Date: \_\_\_\_\_

Building Inspector

Conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES**

**Chapter 53, CHRISTMAS TREE SALES**

[HISTORY: Adopted by the Board of Trustees of the Village of Mount Kisco 11-18-1985 as L.L. No. 1-1985. Amendments noted where applicable.]

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-1. Intent.**

**§ 53-1. Intent.**

The intent of this chapter is to establish regulations and procedures for the outdoor sale of Christmas trees and related holiday decorations in the Village of Mount Kisco, New York.

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-2. License required. [Amended 11-19-1990 by L.L. No. 12-1990]**

**§ 53-2. License required. [Amended 11-19-1990 by L.L. No. 12-1990]**

- A. It shall be a violation of this chapter for any person to store for sale or sell Christmas trees and related holiday decorations outdoors in the Village/Town or Mount Kisco without having a license therefor.
- B. It shall be a violation of this chapter for any owner to allow his property to be used for the storage for sale or sale of Christmas trees and related holiday decorations by any person who does not have a license therefor.
- C. The foregoing notwithstanding, no license shall be required for the storage or sale of Christmas trees and related holiday decorations when conducted indoors in the normal course of business of any establishment for which a site plan has been approved and a certificate of occupancy has been granted; or indoors or outdoors in the normal course of business of any garden shop or nursery for which a site plan has been approved and a certificate of occupancy has been granted.

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-3. Application; approval.**

**§ 53-3. Application; approval.**

- A. All applications for a license that allows the outdoor storage and sale of Christmas trees and related holiday decorations shall be made to the Village Building Inspector on a form prescribed by him.
- B. The application shall be accompanied by a plan, drawn to scale, showing the general location of the lot where such storage and sales are to take place and trees and other items for sale and also showing provisions for site access and parking, together with the written consent of the owner of the lot.
- C. Within ten (10) days after the application has been fully submitted, the Building Inspector shall approve, with conditions, said application and issue a temporary license; or disapprove the application. If the application is disapproved, the Building Inspector shall state his reasons for disapproval in writing.

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-4. Fees; deposit.**

**§ 53-4. Fees; deposit.**

The application shall be accompanied by a nonrefundable processing fee, plus a site restoration deposit as provided for in Chapter A112, Fees. The site restoration fee shall be refunded in full, within one (1) week after the termination of the license, if the lot on which the trees were sold has been cleaned up and restored to a condition that existed prior to the temporary sale, as determined by the Building Inspector, or refunded in full if the application is disapproved.

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-5. Permissible locations. [Amended 11-19-1990 by L.L. No.  
12-1990]**

**§ 53-5. Permissible locations. [Amended 11-19-1990 by L.L. No. 12-1990]**

The outdoor sale as permitted in this chapter may be conducted on any vacant lot or on such other land which, in the discretion of the Building Inspector, shall be deemed sufficient, suitable or compatible within the CR, CL, ML or MG Zoning Districts of the Village/Town of Mount Kisco.

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-6. Conditions for issuance of license; revocation.**

**§ 53-6. Conditions for issuance of license; revocation.**

- A. The Building Inspector shall approve an application and issue a license if the lot is suitable for the sale in terms of vehicular access, parking and pedestrian safety. For built-up lots, the Building Inspector shall also make certain that other uses on the lot will permit vehicular access and parking, if such sales are also permitted on the lot.
- B. The license may be revoked at any time if the licensee deviates from the plan as submitted and/or if the sale is deemed to create a public health or safety hazard. If the license is revoked, all sales shall be terminated immediately and shall not be permitted until the licensee complies with the plan and the Building Inspector is satisfied that all safety and health hazards are eliminated.

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-7. Term of license.**

**§ 53-7. Term of license.**

All licenses shall commence on November 15 and shall terminate on December 30.

**CODE OF THE VILLAGE/TOWN OF MOUNT KISCO, NEW YORK, v91 Updated  
12-01-2010 / PART II GENERAL LEGISLATION / Chapter 53, CHRISTMAS TREE  
SALES / § 53-8. Penalties for offenses. [Amended 8-24-1992 by L.L. No. 9-1992]**

**§ 53-8. Penalties for offenses. [Amended 8-24-1992 by L.L. No. 9-1992]**

Any person committing an offense against any provision of this chapter shall be punishable as provided in § 1-17A of this Code.<sup>EN(1)</sup>