



APPLICATION FOR SIDEWALK/STREET VENDOR PERMIT

Date: _____

1. Name of Applicant: _____

A. Home Address: _____
Phone Number: _____

B. Business Address: _____
Phone Number: _____

2. Name of Owner (if different from applicant): _____

A. Home Address: _____

B. Business Address: _____

3. Description of type of food, beverages, or flowers to be sold:

4. Submit with this application an accurate drawing showing the public area to be used, along with plans detailing the design and size of the vending unit and its placement on the property.

5. Submit with this application a description and a photograph, drawing, or artist's or architect's rendering of the vending unit to be used.

6. Submit with this application written approval to use the vending site from the abutting property owners or tenants or their legal representative.

7. Submit with this application a certificate evidencing comprehensive general liability insurance, including products/completed operations liability insurance, naming the City of Portsmouth as an additional insured. The coverage shall be required for a minimum liability of \$500,000 for personal injury and property damage.

8. **Submit with this application a non-refundable application fee of \$25.00.**

9. **Upon approval of your application, the permit fee shall be \$50.00 and shall be collected prior to the issuance of the permit.**

Department of Planning and Zoning

801 Crawford Street • Portsmouth, VA 23704-3822 • (757) 393-8836 • Fax: (757) 393-5223



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I hereby certify that the information contained in this application and in the supporting materials is true to the best of my knowledge and belief. In the operation of the mobile vending unit, I agree to comply with all requirements of Section 32-15, 32-28, and 32-171 through 32-212 of the Code of the City of Portsmouth, 1988, as amended.

Signature of Applicant

Date



GUIDELINES FOR SIDEWALK/STREET VENDOR PERMITS

- I. Yearly renewal of applications for Sidewalk/Street Vendor Permits must be filed at the Department of Planning and Zoning on or after November 15th of the preceding year on forms provided by the above department.**

- II. Each application must provide the following information:**
 - A. Name, home and business address of the applicant, and name and address of owner, if different from the applicant.
 - B. Accurate drawing of the public area to be used along with plans detailing the design and size of the vending unit to be used, and its placement on the public area.
 - C. Description and photograph, drawing, or artist's or architect's rendering of the mobile unit.
 - D. Description of the type of food, beverages, or flowers to be sold.
 - E. Written approval from the abutting property owners or tenants or their legal representatives to use the vending site.
 - F. Certificate evidencing comprehensive general liability insurance, including products/completed operations liability insurance, naming the City of Portsmouth as an additional insured. The coverage shall provide for a minimum liability of \$500,000 for personal injury and property damage.

- III. The following provisions will be applicable to all vendors who have obtained a permit:**
 - A. Operating hours are limited to the hours between 7:00 a.m. and 10:00 p.m. Vending units must be removed from public property during non-operating hours. Hours may be extended for approved special events by the City Manager or his designee.
 - B. All signs are prohibited on or with any mobile vending unit except for price signs and a sign or logo not more than two square feet in area identifying the name of the vendor or product being sold.
 - C. No coin operated vending machine shall be permitted in any portion of any public street, sidewalk or right-of-way, except for boxes for the sale of newspapers.
 - D. No mobile vending unit shall be located in the portion of any street intended for use of motor vehicles.
 - E. All trash or debris accumulating within twenty feet of any mobile vending unit shall be properly collected by the vendor and disposed of in a proper trash container.
 - F. No vendor shall solicit or sell to persons in motor vehicles on the street adjacent to his or her mobile vending unit.
 - G. Vendors of food and beverages must provide receptacles for trash as part of their mobile vending unit.
 - H. All mobile vending units shall have an attendant present at all times.

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Guidelines for Sidewalk/Street Vendor Permit

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- I. The issuance of the permit shall not relieve the permittee of the obligation to comply with the requirements or regulations of the Public Health Department of the City of Portsmouth or other applicable state or local agencies or departments and maintain in full force and effect all applicable licenses and permits.
- J. The vendor has no property rights at any location granted under this vendor permit. The City reserves the right to modify or repeal the ordinance at any time. Any vendor shall comply immediately with the request of any police officer, firefighter, or City or public utility employee to move his or her vending unit for emergency reasons or to permit maintenance of the pavement, utilities or other public facilities.
- K. This permit is an addition to all other permits and licenses, and to any approval which must be granted by the Health Department or any other agency or regulatory authority over the proposed vending operation. A permit will not be issued until all applicable business licenses and other approvals have been issued.

IV. This permit shall expire on December 31st of the year for which it is issued.

V. The following location review shall be performed on each application:

- A. A mobile vending unit is limited to one assigned location.
- B. No permit shall be issued for a location within twenty five (25) feet of a location for which a permit has already been granted.
- C. The use of the mobile vending unit at such location must be compatible for the public interest to use the public streets, sidewalks, or right-of-way. In making such determination, the City Manager or his designee shall consider the type and intensity of use, the width of the sidewalk, the proximity and location or existing street fixtures, including but not limited to sign posts, lamp posts, parking meters, bus shelters, benches, phone booths, trees and news stands, as well as the presence of bus stops, truck loading zones and taxi stands.
- D. A minimum eight (8) foot sidewalk width must be maintained for pedestrian travel at all times.
- E. A mobile vending unit may not be placed within two hundred feet of a like business unless the applicant owns the establishment or has written consent of the proprietor. Subsequent to the issuance of a permit, should a like business locate within two hundred feet of the approved location, the prohibition contained in this section shall not apply for the remainder of the permit year.

VI. The permit application shall be reviewed by the following departments: Police Department, Sanitation Department, Fire Prevention Bureau, Public Works, Traffic Engineering, Management and Legislative Affairs, Economic Development, Health Department and the Deputy City Manager.

VII. All applications for a permit shall be referred to the Downtown Design Committee (if the vending unit is to be operated in the area regulated by the Committee) for issuance or denial of the Certificate of Compliance regarding an applicant's mobile vending unit and related signs, if any.

VIII. The permit fee shall be \$50.00 and shall be collected prior to the issuance of the permit.

IX. For complete details governing regulation of sidewalk vendors, see the City Ordinance on this subject.

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