



Street Vending Permit Information

This packet contains the following information:

- **Step by step instructions**
- **Summary of street vending regulations**
- **Sample vending site plan**

Other forms and guides referenced:

- **Street vending application**
- **Virginia Department of Health Mobile Unit Guidelines**
- **Application form for Itinerant Merchant license**

Instructions:

Step 1. Review the enclosed regulations and select a location. We established the program so that you as a prospective vendor can propose a spot you believe will work.

Step 2. Complete the application and submit it with the \$75 Application Fee to the Planning Coordinator in the Department of Planning, Building, and Development, Room 166, located on the 1st floor of the Municipal Building. Applications are accepted at any time of the year. Permits are issued on a first come-first served basis provided all other requirements are met. There is a separate Permit Fee that is based on the number of months and the square footage of your site.

Step 3. We route the application for review by these departments:

- **Planning** reviews the cart design and zoning.
- **Transportation** reviews placement and ensures no interference with signs and signals and makes sure the site will not interfere with pedestrian or vehicular traffic.
- **Fire Department** reviews to make sure there is no interference with fire hydrants or fire department connections.
- **Parks & Recreation** reviews if located in a park to ensure the location is appropriate. Also, they will review to identify events where other vendors have been contracted.
- **Risk Management** will review the insurance certificate to make sure it complies with our requirements.

An initial application review can take up to 30 days. In the meantime, you can apply for and obtain your Health Department permit. Then you can apply for your Itinerant Merchant license in the Office of the Commissioner of the Revenue, located on the 2nd floor of the Municipal Building.

Step 4. Once all departments have approved the permit, we will notify you. We will give you an approximate cost of your permit, but the actual cost will be calculated when the permit is issued. When you come to pick up the permit, you will need to bring a copy of the Health Department permit and your Itinerant merchant license.

If you are renewing a previously-approved permit and there is no change in location or operation, just check the “Renewal” box on the form.

Need help or have a question? Contact Planning, Building, and Development at 540-853-1730.

Summary of Regulations for Street Vending

Street Vending regulations are contained in Section 30-9.2 of the City Code.

Cart design

- Carts must be either human-powered or towed (not self-propelled).
- The cart must be purpose-built for food and beverage vending.

Operation

- Street vending is limited to vending food or beverages
- Hours
 - Sunday: 1:00 p.m. to 10:00 p.m.
 - Monday through Thursday: 7:00 a.m. to 10:00 p.m.
 - Friday and Saturday: 7:00 a.m. to 12:00 a.m.
- The cart must be removed from the vending site when vending has ceased.
- The cart must be positioned as shown on the approved vending site plan.
- The cart cannot touch, lean against, or be affixed to any building, structure, or fixture.
- You are responsible for making sure the vending site and any area within 20 feet are free of trash during vending and at the conclusion of vending, regardless of the source of the trash.
- You should make sure your cart is attended when is located at the vending site. However, leaving the cart for 10 minutes or less is permissible.
- No cart shall have an open fire or flame.
- No public equipment, facilities, or utilities shall be used in the operation of the vending activity or for storage of a cart.
- Vending transactions shall be limited to pedestrians; vending to any person in a motor vehicle is prohibited.
- The Vendor shall comply with any request of a police officer or other public safety personnel to move or cease vending in the case of an emergency.

Locations

- Your permit will be issued for a specific location and you must keep your vending activity within your permitted site.
- Eligible Locations:
 - City right-of-way where pedestrian or vehicular circulation is not impeded OR

- City-owned properties such as parks, where the access to and enjoyment of public amenities are not impeded.
- Permitted only in these zoning districts
 - Commercial-General
 - Commercial-Neighborhood
 - Institutional Planned Unit Development
 - Recreation and Open Space
- On-street parking spaces are NOT eligible locations.
- We require a 100-foot separation from a public entrance to an eating establishment.
- The vending site and cart cannot block sight distance and visibility of traffic signs and signals.
- Where the vending site is on a sidewalk, a minimum of forty-two (42) inches of sidewalk clearance must be kept clear. Service and queuing areas should be oriented so such clearance is maintained.
- A vending site shall not contain or block a cellar door, manhole, transformer vault or any device for access or ventilation, nor any fire hydrant or standpipe connection on a building.
- The vending site shall be located on a durable surface such as asphalt or concrete.

Vending Site Plan requirements

When you apply for a permit, you will need to include a vending site plan. This plan is a simple sketch showing how your cart will be placed in relationship to the surrounding site. The site plan should show the following information:

- Boundary of the vending site with dimensions
- Dimensions of your cart and where it will be located in the vending site
- Location of operator and service areas
- Measurements need to reference a fixed landmark such as a fire hydrant, light post, etc.
- The name of any adjacent street, public park, or public property;
- The width of the sidewalk from an adjacent building or property line, if applicable;
- Measurements from any fixtures or equipment such as benches, trash receptacles, fire hydrants, utility poles, etc., within twenty (20) feet of the vending site, if any;
- Measurements from building entrances, crosswalks, intersections, or outdoor dining areas within twenty (20) feet of the vending site, if any; and
- Photograph or detailed drawing of the cart. Specification sheets, often available on the manufacturer's web site, are a good way to provide this information.

Insurance requirements

- The issuance of such permits shall be conditioned upon the permittee's agreement to indemnify and hold harmless the City, its officers, employees, and agents, from all claims, demands, damages, actions, causes of action, or any fine or penalty, or suits of any kind whatsoever, either at law or in equity, including any claim for court costs or attorney fees, for damage to property, injury to person, or death, arising out of the maintenance, use, operation or removal, of any items permitted pursuant to this section, or the conduct of any activity pursuant to this section.
- You will need to submit a certificate of insurance with your application. The regulations require you to obtain and maintain a general public liability insurance policy naming the City, its officers, employees and agents, as additional insureds with respect to the construction, maintenance, use, operation, or removal of any items permitted pursuant to this section, or the conduct of any activity pursuant to this section, in an amount of not less than one million dollars (\$1,000,000).
- The insurance certificate must contain a provision to provide 30-days prior written notice to the City before it is cancelled.

Special Provisions

- The permit is issued to you or your business entity. You cannot transfer the permit to someone else.
- Vending shall not be permitted when an area is designated for a special event with a valid assembly permit or during an event in a public park or facility where vendors have been authorized by the City to operate concessions, even when the assembly permit is issued subsequent to the vending permit. Notice of an approved assembly permit shall be given by the City Manager to any vending permit holder affected by such event at least five (5) calendar days prior to the event.
- We may place special conditions on your permit if deemed necessary.

How we calculate your permit fee

Fees are based on the square footage of the vending site and how many months you want the permit to run.

Fee is \$3.25 per square foot per year. Fee is prorated for the number of months.

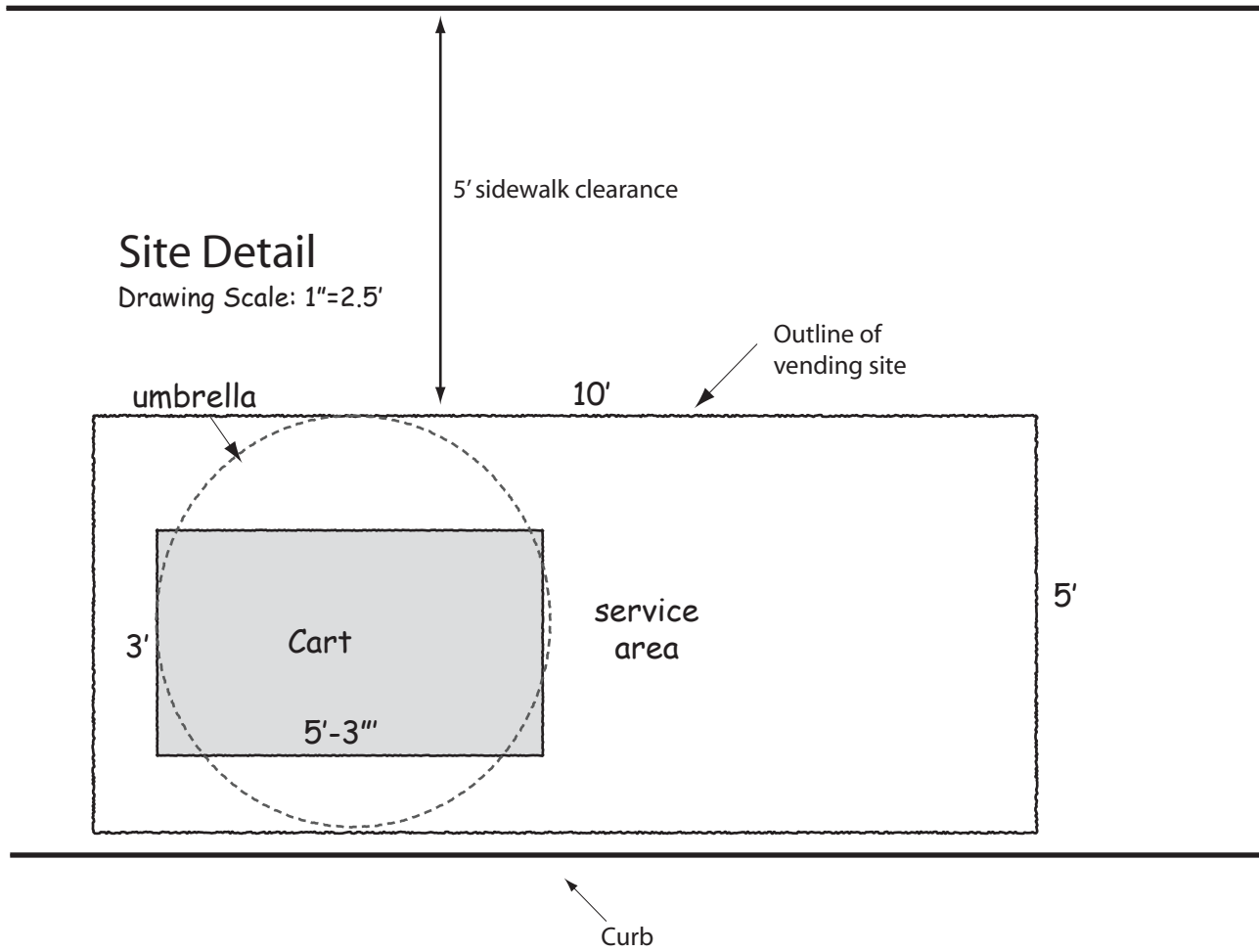
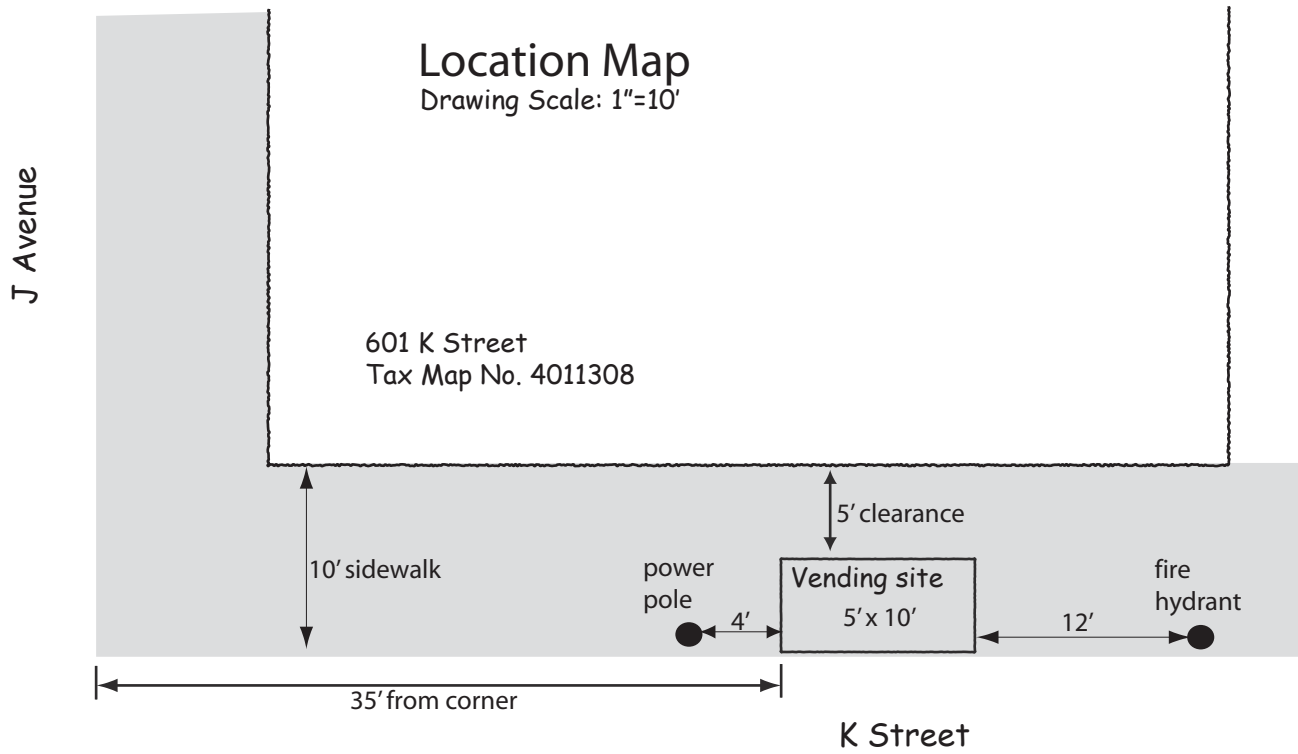
Example: Vending site is 45 square feet and permit is requested for 7 months.

$$\$3.25 \times 45 \text{ s.f.} = \$146.25 \text{ annual permit fee}$$

$$\$146.25 \div 12 = \$12.19 \text{ monthly fee}$$

$$\$12.19 \times 7 \text{ months} = \$85.33 \text{ permit fee for 7 months}$$

Sample Vending Site Plan



Sample Vending Site Plan (cart specs)



Copyright © Creative Mobile Systems

Creative Mobile Systems Inc. Model No. 300
CART DIMENSIONS: L x W x H:
63-1/2" x 34-3/4" x 54-1/2"

Items vended: Hot dogs and bottled/
canned beverages