

LICENSES, PERMITS AND BUSINESS REGULATIONS

(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

Sec. 9-636. Renewal of CBD Street Vendor Licenses.

In order to renew a CBD Street Vendor Street Occupancy Permit/License, the license holder must exhibit to the Department of Public Works a valid certificate of insurance as required by §9-629 above. A CBD Street Vendor using a mobile sidewalk/amenity strip unit who wishes to retain the same location upon renewal of a license must renew their Street Occupancy Permit/License no later than December 15, otherwise the location will be made available to any licensee. The same procedure for initial application shall apply to renewals.

(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

Sec. 9-637. Surrender of license; alteration of license; failure to display license.

On the expiration of a license issued under this division, the holder shall surrender the license to the Chief of Police. No person shall alter or change in any manner any license issued under the provisions of this division, and such alteration or the failure of the holder of the license to display the license in a conspicuous place on the premises or his or her person or to exhibit the license upon demand of any officer or customer or prospective vendee shall be cause for revocation of such license.

(Ord 25-05, §1, 4-12-05; Ord 76-11, §1, 4-12-11; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

Sec. 9-638. Prepayments.

All orders taken by a license holder under this division who accepts or receives payment or deposit of money in advance of final delivery shall be in writing, in duplicate, stating the terms thereof and the amount paid in advance, and one (1) copy shall be given to the purchaser at the time the deposit of money is paid.

(Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

Sec. 9-639. Conduct of business generally – CBD street vendors.

A CBD street vendor holding a license under this division shall be subject to the following:

(a) A licensee shall not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale or offer for sale any unwholesome or tainted food or foodstuffs, nor intentionally misrepresent to any prospective customer the purpose of his or her solicitation, the name of the business of his or her principal, if any, the source of supply of the goods, wares or merchandise which he or she sells or offers for sale or the disposition of the proceeds or profits of his or her sales.

(b) A licensee shall not use the license provided by the City after expiration or revocation of the license.

(c) A licensee shall keep the premises in a clean and sanitary condition and the foodstuffs offered for sale well covered and protected from dirt, dust and insects. All food vendors shall comply with the requirements of state and local authorities, including, but not limited to, the provisions of Article VI of this chapter.

(d) A licensee shall not operate in a congested area where such operation impedes or inconveniences public use. No licensee shall engage in the licensed business in any public park, playground, school, library or other public premises. For the purpose of this subsection, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

(e) A licensee may vend, sell or dispose of, or offer to sell, vend, or dispose of goods, wares, or merchandise, between the hours of 8:00 a.m. and 9:00 p.m., except between Drew Street and Richmond Street on College Avenue, where sales shall be allowed between 8:00 a.m. and 4:00 a.m.

(f) The operating area shall not exceed thirty-two (32) square feet of sidewalk/amenity strip area, including the area of the mobile unit, the operator, and when externally located, a trash receptacle.

(g) The length of the mobile unit shall not exceed eight (8) feet.

(h) The height of the mobile unit, excluding canopies, umbrellas, or transparent enclosures, shall not exceed six (6) feet.

(i) The mobile unit shall be entirely self-contained in regards to gas, water, electricity, and equipment required for operation of the unit. This includes any signage associated with the vendor.

(j) No person may conduct business on a sidewalk in any of the following places:

- (1) Within twenty (20) feet of the intersection of the sidewalk with any other sidewalk except on the amenity strip on College Avenue between Drew Street and Richmond Street.
- (2) Within ten (10) feet of the extension of any building entrance or doorway to the curb line.
- (3) Within fifty (50) feet of the main entrance of any business selling same or similar products during the hours said business is open for the