

City of Lawrence  
Administrative Policy

<b>SUBJECT</b> Licensed Street Vendors		<b>APPLIES TO</b> Administrative Services	
<b>EFFECTIVE DATE</b> May 6, 2003	<b>REVISED DATE</b> April 17, 2003	<b>NEXT REVIEW DATE</b>	
<b>APPROVED BY</b> City Commission	<b>TOTAL PAGES</b> 4	<b>POLICY NUMBER</b> AP-19	

**1.0 STREET VENDOR DEFINED.**

Street vendor shall mean and include any person authorized to sell food, flowers, or non-alcoholic beverages from a cart or stand temporarily located on certain sidewalks of this City as authorized by Ch. 6, Article 14 of the Code of the City of Lawrence.

**2.0 STREET VENDOR LICENSE.**

Upon application to the City Clerk, the City Commission may grant a street vendor license, subject to the provisions of Ch. 6, Article 14 of the Code of the City of Lawrence, to use the sidewalks in the following locations for the sale of food, flowers or non-alcoholic beverages:

- (1) Either southwest or northeast corner of 7<sup>th</sup> and Massachusetts Streets;
- (2) Either southwest or northeast corner of 8<sup>th</sup> and Massachusetts Streets;
- (3) Either southwest or northeast corner of 9<sup>th</sup> and Massachusetts Streets;
- (4) Either southwest or northeast corner of 10<sup>th</sup> and Massachusetts Streets;
- (5) West side of the 800 block of Massachusetts Street near the center block cross walk area.

The governing body reserves the right to reject any or all applications and to restrict or prohibit the use of the right-of-way at the above locations at any time.

**3.0 LICENSE APPLICATION.**

- (A) An applicant for a street vendor license shall present a statement of intention to all businesses within seventy-five (75) feet of the location for which the applicant seeks the license. The applicant shall obtain said business owners' signatures of approval and submit the signatures to the City Clerk. The applicant shall instruct said business owners to submit in writing to the City Clerk all comments regarding the applicant's statement of intention. The applicant shall provide the

names and addresses of each business owner the applicant notified pursuant to this paragraph to the City Clerk.

- (B) An applicant for a street vendor license shall provide proof of current liability insurance issued by a company authorized to issue insurance in the State of Kansas, insuring the applicant, and the City of Lawrence as an additionally named insured, in an amount of not less than \$500,000.00 for a single incident, for any liability associated with the failure of the licensee, its employees, agents, servants, invitees, and patrons to exercise due care and diligence in the use of the sidewalk.
- (C) An applicant for a street vendor license shall provide proof of a Kansas Retail Sales Tax Number.
- (D) An applicant for a street vendor license shall submit a photograph of the proposed cart or stand with the application.
- (E) Applications for a street vendor license shall be accepted by the City Clerk's office, during regular business hours, Monday through Friday, throughout the year.
- (F) The fee for the license required by this Article shall be as prescribed by Section 6-108.18 of the Code of the City of Lawrence.

#### 4.0 **LICENSES VALID FOR ONE YEAR; RENEWALS.**

- (A) A licensed street vendor shall be limited to one licensed location per year.
- (B) A street vendor license shall be valid for one calendar year (January 1 through December 31). All licenses obtained on January 1<sup>st</sup> or at anytime thereafter shall expire on December 31<sup>st</sup> of the same year. Non-use of the approved location for a period of thirty (30) days or longer anytime between April 1<sup>st</sup> and October 31<sup>st</sup> of the year shall constitute a revocation of the license.
- (C) A license may be renewed by making application to the City Clerk on forms provided for that purpose from January 1 to January 31<sup>st</sup> of each year. The fees for the renewal of a license shall be as prescribed by Section 6-108.18. of the Code of the City of Lawrence.

#### 5.0 **RESTRICTIONS ON SIZE OF CART, STAND, SIGNS.**

- (A) The street vendor's cart or stand shall not be more than eight (8) feet high, not including the height of an umbrella attached to the cart or stand. Any umbrella attached to the cart or stand shall not damage or interfere with any street trees. The size of a cart or stand, excluding the hitch, shall not exceed forty (40) square feet.

- (B) Signs shall be limited to one per location. Signs shall conform to the Downtown Design Guidelines and shall be approved by the Historic Resources Commission. A sign permit shall be obtained from the Neighborhood Resources Department.

## **6.0 DUTIES OF STREET VENDORS.**

- (A) The licensed street vendor shall sell only those products (food, flowers or non-alcoholic beverages) specified on the vendor's street vendor license application and for which the license has been issued.
- (B) A licensed street vendor must prove current State of Kansas Health Department Certificate of Approval if selling food or non-alcoholic beverages, and must prove any other licenses or certificates that are required by the State of Kansas.
- (C) A licensed street vendor, before using any heating devices at the licensed location, shall be inspected by the Lawrence-Douglas County Fire and Medical Department and receive approval from them for the use of said device.
- (D) The licensed street vendor, or his or her designee, shall remove the cart or stand from the licensed location no later than 9:00 p.m. each day.
- (E) No more than two (2) employees of the licensed street vendor shall be at the licensed location at one time.
- (F) All sales shall be confined to the approved, licensed location.
- (G) The licensed street vendor shall use only non-breakable containers at the licensed location.

## **7.0 DISTURBING THE PEACE.**

No street vendor, nor any person in his or her behalf, shall shout, make an outcry, blow a horn, ring a bell or use any sound device, including any loud-speaking radio or sound amplifying system for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell.

## **8.0 REVOCATION, SUSPENSION OF LICENSE.**

The City Manager or designee, the Chief of Police or the Codes Enforcement Manager, may suspend or revoke a license issued under Ch. 6, Article 14 of the Code of the City of Lawrence if:

- (A) The licensed street vendor violates any provision of Ch. 6, Article 14 of the Code of the City of Lawrence or other ordinance of the City governing the activities permitted by the license; or,
- (B) The license was obtained by fraud or misrepresentation.

9.0 **APPEAL.**

Any person may appeal to the City Commission from the denial, suspension or revocation of a street vendor license. Notice of such appeal must be given in writing to the City Clerk within fifteen (15) city business days of the denial, suspension or revocation.

10.0 **PENALTY.**

Any person who violates the requirements of this policy shall, upon conviction, be fined not less than \$20.00 nor more than \$500.00 per Section 6-1410 of the Code of the City of Lawrence. Each day that a person violates the requirements of Article 14 of Chapter 6 of the Code of the City of Lawrence shall constitute a separate offense.