

STEPS FOR COMPLETING STREET VENDOR APPLICATION

It is suggested that you visit the offices in the order listed.

PART #1: Fill in all information in the top section of the form as accurate and detailed as possible. This information is needed for each office to appropriately review your application and provide information specific to the type and location of the business.

Part #2: **Step 1:** Visit the Planning & Zoning Office, located on the third floor of the Municipal Building, 400 South Main Street. The zoning staff will determine if your chosen location is zoned appropriately for the business you plan to conduct and discuss various other permit requirements.

Step 2: Go to the Commissioner of the Revenue at 151 North Main Street for the county and state tax, withholding, and registration forms.

Step 4: IF you will be preparing, selling, or serving food, you may need to obtain a health permit from the Culpeper County Health Department, located at 640 Laurel Street, next to the hospital.

PART #3: Once you have received written approval from each office for each required step to operate your business in town, return this application to the Town Clerk's Office along with the \$200 Street Vendor fee, payable by cash or certified check.

NOTICE TO BUSINESS OWNER:

This is NOT an all-inclusive list of requirements for operating a business. The business owner is responsible for complying with all laws and regulations associated with owning and operating a business, notifying the affected offices of any ownership or address change and if the business ceases to operate within the town limits.

Town Code Section 21-22. Street vendors; permit required.

No person shall sell, offer to sell or display any goods, wares, food, or merchandise on any street, sidewalk or other public property in the town, except under the following conditions:

- (1) Street vendors conducting their trade or business within the public rights-of-way shall be defined as follows:
 - a. *Fixed*: Vendors conducting business from vehicles, mobile carts, trailers, or non-motorized vehicles on a regular basis and more than one (1) hour per day at a designated, fixed location.
 - b. *Temporarily fixed*: Vendors conducting business from vehicles, mobile carts, trailers, or non-motorized vehicles from a single location longer than ten (10) minutes but less than one (1) hour.
 - c. *Mobile*: Vendors conducting business from a vehicle that stops at random locations for less than ten (10) minutes each to make sales.
- (2) Street vendors may conduct their trade or business within the public right-of-way in the town under a yearly written permit from the town manager. In the interest of public health, safety and the free flow of traffic, the town manager may determine and prescribe street vendor locations and limit the number of permits outstanding at one time to the amount of street vendor locations available. The town manager may also prohibit mobile vendors from operating on certain streets or public rights-of-way. No parking spaces shall be used by a fixed or temporarily fixed street vendor for the conduct of his business except those so designated.
- (3) Persons proposing to conduct a street vendor's business shall apply in writing to the town manager providing such information as the town manager may request. If the town manager proposes to grant the permit, he shall notify the applicant of the conditional approval. Final approval shall occur when the street vendor demonstrates to the town manager compliance of his business with relevant taxing, business license requirements, safety, health laws and regulations, and liability insurance coverage.
- (4) In determining whether or not to grant the permit, and in determining and prescribing street vendor locations, the town manager shall consider (as appropriate), among other relevant factors, the number of other such permits outstanding; the safety of the street vendor, his patrons, and the traveling public in view of the proposed location of the street vendor; and the potentiality of the street vendor to obstruct vehicular, and pedestrian traffic on the public streets. Alleged competition with existing businesses shall not serve as a valid basis for denial of a street vendor's permit.
- (5) The town manager shall permit appropriate street vendor businesses on a first-come, first-served basis. If the number of applications at the start of the fiscal year exceeds the number of available street vendor locations, the town manager shall rotate the street vendor permits on a first-come, first-served basis, so that as many applicants as possible from year to year will receive a permit.
- (6) It shall be unlawful and a Class 4 misdemeanor for any person to conduct the business of a street vendor without a final current street vendor permit.