

**ORDINANCE OF THE BOARD OF ALDERS APPROVING AMENDMENTS TO  
TITLE III, CHAPTER 17, ARTICLE XI AND TITLE III, CHAPTER 29, ARTICLE  
III, DIVISION 1 OF THE CODE OF ORDINANCES CONCERNING VENDORS**

WHEREAS, due to a significant surge of interest in mobile vending, the City has been receiving an increasing number of expressions of concern from various community stakeholders regarding the cleanliness, noise and air pollution, uncivil behavior, and lack of proper documentation of mobile vending, and a general lack of locations for mobile vendors to vend legally in highly-desirable areas of the city; and

WHEREAS, to address these and other, related issues, City department personnel and community stakeholders have worked together diligently over the past two years revising the City's vending ordinances to simplify and clarify current vending rules, address public health and safety concerns, increase enforcement and oversight, and balance competing interests effectively; and

WHEREAS, the City has developed a reasonable, rational set of vending ordinance revisions that resolve various public health and safety issues, allocate sufficient City resources for consistent, fair enforcement, ensure the legality of all current mobile vending areas, and establish a simple and fair system for assigning parking and sidewalk vending spaces, in tightly-defined areas of the city where demand for vending spaces exceeds the supply of such spaces, that balances the interests of restaurants/retailers and mobile vendors; and

WHEREAS, to collect sufficient resources to support the creation of a dedicated, full-time position to provide the consistent level of compliance and enforcement that these revisions will require, and to provide such other services as mobile vendors, their customers, and residents may reasonably expect, the City seeks to impose fees for specific vending spaces in those tightly-defined areas of the city; and

WHEREAS, City officials have met with mobile vendors on four separate occasions to hear their concerns, refine these proposed ordinance revisions, and incorporate provisions that address their need for greater simplicity, clarity, certainty, consistency, and overall fairness; and

WHEREAS, the City wishes to amend Title III, Chapter 17, Article XI, which regulates the operation of vendors pursuant to City Ordinance, to effect these vending ordinance revisions; and

WHEREAS, the Board of Alders finds that the amendments to Title III, Chapter 17, Article XI of the Code of Ordinances are appropriate and will support the public safety, convenience, and welfare of the community;

NOW, THEREFORE, BE IT ORDAINED by the Board of Alders of the City of New Haven that the existing Title III, Chapter 17, Article XI is hereby repealed in its entirety and replaced with the following new Article XI, and that the existing Title III, Chapter 29, Article III, Division 1 is hereby amended, to read as follows:

**Sec. 17-11. Provisions of Article I apply.**

The provisions of Article I, Licenses and Permits In General, of this chapter also apply to the activities regulated by this article.

#### **Sec. 17-11.1. Definitions.**

For the purposes of this article, the following meanings apply:

(a) *Cedar Street* or *Cedar Street Special Vending District* means: All that area contained in and adjacent to Cedar Street between York Street and Congress Avenue.

(b) *City* means: The City of New Haven and any of its employees. Wherever the title of a City officer, official or employee is used in this Section, the title of the officer, official or employee shall mean and include such person and his or her deputy or other authorized subordinates.

(c) *Conveyance* means: Any Pushcart, Stand, Food Truck, Trailer Cart, or vehicle used by a Vendor in the street or public sidewalk.

(d) *Downtown* or *Downtown Special Vending District* means: All that area lying north of the right-of-way center line of Martin Luther King, Jr. Boulevard, west of the right-of-way center line of State Street, south of the right-of-way center line of Trumbull Street, east of the right-of-way center line of Prospect Street, south of the right-of-way center line of Grove Street, south and east of the right-of-way center line of Tower Parkway, and east of the right-of-way center line of Howe Street.

(e) *Food Truck* means: Any motor vehicle as defined in the general statutes equipped with facilities for cooking and selling food.

(f) *Licensed Vendor* means: The holder of a valid Vendor License which allows that person to Vend.

(g) *Long Wharf Drive* or *Long Wharf Drive Special Vending District* means: All that area contained in and adjacent to Long Wharf Drive between Canal Dock Road and Sargent Drive.

(h) *Managing Vendor* means: Any person who conducts, manages or organizes a show for purposes of exhibition and sale at a Temporary Location that is open to the general public and at which goods, wares or merchandise are on display and offered for sale by Vendors.

(i) *Managing Vendor License* means: The license issued by the City to a Vendor which allows him or her or it to conduct, manage, or organize Vending anywhere in the city in accordance with this article.

(j) *Parking Site License* means: The bi-annual license issued by the City to a Licensed Vendor to Vend in a specific parking space location either in the Downtown Special Vending District or in the Long Wharf Drive Special Vending District, in accordance with this article and its Special Vending District regulations.

(k) *Public Place* means: Any street, sidewalk, alley or other public way, any public park, square, space or grounds, any publicly owned or leased land or buildings.



(l) *Pushcart* means: Any wheeled vehicle or device, other than a motor vehicle, used by a Vendor in a Public Place, which may be moved with or without a motor and which does not require registration by the Department of Motor Vehicles.

(m) *Sachem Street* or *Sachem Street Special Vending District* means: All that area contained in and adjacent to Sachem Street between Prospect Street and Mansfield Street.

(n) *Sidewalk Site License* means:

(1) The bi-annual license issued by the City to a Licensed Vendor to Vend in a specific sidewalk location either in the Cedar Street Special Vending District or in the Sachem Street Special Vending District, in accordance with this article and its Special Vending District regulations.

(2) The bi-annual license issued by the City to a Licensed Vendor to Vend on the sidewalk in the Downtown Special Vending District, in accordance with this article and its Special Vending District regulations.

(o) *Special Vending District* means: An operational area designated by the City within which a Licensed Vendor may operate in accordance with its Special Vending District regulations.

(p) *Stand* means: Any movable, portable or collapsible structure, framework, table, container, basket or other equipment or device, other than a vehicle, used by a Vendor in a Public Place for the purpose of displaying, keeping or storing any goods or merchandise or any article used in the business of Vending. Stands shall be required to have four (4) functioning wheels such that they can be quickly moved in the event of an emergency.

(q) *Temporary Location* means: Any tent, booth, building or other nonpermanent structure, unless such place is open for business during usual business hours for a period of at least nine (9) months in each year.

(r) *Trailer Cart* means: Any Conveyance larger than a Pushcart, eight (8) feet in length and five (5) feet in width, which is towed to a location by a vehicle where the Vendor will be operating inside or next to the Vending Conveyance.

(s) *Vend* or *Vending* means: To peddle, hawk, sell, barter or lease; to offer to sell, barter, or lease; or to display for sale, barter, or lease any goods, wares, merchandise, or services, or enter into any business transaction.

(t) *Vendor* means:

(1) Any person who engages in selling or bartering, or carrying for sale or barter, or exposing therefor, any goods, wares or merchandise, either on foot or from any animal, Conveyance or vehicle.

(2) Any person who engages in selling goods, wares and merchandise from a Temporary Location.

(u) *Vendor License* means: The annual license issued by the City to a Vendor which allows him or her or it to Vend in the city in accordance with this article.

**Sec. 17-11.2. Vendor License required.**

- (a) Any person who engages in Vending upon the public streets or upon any state highway, except limited access highways, within the city or any land abutting such streets or highways is required to obtain a Vendor License in accordance with the provisions of this article.
- (b) Any person who sells or exposes any goods, wares or merchandise for sale at a Temporary Location must obtain a Vendor License in accordance with the provisions of this article.
- (c) Any person who engages in the activities of a Managing Vendor must obtain a Managing Vendor License in accordance with the provisions of this article.
- (d) The following are exempt from the requirements of this article: tag sales, house-to-house sale of newspapers and magazines, restaurant seating on a sidewalk served by a kitchen in an abutting structure, general sales, and fairs, auctions or bazaars by nonprofit organizations, religious groups or government.
- (e) Pursuant to Section 21-37 of the general statutes, the following sales are exempt from the requirements of this article: Sales by farmers and gardeners of the produce of their farms, gardens and greenhouses, including fruit, vegetables and flowers, or to the sale, distribution and delivery of milk, teas, coffees, spices, groceries, meats and bakery goods, to sales on approval, to conditional sales of merchandise, or to the taking of orders for merchandise for future delivery when full payment is not required at the time of solicitation.

**Sec. 17-11.3. Application.**

- (a) In order to obtain a Vendor License under this article, an interested person must file an application with the issuer, and provide all of the following information in addition to the information required by Section 17-1.3 of this Code:
  - (1) A valid Connecticut state tax number.
  - (2) A statement describing the kind and character of the merchandise, services, samples or subscriptions being offered for sale.
  - (3) The proposed location(s) at which the merchandise, services, samples or subscriptions are to be offered.
- (b) Additionally, an applicant must supply all of the following information:
  - (1) The applicant's photograph, with proof of his or her identity and address.



- (2) If selling food, a valid health permit from the New Haven Health Department.
- (3) If a Conveyance is to be used, a photograph and description of it, including its dimensions.
- (4) If a motor vehicle is to be used, a description of it, with copies of the applicant's motor vehicle registration and operator's license.
- (5) If a leased motor vehicle is used, a copy of the applicant's leasing agreement.
- (6) Proof of the applicant's insurance, as set forth in Vendor License regulations.
- (7) Disclosure of person or persons having any ownership interest in the Vending enterprise for which a permit is being requested.
- (8) A valid State of Connecticut Sales and Use Tax Permit.
- (9) A site plan showing the location of the Vending Conveyance in relation to curbs, sidewalks, and public infrastructure, including but not limited to hydrants, bus stops, traffic signals, handicapped ramps, crosswalks, utility poles, street trees and adjacent property lines and building entrances.
- (10) Payment of the applicable license fee or fees, as prescribed in Section 17-201 of this Code and published annually in the City's General Fund Budget document.

**Sec. 17-11.4. Disqualification of applicant.**

The background check described in Section 17-11.5 of this Code may be waived by the police chief or his designee for an applicant seeking a Vendor License for a period of five (5) or fewer consecutive days. Only one (1) waiver per calendar year shall be allowed.

**Sec. 17-11.5. Conditions.**

The police chief or his designee shall investigate an applicant's business, including but not limited to making inquiries to any police department, better business bureau or consumer protection department, and in the neighborhood where the Vending is to be conducted, to ensure that the proposed Vending will not have a negative impact upon the public health, safety or welfare.

**Sec. 17-11.6. Issuance.**

- (a) Upon finding that the facts stated in the application are true and complete, and upon payment of the license fee prescribed in Section 17-201 of this Code as published annually in the City's General Fund Budget Document, the issuer shall issue a dated and signed Vendor

License in accordance with this article. The Vendor License shall include the full name and a photograph of the Licensed Vendor. The Licensed Vendor shall carry the Vendor License on his person, and the Vendor License shall be exhibited to anyone requesting to see the same at any time while the Licensed Vendor is engaged in the activities authorized by such Vendor License. The Vendor License shall be personal, nonassignable, nontransferable, and nonsubleasable.

(b) The issuance of such a Vendor License does not constitute an endorsement of the person, product or service by the City.

(c) Pursuant to Section 21-30 of the general statutes, any resident of this state who has resided within the state for a period of two (2) years next preceding the date of application for such Vendor License, and who is a veteran who served in time of war as defined by Section 27-103 of the general statutes, shall not be required to pay any license fee for the privilege of buying, selling or vending goods, wares or merchandise from a Temporary Location, as defined in Section 17-11.1(q) of this Code, within its limits. The City may defer issuance of such Vendor License for a period not to exceed seven (7) days for purpose of investigation. Lapel pins, buttons, flowers, small flags and similar novelties, and books and magazines, shall not be construed to be goods, wares and merchandise within the meaning of this section. Such person must show separation papers to qualify for the exemption.

(d) Prior to issuance of such a Vendor License for a ~~Food Truck~~ or other Conveyance containing cooking equipment, the applicant shall obtain a permit to sell food from the Health Department and arrange for an inspection by the Fire Marshal of the Vending Conveyance to be used.

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#### **Sec. 17-11.7. Suspension, cancellation, or revocation.**

(a) In addition to the reasons listed in Section 17-1.15 of this Code, the issuer may suspend, cancel, or revoke a Vendor License, Managing Vendor License, Parking Site License, or Sidewalk Site License for any of the following reasons:

(1) The Licensed Vendor engaged in conduct of a character likely to mislead, deceive or defraud.

(2) The Licensed Vendor engaged in any untruthful or misleading advertising.

(3) The Licensed Vendor engaged in any breach of decorum including, but not limited to, intimidation or verbal, physical, and/or sexual harassment.

(4) The Licensed Vendor does not have a valid health permit from the New Haven Health Department.

(b) The police chief or his designee shall have the authority to revoke the license of any Licensed Vendor convicted of violating any provision of this Code, relative to the storing,



handling or sale of food, or any similar regulation, or for any other proper cause, upon the presentation of written notice to the applicant establishing such proper cause.

**Sec. 17-11.8. Special Vending Districts.**

(a) The City shall establish Special Vending Districts in the areas of Cedar Street, Downtown, Long Wharf Drive, and Sachem Street, as defined in Section 17-11.1 of this Code. As deemed necessary by the City, the City may designate additional Special Vending Districts when the number of Licensed Vendors seeking to engage in Vending in a given area exceeds the number of Licensed Vendors that the City physically can accommodate in that location, or when regulating the location of Licensed Vendors is necessary to accommodate other commerce, traffic, public safety, or public health concerns.

(b) Vending is prohibited in the parking lots contained within the Long Wharf Drive Special Vending District. Vending by Pushcart or Stand is prohibited in the Long Wharf Drive Special Vending District. Use of electricity generators is prohibited in the Long Wharf Drive Special Vending District.

(c) Vending by Food Truck is prohibited in the Cedar Street Special Vending District and the Sachem Street Special Vending District.

(d) Vending by Food Truck or Trailer Cart is prohibited in the Downtown Special Vending District and in the Long Wharf Drive Special Vending District, except where explicitly authorized in each Special Vending District by regulation adopted pursuant to subsection (h) of this section.

(e) On or about December 1, or at such other time as the City shall establish, the City bi-annually shall conduct a ~~lottery~~ process to grant and issue Parking Site Licenses for designated parking spaces in the Downtown Special Vending District and the Long Wharf Drive Special Vending District, and Sidewalk Site Licenses for designated sidewalk locations in the Cedar Street Special Vending District and Sachem Street Special Vending District, to Licensed Vendors who wish to Vend in those Special Vending Districts for the following two (2) calendar years. The City shall charge such fees for Parking Site Licenses and Sidewalk Site Licenses as described in Section 17.11.19 of this Code, and receive said fees in such manner as it shall set by regulations adopted pursuant to subsection (h) of this section.

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(f) On or about December 1, or at such other time as the City shall establish, the City bi-annually shall grant and issue Sidewalk Site Licenses to Licensed Vendors who wish to Vend by Pushcart or Stand in the Downtown Special Vending District for the following two (2) calendar years.

(g) Within Special Vending Districts, Licensed Vendors who receive designated parking spaces or designated sidewalk locations pursuant to subsection (e) of this section must locate in the parking space or sidewalk location assigned to them. Licensed Vendors who wish to vend by Pushcart or Stand in the Downtown Special Vending District pursuant to subsection

(f) of this section must locate their Conveyance in accordance with applicable provisions as to location contained within Section 17-11.9 of this Code.

(h) The City shall adopt Special Vending District regulations to implement the provisions of this section.

(i) Parking Site Licenses and Sidewalk Site Licenses are personal, nontransferable, and nonsubleasable, but may be shared or assigned with the prior written approval of the issuer according to regulations adopted pursuant to subsection (h) of this section.

#### **Sec. 17-11.9. General vending regulations.**

All Licensed Vendors shall comply with regulations promulgated by the City and subject to change from time to time, including, but not limited to, the regulations set forth in this Section. Licensed Vendors shall be required and agree to comply with such regulations as a condition of obtaining a Vendor License:

- (a) Each Conveyance used for Vending shall be equipped with a publicly-accessible trash container, not smaller than four (4) feet tall by two (2) feet wide by one (1) foot deep, affixed to it for disposing of trash, litter, garbage, refuse and other waste connected with the Vending operation.
- (b) No Licensed Vendor shall leave any location without first picking up and removing all trash and refuse remaining from Vending sales. No refuse or litter is to be deposited in public waste receptacles. Each Licensed Vendor must collect and remove all refuse and litter from its location at the end of its business each day.
- (c) No Licensed Vendor shall use, set up or attach any crate, carton, rack, or device of any kind to increase the selling display capacity of the Conveyance used beyond the above maximum size requirements as set forth in Section 17-11.10 for Pushcarts, Section 17-11.12 for Trailer Carts, Section 17-11.13 for Food Trucks, and Section 17-11.14 for Stands of this Code.
- (d) Vending locations outside of Special Vending Districts must be at least one hundred (100) feet from any other Vending Conveyance and no more than two (2) locations are allowed on each side of any given block.
- (e) No Licensed Vendor selling food shall stop, stand, park, place or allow his Conveyance to be closer than one hundred (100) feet from any business selling prepared food items. No Licensed Vendor selling general merchandise items, including but not limited to clothing, jewelry, cosmetics, phone accessories, purses, wallets, and sunglasses, shall stop, stand, park, place or allow his or her Conveyance to be closer than one hundred (100) feet of businesses selling general merchandise items.
- (f) Vending shall not be conducted within twenty (20) feet of any building entrance, exit, or alcove, driveway, mailbox, traffic signal, bus stop, or loading zone.



- (g) No Conveyance used in Vending shall be located within twenty (20) feet of any intersection to assure clear and unobstructed vision for pedestrians and vehicles at corners. No Food Truck, Trailer Cart, or other Conveyance used in Vending shall be located within twenty (20) feet of any fire hydrant.
- (h) No Licensed Vendor shall leave any Conveyance or stand unattended during hours engaged in sales, nor shall any Conveyance be left on the sidewalk overnight. Vendors shall not engage in Vending between the hours of 10:00 p.m. and 7:00 a.m. on any day of the week.
- (i) Vending is prohibited on either side of Broadway between York Street and Broadway's intersection with Whalley, Goffe, and Dixwell Avenues, on either side of Elm Street between York Street and Park Street, and on either side of Chapel Street between Temple Street and Park Street.
- (j) Vending is prohibited in all residential districts (RS-1, RS-2, RM-1, RM-2, RH-1, RH-2, and RO) and in all PDDs and PDUs, unless otherwise specifically permitted by ordinance.
- (k) No Licensed Vendor shall block, obstruct or interfere with the free flow of pedestrian or vehicular traffic in the lawful use of sidewalks or highways or ingress or egress to and from any property.
- (l) Each Licensed Vendor shall display in a prominent and visible manner its Vending License and, if applicable, its Parking Site License or Sidewalk Site License issued by the City while conducting business on a sidewalk or public right-of-way.
- (m) Each Licensed Vendor shall wear a photo identification badge on his/her person at all times while conducting business.
- (n) Each Licensed Vendor shall obtain and maintain insurance and a valid health permit as required by the City and set forth by regulation. Each Licensed Vendor shall be required to keep a copy of his or her current insurance certificate and health permit on his or her Conveyance, and produce them for inspection upon request.
- (o) Licensed Vendors shall be prohibited from engaging in sale of nuisance products including, but not limited to, items commonly known as Silly String, an aerosol can from which string-shaped foam-like material may be sprayed, and Smoke Bag or Instant Smoke, a plastic bag or tube-like container holding material which when exposed to air produces a quantity of smoke-like emission.
- (p) No merchandise or service shall be displayed, sold or provided by a Licensed Vendor to an occupant of any vehicle on city streets.



- (q) No Licensed Vendor shall shout, hawk, cry out or make any noise, or use any sound-amplifying device, including a radio, music, or other sound-amplifying system audible to others, or use flashing or moving lights. Non-flashing, stationary lights illuminating a Conveyance are permitted solely during night-time Vending operations.
- (r) Licensed Vendors are not allowed on the grounds of any school unless as part of a school-authorized function.
- (s) All goods, wares, or merchandise vended shall be contained upon or within the Conveyance used by the Licensed Vendor or contained upon the person of said Licensed Vendor. In no case shall any good, wares or merchandise be placed directly upon a street, sidewalk or Public Place.
- (t) Any awning or umbrella attached to a Vending Conveyance must be at least seven (7) feet above the sidewalk.
- (u) No Conveyance shall provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters, unless a proposal for such seating arrangements is submitted with the permit application and approved by the City.
- (v) Each Licensed Vendor shall protect the public right-of-way from damage due to its Vending operation. As a condition of City licensing and operation, a Licensed Vendor shall reimburse the City for all costs incurred in cleaning the Licensed Vendor's location.
- (w) Each Licensed Vendor shall indemnify, defend and save harmless the City and its officers, agents, and employees from and against all actions, lawsuits, claims, damages, losses, judgments, liens, and expenses, including but not limited to reasonable attorney's fees, arising out of or resulting directly from said Licensed Vendor's activities in New Haven.
- (x) Generators used by Licensed Vendors selling food products must be well maintained and must comply with the City's noise ordinance set forth in Title II of Chapter 18 of this Code and specifically the noise levels in Section 18-75 of this Code. Licensed Vendors must make good-faith efforts to mitigate or reduce the noise that such generators make.
- (y) Licensed Vendors shall remove all grease, water, food or food scraps, cooking wastes and litter from each of the operational areas at least daily and dispose of them as provided by the City pursuant to its regulations. No Licensed Vendor selling food products shall empty grease, food product, or gray water into any catch basins or onto any streets or sidewalks in the public right of way.
- (z) Vending in City parks shall be prohibited in accordance with Section 19-5 (2) of this Code unless permitted by the Director of Parks or his/her designee.



- (aa) Vending on sidewalks and streets within twenty-five (25) feet of a City park shall be prohibited unless permitted by the Director of Parks or his/her designee in conjunction with a City-permitted event taking place in that park.

**Sec. 17-11.10. Pushcarts.**

(a) A Licensed Vendor, including a restaurant Vendor, shall not ~~Vend~~ from a Pushcart unless it complies with the standards set out in this subsection. The height of the Pushcart, including canopies, umbrellas, or transparent enclosures, shall not exceed ten (10) feet. The maximum length of the Pushcart shall be eight (8) feet, and maximum width shall be five (5) feet. Each Pushcart shall have a minimum of two (2) wheels and no more than four (4) wheels and shall be functional and decorative.

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(b) Pushcarts shall be built of durable materials that are easy to keep clean and are appropriate for exterior use and which will withstand strong winds. If wood is used it shall be painted or otherwise coated to create a glossy finish. No bare or pressure treated wood without an additional glossy finish coating is permitted. Each Pushcart shall have stability features such as brakes or chocks to firmly fix its location. Pushcart tongues (including, but not limited to, hitches, or handles) must detach and be stored out of the way or be folded away while the Pushcart is stationary and in use. Pushcarts are to be open and the Licensed Vendor shall not stand in, be partially or fully enclosed by, or operate within the Pushcart.

(c) Pushcart Vending or sidewalk sales shall not be conducted in front of the entrance or exit to any building or driveway, within twenty (20) feet of any building entrance, exit, or alcove, driveway, mailbox, fire hydrant, traffic signal, bus stop, or loading zone.

(d) Pushcarts are to be located fully within the boundaries of the paved sidewalk surface and/or tree belt while on public space, provided, however, that on those streets where no paved sidewalk exists, carts shall be so placed as to not interfere with pedestrian or vehicular traffic. No part of any Pushcart may extend over the curb line, nor shall it be positioned in such manner as to obstruct a crosswalk, handicap ramp, fire hydrant, driveway or access to any building. Pushcarts must be positioned to allow an unobstructed pedestrian walkway at least five (5) feet in width, or in accordance with Section 17-45 of this Code. Where a five (5) foot width does not exist, Vending shall be prohibited.

(e) No Conveyance, enclosed or open, larger than a Pushcart's maximum size of eight (8) feet in length and five (5) feet in width, shall be permitted on any sidewalk unless otherwise permitted by Special Vending District regulation. Vending Conveyances exceeding Pushcart maximum size must adhere to the same regulations as Food Trucks.

**Sec. 17-11.11. Vending forbidden adjacent to New Haven Green during a declared festival.**

(a) The mayor may, for purposes of public safety, convenience and welfare, declare as a festival any event to be held on the New Haven Green which in its past occurrence has been heavily attended, or which the Mayor reasonably anticipates will be heavily attended. A festival declaration must be specific as to date, time of commencement and time of ending of the event.

(b) Notice of the festival declaration must be published in the major newspapers of this city, and given to the Board of Alders no more than fourteen (14) and no less than seven (7) days before the date of the festival.

(c) For the duration of a festival, no Vendor may vend any goods, wares, services or merchandise on the streets or sidewalks up to the opposite curb line of Elm, Chapel, Church and Temple Streets, or fifty (50) feet from any intersection adjacent to the Green. However, Vending may occur from vehicles or carts in the streets adjacent to the opposite curb from the Green in places where parking is permitted. While such declaration is in effect, the City shall provide such police protection as shall be necessary to protect all pedestrians walking between the Green and the above-described streets.

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#### **Sec. 17-11.12. Trailer Carts.**

If otherwise lawfully licensed and operated pursuant to federal, state and local laws, ordinances, rules and regulations, a Licensed Vendor may move a Trailer Cart from place to place by towing it with a motor vehicle. Motor vehicles shall not be driven over curbs, onto sidewalks or otherwise to situate Conveyances within Vending locations.

#### **Sec. 17-11.13. Food Trucks.**

(a) Food Trucks must not exceed ten (10) feet in width, including any side extensions or awnings.

(b) Food Trucks parked in metered parking spaces on City-owned property must not exceed twenty (20) feet in length including the length of any trailer hitch, trailer, Trailer Cart, or other extension.

(c) Food Trucks parked in non-metered parking spaces on City-owned property must not exceed twenty-six (26) feet in length, including the length of any trailer hitch, trailer, or other extension. If a Food Truck is parked on private property, the Food Truck with attached trailer or other extension must not exceed forty (40) feet in length.

#### **Sec. 17-11.14. Stands.**

Stands shall not be larger than four (4) feet, nine (9) inches high (exclusive of wheels), five (5) feet, eight (8) inches long, and three (3) feet, six (6) inches wide. Each Stand must be equipped with four (4) functional wheels for its mobility.

#### **Sec. 17-11.15. Enforcement.**

(a) Enforcement over Vending of food products by Licensed Vendors shall be carried out by staff of the Police Department, the Health Department, the Office of Building Inspection and Enforcement, the Department of Transportation, Traffic and Parking, the Fire Department,

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the Department of Public Works, and such other City officials as the Police Chief shall designate.

(b) Enforcement over Vending of nonfood products by Licensed Vendors shall be carried out by staff of the Police Department, the Office of Building Inspection and Enforcement, the Department of Transportation, Traffic and Parking, the Department of Public Works, and such other City officials as the Police Chief shall designate.

**Sec. 17-11.16. Penalties.**

(a) Any person who engages in the activities defined in Section 17-11.1(t)(1) of this Code without the Vendor License required by Section 17-11.2(a) of this Code shall be fined the maximum amount allowed by Section 21-38 of the general statutes.

(b) Any person who engages in the activities defined in Section 17-11.1(t)(2) of this Code without the Vendor License required by Section 17-11.2(b) of this Code shall be fined or imprisoned or both pursuant to Section 21-35 of the general statutes.

(c) Any person who engages in the activities defined in Section 17-11.1(h) of this Code without the Managing Vendor License required by Section 17-11.2(c) of this Code shall be fined or imprisoned or both pursuant to Section 21-35 of the general statutes.

(d) Any person who violates any provision of Section 17-11.8 of this Code or those regulations adopted by the City in accordance with Section 17-11.8(h) of this Code shall be subject to the following penalties:

(1) First violation: Suspension of a Parking Site License or Sidewalk Site License for a period of thirty (30) days.

(2) Second violation: Suspension of a Parking Site License or Sidewalk Site License for a period of ninety (90) days.

(3) Third violation: Cancellation or revocation of a Parking Site License or Sidewalk Site License for the remainder of the calendar year.

**Sec. 17-11.17. Vending by children.**

No child under the age of sixteen (16) years shall be allowed to engage in Vending unless he or she has been issued working papers by the appropriate City authority, or is otherwise permitted to do so under state and/or federal law.

**Sec. 17-11.18. Lease of interest in sidewalk and street to encourage commercial development; use by Vendors.**

(a) Pursuant to Sections 7-148(c)(3)(A) and 7-148(c)(6)(C)(vi) of the general statutes, the City may grant a license to abutting property owners for the use of sidewalks and streets for the purpose of encouraging commercial development. Such license shall be granted only upon approval by the Board of Alders of the general terms and conditions of such license.

(b) No Licensed Vendor licensed under this article may operate on a sidewalk or street area where a license for the commercial use of such property has been granted by the City to an abutting owner pursuant to said statutes, except as may be provided in the lease.

(c) If the City has granted a license to an abutting owner for commercial use of property under the general statutes cited hereinbefore, a Licensed Vendor operating only on a sidewalk or street area of said property is not required to obtain a license under this article as long as the owner authorizes such operation pursuant to the license.

#### **Sec. 17-11.19. License fees and additional Vending fees.**

(a) Fees to become a Licensed Vendor shall be set forth in Section 17-201 of this Code and published annually in the City's General Fund Budget document.

(b) The Vendor License application fee shall be \$200 or the maximum allowed under the general statutes for this type of license, whichever is higher. There shall be a per diem fee for short term Vendor Licenses of four (4) or fewer consecutive days.

(c) For Vendors who use Food Trucks and Trailer Carts located in the Long Wharf Drive and Downtown Special Vending Districts, there shall be an annual Parking Site License fee of \$2,500 that will allow Vending in designated parking spaces as identified by the City and assigned according to the means set forth pursuant to Section 17-11.8(h) of this Code. Vendors who use Food Trucks and Trailer Carts in the Long Wharf Drive Special Vending District shall pay to the City an annual Electricity fee of \$500 if they require electricity to provide or supply their goods or services, including the cooking, reheating, or preparation otherwise of food, in a designated parking space as identified by the City and assigned according to the means set forth pursuant to Section 17-11.8(h) of this Code.

(d) For Vendors of Pushcarts and Stands located in the Cedar Street, Downtown, and Sachem Street Special Vending Districts, there shall be an annual Sidewalk Site License fee of \$1,000 that will allow Vending, either generally or in designated sidewalk locations as identified by the City and assigned according to the means set forth pursuant to Section 17-11.8(h) of this Code.

#### **Sec. 17-11.20. Vending advisory council.**

There shall be a Vending advisory council, which shall consist of Licensed Vendors who wish to advise the City on policy matters relating to Vending within the city. The City shall adopt regulations to implement the provisions of this section.