

SCANNED

ORDINANCE NO. 181

AN ORDINANCE OF THE CITY OF DONNELLY, IDAHO REGULATING STREET VENDORS IN THE CITY, PROVIDING FOR STREET VENDOR LICENSING FEES, APPLICATION PROCESS, EXEMPTIONS, HOLD HARMLESS REQUIREMENT AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DONNELLY, IDAHO, AS FOLLOWS:

Section 1: TITLE. The Title of this Ordinance is: The City of Donnelly Street Vendor Ordinance.

Section 2: DEFINITION OF STREET VENDOR: Every person or business who offers goods or services for sale or rent, or offers to purchase goods, on the streets, or from a vehicle or a stand open to street access, who has a primary business location conducted from a vehicle, stand, temporary structure not regulated elsewhere by City code, or wagon within the City of Donnelly. A separate license is required for each Street Vendor stand. Excluded from this definition are persons or businesses: (1) making delivery of goods previously ordered by any business or personal customer; (2) a peddler (see existing City of Donnelly peddler definition and ordinance) and whose activity in major part is thus driving a regular route to the location of existing customers who have arranged for return visits; (3) all vendors that fall under the Special Event designation currently administered by the Donnelly Chamber of Commerce; and (4) all non-profit organizations that fall under the Special Event designation administered by the Donnelly Chamber of Commerce..

Section 2: APPLICATION AND APPROVAL. Prior to any Street Vendor operating within the City of Donnelly, such Street Vendor must first apply for, pay for and obtain or renew a license from the City.

Section 3: APPLICATION PROCESS. All applications and renewals shall be submitted on the City-supplied application form together with suitable identification and other requirements which the City may require on the form and are subject to review and approval by the City Planning and Zoning Administrator. All licenses are of six-month or annual duration beginning with the start date set by the applicant or upon approval, if later in time.

Section 4: SPONSER. All applicants must have a private property owner or business sponsor which provides adequate private property upon which to conduct their street vendor business. In addition, either the sponsor or the applicant is to have a minimum \$100,000.00 liability insurance coverage for the Street Vendor's activities at said location. The applicant is required to execute a hold harmless clause as part of the application in favor of the City for any ensuing liability.

# Draft City of Donnelly Vendor Ordinance

October 17, 2005

## Definition of vendor:

Every person who offers goods or services for sale or rent, or offers to purchase goods, on the streets, or from a vehicle or a stand, who has a primary business location conducted from a vehicle, stand, or wagon within the City of Donnelly; excluding from this definition a person making delivery of goods previously ordered by the customer, and excluding a person who is a peddler (see existing City of Donnelly peddler definition and ordinance) and whose activity in major part is thus driving a regular route to the location of existing customers who have arranged for return visits.

## **City of Donnelly Vendor Summary and Procedures**

Potential vendors must first fill out the City of Donnelly Vendors License Application Form (see attached form), and pay the appropriate fees to the city. Fees are based on a six month vendor cycle, starting from the date each vendor designates as his/her star date in the application.

All applications are subject to Donnelly City Planning and Zoning Administrator approval prior to vendor start date. The Planning and Zoning Administrator reserves the right to deny renewal of a vendor license. Basic criteria and standards are listed in the application.

Vendor fees shall be \$300.00 per six month cycle along with a refundable \$100.00 deposit to the City of Donnelly. All vendors must have a private property/owner/business sponsor which provides private property to conduct their vendor business on. The City of Donnelly assumes the sponsor carries liability insurance thus making optional the requirement for the vendor to carry his or her \$100,000 liability insurance coverage. All vendors must hold harmless the City of Donnelly for any ensuing liability.

Exemptions: All special event vendors fall under the Special Event definition which is currently administered by the Donnelly Chamber of Commerce and is not subject to this proposed Donnelly Vendor Ordinance.

All non-profit organizations are exempt and fall under Special Events that are administered by the Donnelly Chamber of Commerce.

## City of Donnelly Vendors License Application

Applicants for a vendor's license shall file a complete application with required documentation for said vendor's license not less than thirty days prior to the date said person desires to engage in or conduct business. A separate vendor's license shall be required for each separate vending stand.

Please submit completed application with required documentation to:

City of Donnelly  
PO Box 725  
Donnelly, ID 83615

NOTE: Application must be accompanied by a deposit in the amount of \$100 (which will be refunded at the time of license expiration), the applicable fee in the amount of \$300, and one 2 by 2 inch, full face photograph of the applicant taken within the last 30 days, showing the head and shoulders of the applicant in a clear and distinguishable manner. License fees are not prorated and are not refundable. A separate license fee shall be required for each separate vending stand, such as, but not limited to, each separate tent, cart or other form of stand.

1. Applicant's full name, date of birth and and/or driver's license number:  
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2. The names and driver's numbers of employees or agents who will be assisting the applicant in the proposed business:  
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\_\_\_\_\_
  
3. Applicant's residence and mailing address and telephone number, local telephone number, mailing address, permanent business address and telephone number (if any):  
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4. Business Name: \_\_\_\_\_
  
5. A brief description of the nature, character and quality of the goods or services to be offered for sale:  
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