

**CITY OF ATLANTA
VENDOR PERMIT PROGRAM
APPLICATION PACKET**



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Public Right of Way Vending

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances provides for vending in approved locations within the general right of way. Operating a vending cart or vending from a kiosk requires a permit from the City of Atlanta Office of Revenue, and it is unlawful to sell any goods or services on any public sidewalk or in any kiosk without a permit. Each individual location requires a separate permit.

To receive a Public Right of Way Vending Permit, applicants must complete the following:

- Applicant completes Vendor Application and submits application along with payment totaling \$145 - including respective fees for Vendor Application, Criminal Background, and Fingerprinting – to the City of Atlanta Office of Revenue located in City Hall Suite 1350 (first floor), 55 Trinity Avenue, SW. **Initial applications must be filed in person.**
- Applicant completes Business License application and makes applicable Business Tax payments.
- Applicant completes Background Check and Fingerprinting processes through the Atlanta Police Department located at 3493 Donald Lee Hollowell Pkwy, NW.
- Pending notification from APD of the results of the Background Check, applicant receives permit from the Office of Revenue.
- *Please note the following:*
 - *All fees shall only be payable once the vendor receives notification from the City that the vendor may apply for an approved vending location.*
 - *All payments must be paid by money order, certified check or cashiers check if and when the application is approved by the Office of Revenue*
 - *The city's vending permit year runs from March 1st to February 28th.*

The permit application can be found on page 22 of this document.

Vending Fees

Permit application fee for vending from an approved cart or kiosk:	\$75/year
Criminal background check fee:	\$50/year
Fingerprint fee:	\$20/year
Maintenance fee for vending from a City of Atlanta kiosk:	\$2,500/year*

All application fees, including permit, criminal background check and fingerprinting are due at the time an application is submitted.

Maintenance fees for kiosk locations are due at the time the permit is approved; 2013 fees will be prorated at a rate of \$6.85/day.

Vending permit year begins on March 1st; at that time all vendors must complete the renewal process and pay the associated application fees (\$145) and maintenance fees (\$2500).

All associated fees reflect the charge per application. If you are applying for more than one locations, separate applications and associated payments must be filed with the Office of Revenue.

All application fees – including background check and fingerprinting – are non-refundable.

Per City ordinance, disabled veterans and blind persons are exempt from paying application fees.

** Only those businesses vending out of a City-owned kiosk are subject to maintenance fee in addition to fees associated with permit application, background check and finger printing.*

Approved Items Allowable for Sale

There are several pre-approved items allowable for sale from a vending cart or a kiosk. They include:

1. Tourist or traveler convenience items:

- Weather-related supplies: umbrellas, scarves, hats, gloves, ponchos
- Convenience toiletries such as toothpaste, toothbrushes, hand soap, etc.
- Over-the-counter medicines such as aspirin, ibuprofen, antacid, etc.
- Cell phone accessories such as chargers, batteries, minute cards, etc.
- 3rd-party produced souvenirs that celebrate Atlanta landmarks, institutions, or other city icons

2. Third Party published, non-explicit materials: periodicals, newspapers, maps

3. Non-alcoholic Beverages – water and other beverages, plastic or aluminum sealed single serve containers (no glass)

4. Food:

- Single serve sealed package foods (candy, popsicles, chips/bagged snacks);
- Foods that must be heated or prepared on site (must obtain permit and conform to Fulton County Health Department regulations)
- Non-alcoholic beverages only (see item 3)

5. Spirit Merchandise

- Licensed brand merchandise or merchandise branded with Atlanta, sport teams, or iconic Atlanta institutions
- Must obtain full approvals of organization for merchandise sold; proof of agreement will be required at time of permitting and must be maintained on site at vending location
- Allowable merchandise limited to: shirts, hats, scarves, gloves

6. Cut Flowers, single-stem or bunched

7. Seasonal and Holiday items

If the item or service does not conform, it shall be considered prohibited for sale by public right of way vendors. Vending these prohibited items will be considered a citable offense.

Process for Obtaining Approval to Apply for Vending Permit

For *Kiosk* vendors who previously held a valid vending permit with the City of Atlanta as of December 31, 2012:

Upon submission of completed application and required supporting documentation and once the City determines that the vendor is eligible to vend in the public right of way, effort will be made to assign the vendor to his/her previous kiosk location.

Former kiosk vendors will have thirty (30) days from the date the new City Right of Way Vending ordinance is signed into effect to complete the application and background check process. If the vendor chooses not to reapply for their permit or does not complete the process within thirty (30) days, the location shall be entered into the public lottery.

For all other vendors interested in obtaining a Public Right of Way Vending Permit:

The City of Atlanta will issue permits for available kiosk and public right of way locations through a lottery process. Each location will have a separate lottery. The purpose of the lottery system is to create an equitable process for assigning locations to vendors. To ensure fairness of results, the lottery system will be managed by an outside third party organization. The process for requesting a location is as follows:

1. To be entered into the lottery for a particular location, the vendor should submit a pre-application form for that location through the City's Office of Revenue.
2. The vendor may request location preferences, based on the list of available locations found on pages 20 and 21 of this document.
3. There is no restriction on the number of pre-applications vendors can submit for available locations; however, no single vendor may be selected to vend in more than 10% of total locations available.
4. An objective third party organization will conduct the lotteries for each individual location, choosing one vendor at random out of the list of vendors that stated that location as a preference and up to five vendors as alternates in the instance that the primary vendor selected is ineligible or no longer interested in the location.
5. Permits must be renewed annually.
6. The lottery will be held on an annual basis to release any available locations including newly added locations and locations not renewed by prior vendor.

Vending Permit Application Requirements

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances requires that the following materials must be submitted as a part of the Vending Permit application process:

- Applicant's name and current address
- Applicant's previous addresses within the last five years
- Social security number
- Valid Vending location designated pursuant to Sec. 30-1427 of the Atlanta Code of Ordinances
- A dimensional drawing that clearly shows the footprint and placement of the cart and the Operating Area
- The exact times during which the Vendor intends to vend on the proposed property
- GDOR retail identification tax number (Sales Tax ID number)
- State issued picture identification
- City business license
- General description of the items permissible for sale to be sold or offered for sale at vending location
- Valid licensing agreement authorizing the Vendor to engage in sales of licensed branded merchandise (*if applicable*)

All application requirements must be submitted to the Office of Revenue within thirty (30) days from the date of request. Failure to provide requested information within 30 days will result in automatic dismissal of the application.

Site Requirements for Vending Carts

Vending can only take place in the location permitted for and assigned by the City of Atlanta, and should follow the following site requirements:

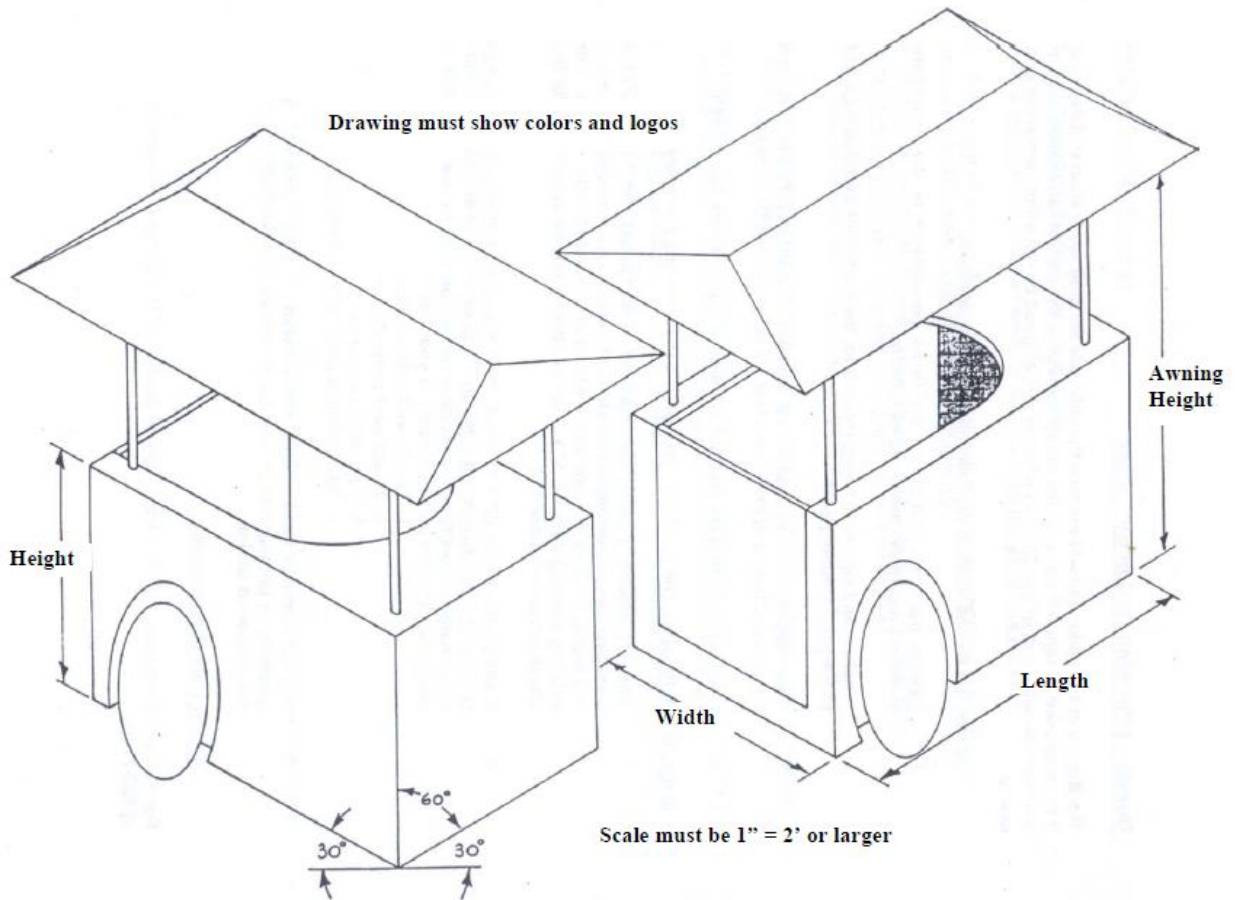
1. No vending may occur from midnight (12:00 p.m.) to 7:00 a.m.
2. Operating area shall not exceed 28 square feet of sidewalk , including the area of the vending cart, and, when externally located, the operator and trash receptacle;
3. Vending cannot occur within 15' of street intersection/pedestrian walkway, 15' of building entrance/exit or 50' of hotel/motel
4. Vending cannot occur within 15' of other vending locations
5. Vending cannot occur within 1,500 feet of permanent business selling same or similar product
6. There must be a minimum of 9' unobstructed pedestrian space
7. No vending location shall be within 15 feet of a fire hydrant
8. No vending location shall be within 600 feet of the closest property line of any public or private elementary, middle or high school
9. Vending operations cannot obstruct vehicular traffic flow, except for up to 15 minutes to load and unload vending stations and vending merchandise
10. Individuals engaged in food vending must provide access to litter *and* recycling receptacles which shall be maintained and emptied regularly (not into City trashcans).
11. Vendors may not leave the vending cart unattended on a sidewalk, or allow a vending cart to remain on the sidewalk between midnight (12:00 a.m.) and 7:00 a.m.

Design Requirements for Vending Carts

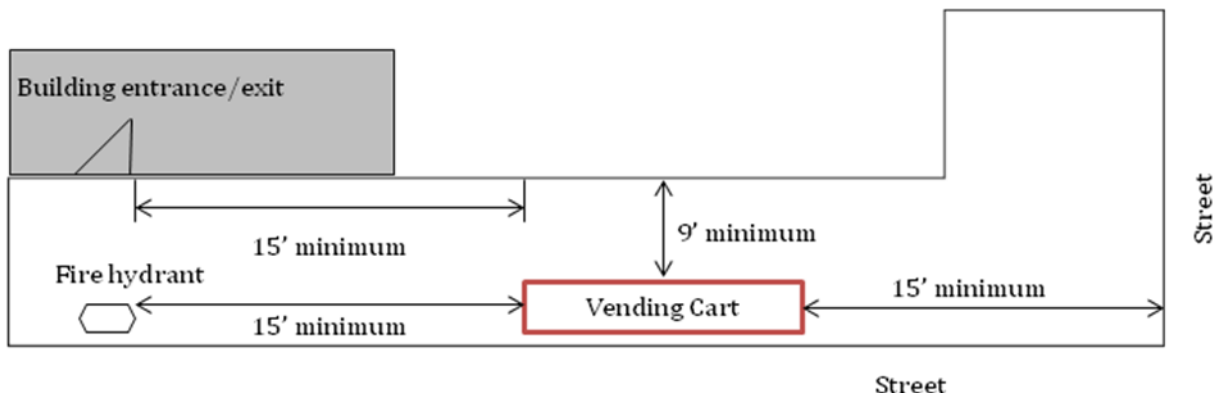
1. Vending will be permitted only from official kiosks and carts that meet standards outlined in ordinance 13-O-1339 and this application packet. Other than in official kiosks, vending will be prohibited from tables, semi-permanent or permanent structures.
2. All carts/signage must publicly display valid permit and applicable licenses.
3. A dimensional drawing (example on next page) and site plan that makes clear the footprint and placement of the cart must be included in the permit application. These drawings are subject to approval by City *prior* to permit issuance. (For existing vending devices, 5" x 7" color photos may be provided in addition to the above-described drawing.)
4. All items must be sold from vending cart; specific size requirements and standard design for all carts are as follows:
 - Operating area cannot exceed 28 square feet of sidewalk , including the area of the vending cart, and, when externally located, the operator and trash receptacle;
 - Length of the cart cannot exceed seven (7) feet;
 - Width of the cart cannot exceed four (4) feet;
 - Height - excluding canopies, umbrellas, or transparent enclosures - cannot exceed five (5) feet;
 - Umbrellas or canopies shall have a minimum clearance of seven (7) feet and a maximum height of nine feet six inches (9' 6") above the sidewalk;
 - Umbrellas or canopies not to exceed forty-eight square feet (8 ft by 6 ft);
 - All carts must be mobile, and able to roll on wheels;
 - Design, materials ,and colors are to be of high quality (natural wood or metal products) and considerate of the immediate surroundings of the proposed location;
 - Materials must be in a good state of repair (working order, no peeling paint, no visible defects or areas requiring maintenance);
 - Wheels located under the cart are preferred (such as casters), projecting wheels must have fenders;
 - Hitches attached to cart must be removable and detached when in operation;
 - If used, propane tanks should be enclosed.

Example of Dimensional Cart Drawing

Note: this particular drawing does not reflect a required design or configuration



Example of Site Plan Drawing



See Appendix A for a list of known cart manufacturers

The Do's Examples of Well Crafted Carts



The Don'ts Examples of Design Features that are Discouraged



Point of Sale System Requirement

All vendors are required to have auditable point-of-sale system to track and report on sales revenue and appropriate taxation in compliance with State law. This requirement allows the City to fairly and consistently apply state law and reliably collect and account for tax revenues. See Appendix B for details surrounding point of sale systems.

See Appendix B for a list of known point of sale systems

Enforcement of Policy and Revocation of Permit

Failure to comply with any provisions of the ordinance that result in the finding of a violation will be penalized, as follows:

- **First violation:** fine of up to \$100
- **Second violation:** minimum fine of \$100, up to \$1000 and/or suspension, up to revocation of permit
- **Third violation** within a 24 month period: revocation of permit

Any appeals against APD enforcement will be managed through existing License Review Board (LRB) procedures. More information on LRB procedures can be found at [City of Atlanta Code Section 30-26].

Appendix A

Known Cart Manufacturers

The City of Atlanta requires that permitted vendors operating in the public right of way vend from either official kiosks, or from vending carts. There are a number of cart manufacturers that are known to produce carts that fit the City's size and design requirements. They include:

ALL A CART Manufacturing, Inc.

2001 Courtright Road
Columbus, Ohio 43232
Nationwide: (800) 695-2278 x203
Mobile: (614) 832-2552
Fax: (614) 443-4248
Email: jjmorris@allacart.com
Web: <http://www.allacart.com>

Cart-King International Ltd

Phone: 1-877-986-7771
Email: info@cart-king.com
Web: <http://cart-king.com/>

FC Dadson in Partnership with GST Manufacturing, LTD*

4201 Janada Street
Haltom City, TX 76117
Phone: 817-520-2423 or 817-520-2320
Cell: 682-429-4014
Fax: 817-520-2323
Email: tmcgough@gstmanufacturing.com

** FC Dadson contracts with GST Manufacturing, LTD on all metal cart fabrication. To contact FC Dadson directly, please use the following details:*

*Phone: 920-757-1486 Ext. 123
920-757-1493*

Midway Stainless Fabricators

25 Montgomery St.

Hillside, NJ 07205

Phone: 908-624-9660

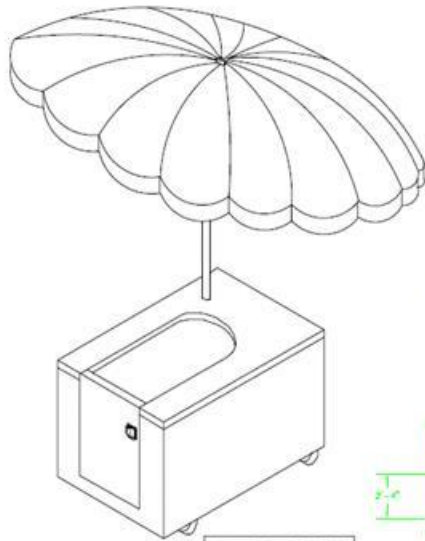
Fax: 908-624-9666

Web: www.midwaystainless.com

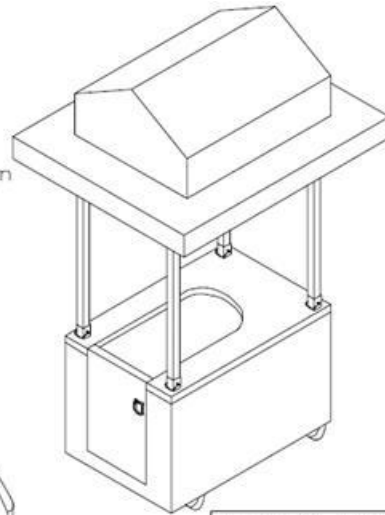
E-Mail: mikecurci@midwaystainless.com

Sample Cart Design & Pricing: Midway Stainless Fabricators

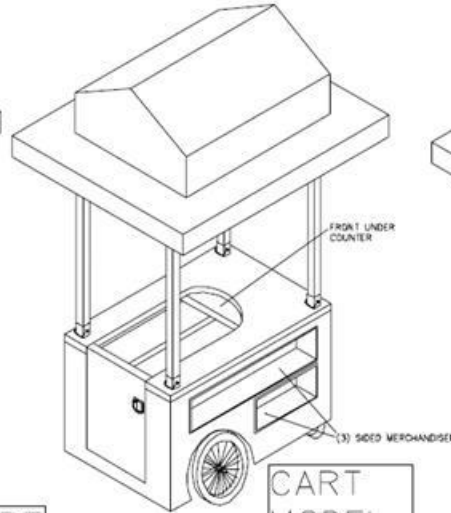
MIDWAY STAINLESS FABRICATORS
 25 MONTGOMERY ST.
 HILLSIDE, NJ 07205
 PH#908-624-9660
 FAX#908-624-9666
 WEBSITE midwaystainless.com
 E-MAIL mikecurci@midwaystainless.com



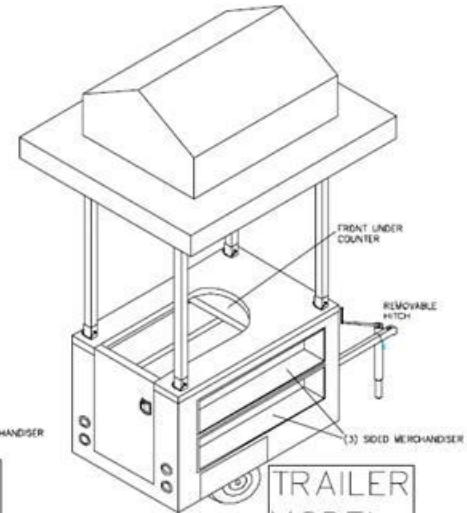
BUDGET MODEL



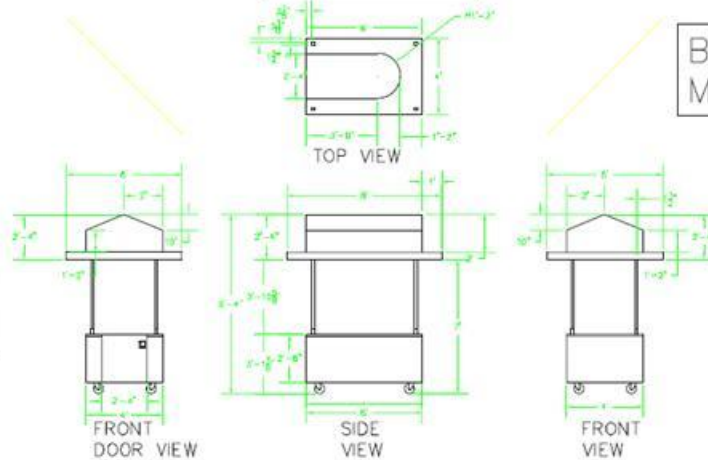
BASIC CART MODEL



CART MODEL



TRAILER MODEL



BASIC CART MODEL CAD SHOWN

- FEATURES:**
- MADE OF 100% 304 STAINLESS STEEL
 - RETRACTABLE ALUMINUM AWNING
 - STREET LEGAL TRAILER MODEL
 - HEAVY DUTY WELDING
 - ALL UNITS CAN BE GRAPHIC APPLIED
 - ALL OUTDOOR NON CORROSIVE MATERIAL USED

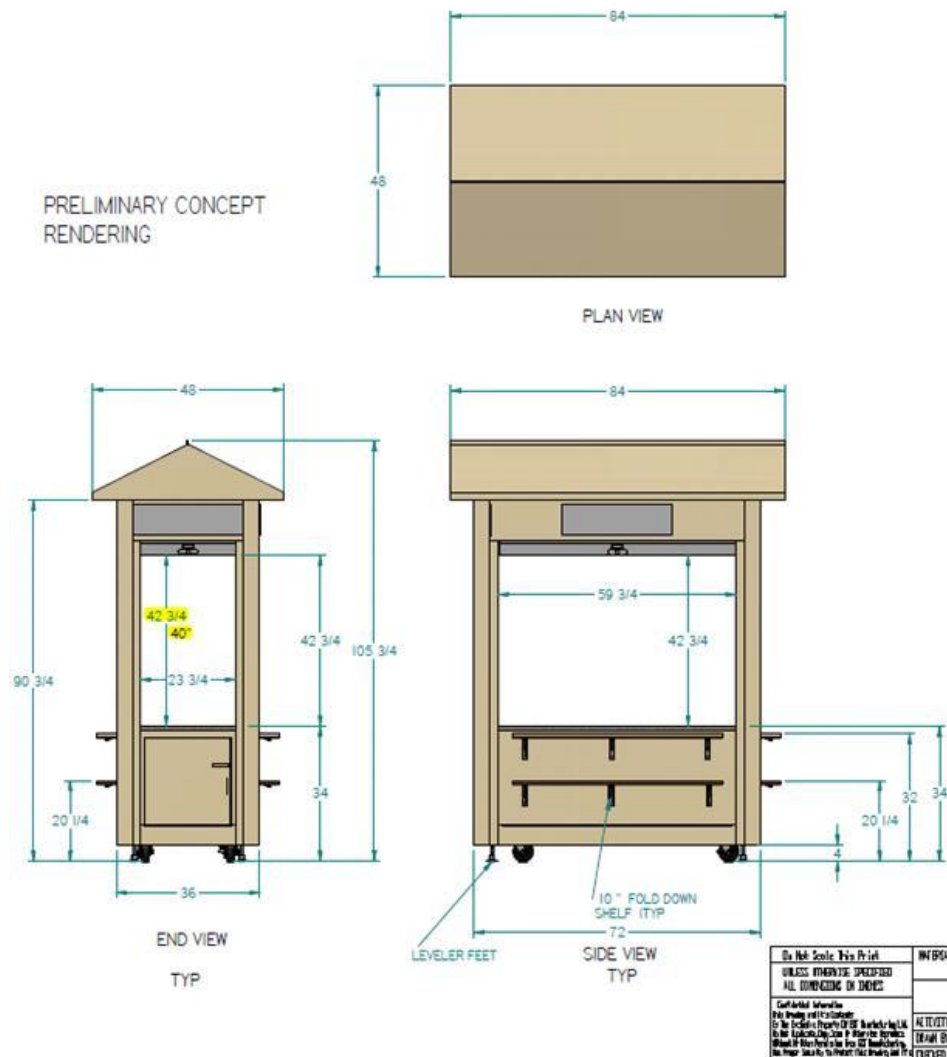
NEXT ASSY		CITY OF ATLANTA		TR (FRAMES)	
DATE	DATE	FRAC 1/8" 1/32"	FRAC 1/8" 1/32"	FRAC 1/8" 1/32"	FRAC 1/8" 1/32"
DWG BY	DWG BY	10-29-13	10-29-13	10-29-13	10-29-13
DWG TO	DWG TO	10-29-13	10-29-13	10-29-13	10-29-13
				STREET VENDING	

Midway Stainless Cart Details:

- All metal construction made of 304 stainless steel
- Retractable aluminum awning
- Non-corrosive materials
- Powder coat using standard colors
- Pricing: \$5400-7900 depending on model; ~35% discount if carts are produced in China
- 1-2 month lead time for US produced carts; 2-4 month lead time for China produced carts

	Budget Model	Basic Model	Cart Model	Trailer Model
US Pricing	\$5,440	\$5,700	\$7,200	\$7,920
US Lead Time	1-2 months			
China Pricing	\$3,400	\$3,700	\$4,500	\$4,950
China Lead Time	2-4 months			

Sample Cart Design & Pricing: FC Dadson



FC Dadson Cart Details:

- All metal construction including aluminum roof, stainless steel base, galvanized body with metal counter top
- Powder coat using standard colors
- Includes flip up shelves and caster wheels
- Pricing: \$6,400/cart for 10+ carts ; ~\$10,000/cart if individual carts purchased
- Shipping costs are \$3,500/trip; each trip can accommodate 7 carts
Single cart delivery based on individually negotiated price
- 2 Month Lead Time

Appendix B

Known Point of Sale Systems

All vendors are required to have an auditable point-of-sale system to track and report on sales revenue and appropriate taxation in compliance with State law. There are a number of known low-cost options for point of sale systems. They include:

Square: <https://squareup.com>

Harbourtouch: <http://www.harbortouchs.com>

Shopkeep: <http://www.shopkeep.com>

Gotmerchant: <http://www.gotmerchant.com>

Guidelines: Public Property Vending Location Input

As the City of Atlanta seeks to expand its Public Right of Way Vending program, we will accept proposals from the public regarding potential new locations to be eligible for participation in the Right of Way Vending Program. If approved, the proposed vending locations will be incorporated into the program during the lottery process conducted the following calendar year. Similar to other proposed uses of the City right of way, these to have a location be considered for inclusion in the Right of Way Vending program, applicants must complete the following steps:

- Applicant gains acceptance by petition of all adjoining property owners;
- Applicant notifies the local NPU;
- Location is legislated into the new ordinance.

Please note that the City of Atlanta is not obligated to approve proposed locations.

In addition, all proposed locations must meet the following criteria, which have been validated by the applicant submitting the submission:

- Location must be located within City of Atlanta public right of way space;
- Location is more than 15 ft away from street intersection/pedestrian walkway;
- Location is more than 15 ft of building entrance/exit or 50 ft of hotel/motel;
- Location is more than 15 ft away from a fire hydrant;
- Location is more than 15 ft away from other vending locations;
- Location is more than 1,500 ft of permanent business selling same or similar product;
- Location is more than 600 ft away from the closest property line of any public or private elementary, middle or high school;
- Location has a minimum of 9' unobstructed pedestrian space;
- Location does not obstruct vehicular traffic flow.

CITY OF ATLANTA
PROPOSAL FOR NEW PUBLIC PROPERTY VENDING LOCATIONS
CITY OF ATLANTA RIGHT OF WAY VENDING PROGRAM

Please submit all completed applications to the City of Atlanta Office of Revenue. Additional review will be required by the Mayor’s Office and the Department of Public Works, Office of Transportation.

Location:

Address of Proposed Location: _____

Cross Streets of Proposed Location: _____

Additional information on surrounding landmarks or area: _____

Verification of Location Requirements.

By checking the following boxes, you are validating that you have confirmed the location meets the required specifications.

- Location is within City of Atlanta public right of way space
- Location is more than 15 ft away from street intersection/pedestrian walkway
- Location is more than 15 ft of building entrance/exit or 50 ft of hotel/motel
- Location is more than 15 ft away from a fire hydrant
- Location is more than 15 ft away from other vending locations
- Location is more than 1,500 ft of permanent business selling same or similar product
- Location is more than 600 ft away from the closest property line of any public or private elementary, middle or high school
- Location has a minimum of 9’ unobstructed pedestrian space
- Location does not obstruct vehicular traffic flow

Verification of Application Requirements.

*By checking the following boxes, you are validating that you have completed the necessary steps to obtain required permissions. **All supporting materials should be provided as part of the application process.***

- Proof of acceptance by petition of all adjoining property owners
- Proof of notification to local NPU

While the City of Atlanta accepts proposals for new vending locations from all members of the public, please note that the City not obligated to approve proposed locations.

Name of Applicant: _____

Applicant Phone Number: _____

Applicant Email Address: _____

Applicant Vendor Number (*if applicable*): _____

Applicant Signature: _____ Date: _____

OFFICE OF REVENUE USE ONLY
PERMIT NUMBER

CITY OF ATLANTA VENDOR PERMIT PROGRAM APPLICATION

Application is hereby made for a revocable permit to vend within the City of Atlanta in accordance with Chapter 30, Article XXIII (23) of the Code of the City of Atlanta.

Cart/Kiosk Applicant Name: _____

Applicant Address: _____

City: _____ State: _____ ZIP: _____

Contact Phone # (REQUIRED): _____

Email Address (REQUIRED) : _____

Social Security Number: _____ - _____ - _____

List all prior address over the past 5 years:

1. _____
2. _____
3. _____
4. _____
5. _____

Type of permit requested (kiosk or cart): _____

Have you previously held a City of Atlanta public right of way vending permit? Yes No

If yes, please state address of prior vending location: _____

Business License #: _____ Sales Tax #: _____

Goods / Services Sold: _____

Provide your vending times on proposed property: _____

_____ By initialing here, I am certifying that I have read the City of Atlanta requirements pertaining to vending site and design and confirm that my business will adhere to such requirements at all times.

_____ By initialing here, I am certifying that I have read the City of Atlanta requirements pertaining to point of sale systems and confirm that my vending business will employ such a system at all times.

Number of permits desired: _____

Please indicate requested locations as listed on following pages. (i.e. Kiosk # 11, World of Coke/Aquarium, 221 Baker Street). If you would like to be considered for additional locations, please include additional page with necessary detail.

1. _____
2. _____
3. _____
4. _____
5. _____

I shall indemnify and hold the City of Atlanta, its officers, agents and employees, free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including any appeals therefrom, which may be brought by third parties as a result of my activities which have been authorized by this permit.

Applicant Name (Print) _____

Applicant Signature _____ Date _____

FOR CITY STAFF USE – DO NOT COMPLETE

- | | |
|---|---|
| <input type="checkbox"/> Applicant name and current address | <input type="checkbox"/> Applicant previous addresses within the last five year |
| <input type="checkbox"/> Social security number | <input type="checkbox"/> Valid Vending location designated pursuant to Sec. 30-1427 of the Atlanta Code of Ordinances |
| <input type="checkbox"/> Permit #: _____ | <input type="checkbox"/> The exact times during which the Vendor intends to vend on the proposed property |
| <input type="checkbox"/> Permit Fee Receipt #: _____ | <input type="checkbox"/> Design Review: A dimensional drawing that clearly shows the footprint and placement of the cart and the Operating Area |
| <input type="checkbox"/> Business License #: _____ | <input type="checkbox"/> GDOR retail identification tax number (Sales Tax ID number) |
| <input type="checkbox"/> Application fee Receipt #: _____ | <input type="checkbox"/> General description of the items permissible for sale to be sold or offered for sale at vending location |
| <input type="checkbox"/> Proof of licensing agreement (if selling branded merchandise): _____ | |
| <input type="checkbox"/> APD Background Check: _____ | |
| <input type="checkbox"/> Finger Printing: _____ | |
| <input type="checkbox"/> Fire Inspection (If Food Cart): _____ | |
| <input type="checkbox"/> Health Inspection (If Food Cart): _____ | |
| <input type="checkbox"/> State issued picture identification | |

List of Kiosk Locations

Kiosk #	Location	Address
11	World of Coke/Aquarium	221 Baker Street
13	World of Coke/Aquarium	125 Baker Street
14	Peachtree Street @Lucky	100 Peachtree Street
17	Woodruff Park	61 Peachtree Street (Eastside of Peachtree, near Auburn Ave intersection)
19	Woodruff Park	61 Peachtree Street (East side of Peachtree St.)
23	Woodruff Park	61 Peachtree Street (East side of Peachtree St.)
24	Woodruff Park	61 Peachtree Street (East side of Peachtree St, near Edgewood Ave intersection)
25	Woodruff Park	2 Edgewood Ave., NE (Edgewood Avenue, near Peachtree St. intersection)
26	Peachtree & Decatur	Decatur Street (South side of Decatur Street, near Peachtree St. intersection)
32	Broad Street	56 Broad Street (Westside of Broad Street; at Healey building revolving doors)
33	GSU	27 Gilmer Street (Gilmer near Courtland)
34	GSU	23 Gilmer Street (Gilmer near Piedmont)
35	Peachtree	19 Peachtree Street (On bridge; near Wall street)
37	Peachtree @ Decatur	19 Peachtree Street (East side of Peachtree St, near Decatur Street intersection)
76	Broad Street Plaza	26 Marietta Street (Replacement for 76 (Peachtree Center); On Marietta at Broad Street)
77	Broad Street Plaza	26 Marietta Street (replacement for 77 (Peachtree Center); On Marietta at Broad Street)
78	Peachtree Center	170 Peachtree Street, (Peachtree Center MARTA Station (west))
90	GA Pacific	133 Peachtree Street (Peachtree Street, outside GA Pacific Bldg)
91	GA Pacific	133 Peachtree Street (Peachtree & John Wesley Dobbs)

Public Right of Way Locations (Phase 1):

- 7-1:** The east side of Lee Street south of Ralph David Abernathy Boulevard
- 7-2:** The east side of Lee Street south of Ralph David Abernathy Boulevard
- 7-3:** The east side of Lee Street south of Ralph David Abernathy Boulevard
- 7-4:** The east side of Lee Street south of Ralph David Abernathy Boulevard
- 7-5:** The east side of Lee Street south of Ralph David Abernathy Boulevard
- 8-3:** The southwest side of Washington Street and Mitchell Street
- 8-4:** The west side of Washington Street between Mitchell Street and Trinity Avenue
- 8-5:** The east side of Peachtree Street between Martin Luther King, Jr. Drive and Mitchell Street
- 8-6:** The east side of Peachtree Street between Martin Luther King, Jr. Drive and Mitchell Street
- 8-9:** Broad Street SW (between MLK Jr. Drive to Trinity Ave.)

Food Cart/Hot Dog stand locations (Phase 1):

- FC1:** Woodruff Park on the east side of Peachtree Street from Auburn Ave to Edgewood Ave
- FC2:** 240 Peachtree St at the Peachtree Center

Check List Vending Application Requirements:

- Applicant name and current address
- Applicant previous addresses within the last five year
- Social security number
- Valid Vending location designated pursuant to Sec. 30-1427 of the Atlanta Code of Ordinances
- A dimensional drawing that clearly shows the footprint and placement of the cart and the Operating Area
- The exact times during which the Vendor intends to vend on the proposed property
- GDOR retail identification tax number (Sales Tax ID number)
- State issued picture identification
- City business license
- General description of the items permissible for sale to be sold or offered for sale at vending location
- Valid licensing agreement authorizing the Vendor to engage in sales of licensed branded merchandise (if applicable)