

Public Vending Program Cart Lottery

Atlanta Hearts Carts | 2024 Application Packet



Content

PUBLIC VENDING PERMIT — CHECKLIST	3
PUBLIC VENDING PERMIT FEES	4
PUBLIC VENDING PERMIT — DETAILED PROCESS	5
APPROVED ITEMS ALLOWABLE FOR SALE	7
OTHER VENDING OPERATIONAL RULES	8
POINT OF SALE SYSTEM REQUIREMENT	8
LITTERING	8
ENFORCEMENT OF POLICY AND REVOCATION OF PERMIT	8
CART GUIDELINES	8
FAQS	11
CONTACTS	12
QUESTIONS	12



PUBLIC VENDING PERMIT — CHECKLIST

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances provides for vending in approved locations within the public right of way. Operating a vending cart requires a permit from the City of Atlanta, and it is unlawful to sell any goods or services on any public sidewalk without a permit. Each individual location requires a separate permit. To receive a Public Vending Permit, prospective vendors must do the following:



STEP 1 — PROGRAM LOTTERY

Prospective vendors must register for the virtual **Public Vending Program Lottery** scheduled for **Thursday, June 20 at 12:00pm (noon)**. Registration at <https://forms.office.com/g/J3MjSucc1s>

STEP 2 — LOCATION VERIFICATION FORM

Lottery winners will be provided an online **Location Verification Form** to include with the permit application submission that confirms approval of the specific location and cart specifications.

Email vending@atlantaga.gov for form.

STEP 3 — PERMIT APPLICATION

Vendors must complete and submit a **Public Vending Permit Application** under 3 conditions:

- ONLY vendors who were awarded locations through the Lottery **can submit an application**
- All the vending fees **must be paid upfront to the Office of Revenue**
- Applications and fees must be submitted **within 30 days from award to the Office of Revenue**

STEP 4 — PERMIT APPLICATION SUBMISSION

Applicants must email to excisetax@atlantaga.gov of the Office of Revenue:

- a completed permit application submission
- a copy of their government-issued ID

Upon receiving the application materials, the Office of Revenue will email applicants

- an invoice with **instructions for how to submit payment** of their vending permit fees (all fees are non-refundable and not prorated)

PERMIT FEES	FINGERPRINT FEES	BACKGROUND CHECK FEES
\$75	\$20 (only required at time of original submission; not for the renewal process)	\$50

- information to obtain a **background check and fingerprinting** from, the Atlanta Police Department (APD).

STEP 5 — PERMIT REGISTRATION

Applicants must register their permit Atlanta Police Department | License and Permit Unit after their Vending Fees have been paid upfront to the Office of Revenue.

Atlanta Police Department | License and Permit Unit
3493 Donald Lee Hollowell Pkwy | ATLANTA, GA 30331
Monday to Thursday | 9:00am – 2:30pm

The APD process background checks on a walk-in basis.



STEP 6 – BUSINESS LICENSE APPLICATION

While applicants submit their public vending permit application, they must submit to **newbiz@atlantaga.gov**:

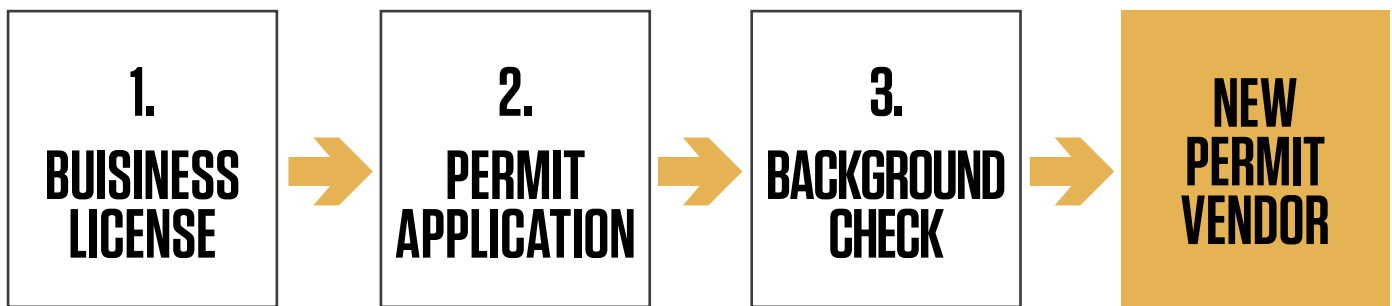
- submit a **Business License Application**, supporting documents (E-Verify and SAVE Affidavits)
- a government-issued photo ID

Customer must apply for business license with **the City of Atlanta** or **in the county where they reside**.

A separate business license is required for each individual vending location.

PUBLIC VENDING PERMIT FEES

PERMIT FEES	FINGERPRINT FEES	BACKGROUND CHECK FEES
\$75	\$20 (only required at time of original submission; not for the renewal process)	\$50



Renew it by February 15
(can be done online)

Renew by re-submitting the
application and paying the
application fees - \$125

Complete
a background check
with APD

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

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

- Disabled veterans must provide a certificate of exemption issued by the Commissioner of Veteran Services
- A blind/visual Impaired person must submit an awards letter or benefits letter as proof

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

The **vending permit year** runs from **March 1 until February 28**. **Permits issued after June 20**, due to the lottery process, still must be **renewed by March 1 the following year**. Application fees are not prorated.



PUBLIC VENDING PERMIT — DETAILED PROCESS

STEP 1 — OBTAINING APPROVAL TO APPLY FOR A VENDING PERMIT

The City of Atlanta will issue permits for available cart locations through a lottery process. There will be a separate drawing for each location. The purpose of the lottery system is to create an equitable process for assigning locations to vendors. The process for requesting a location is as follows:

- 1. Once locations are deemed available at the end of a permit year**, the Department of City Planning (DCP) will announce the lottery date and available locations. DCP will maintain a Vendor Notification List and will announce to the list and publicly through the website. Vendors can request to be added to the Vendor Notification List by emailing vending@atlantaga.gov.
- 2. Lottery registration will open several weeks prior to the lottery.** A list of currently available locations and lottery registration will be available on the website at atlantaga.gov/vending or by contacting vending@atlantaga.gov.
- 3. The deadline for registering for the lottery is Monday, June 17, 2024.** Vendors who do not register before the deadline ineligible to participate.
- 4. An objective third party organization will conduct the lotteries for each individual location**, choosing one vendor at random from the list of vendors that have registered and attend the virtual lottery. The vendor or an approved designee must attend the virtual lottery.
- 5. On the date of the lottery, there will be a separate drawing held for each of the available sites.** Using a random number generation methodology, a vendor and 5 alternates will be chosen for each lottery location.
NOTE: Once a vendor has been awarded an available vending location, that vendor will be removed from the lottery process for the remaining sites.
- 6. At the end of the lottery, each site will have been assigned a winner and alternates.** Vendors awarded locations will begin the application process and will be granted the site after the application process has been completed and the permit and business license have been issued.
NOTE: Under no circumstances can a vendor sell, lease, or transfer an awarded location or vendor permit.
- 7. The lottery will be held on an annual basis to release any available locations** including newly added locations and locations not renewed by prior vendors.
- 8. Permits must be renewed annually.**

STEP 2 — COMPLETING PUBLIC VENDING PERMIT APPLICATION

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
- The exact times during which the vendor intends to vend on the proposed property
- Georgia Department of Revenue retail identification tax number (Sales Tax ID number)
- State issued picture identification
- 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)
- Pictures or drawings AND dimensions of proposed vending cart must be submitted to confirm the cart meets specifications. If the vendor does not already own the cart, proof of purchase/intent to purchase must also be submitted.
- A site plan that clearly shows the cart dimensions and cart placement on the sidewalk and the operating area. Sidewalk width dimensions should also be provided to ensure minimum pedestrian clearance requirements are being met. The site plan may be hand drawn but must be to scale.
- (FOOD CART VENDORS ONLY) Valid Permit from the Fulton County Board of Health

The application must be submitted to the Office of Revenue within thirty (30) days from the date of award. Failure to submit the application within 30 days will result in automatic dismissal of the application.

STEP 3 — DEPARTMENT OF CITY PLANNING REVIEW

Following the lottery and review of cart specs and a site plan, the Department of City Planning will issue an online Location Verification Form that confirms approval of the location and cart for each vendor. See Appendix A for specific cart requirements and resources.

Questions regarding cart specifications prior to the lottery can be sent to vending@atlantaga.gov. Food vendors must meet the cart requirements of the Fulton County Board of Health prior to the City’s design review.

STEP 4 — SUBMITTING APPLICATION TO OFFICE OF REVENUE

Submit via email to the Office of Revenue:

- The completed application
- Supplemental application materials: state identification, Location Verification Form (online form), Fulton County Health Department Approval (FOOD VENDORS ONLY), drawings & site plan, licensing agreement (if applicable).

The Office of Revenue will review to make sure the application is complete with all necessary approvals. Upon approval, the Office of Revenue will email the applicant an invoice with instructions for how to submit payment to, and obtain a background check and fingerprinting from, the Atlanta Police Department | License and Permit Unit.

PERMIT FEES	FINGERPRINT FEES	BACKGROUND CHECK FEES
\$75	\$20 <small>(only required at time of original submission; not for the renewal process)</small>	\$50

STEP 5 — BACKGROUND CHECK & FINGERPRINTING AT THE ATLANTA POLICE DEPARTMENT (APD)

Once applicants receive their public vending permit invoice via email from the Office of Revenue, they must take the invoice to **APD’s License and Permit Unit at 3493 Donald Lee Hollowell Pkwy** to submit payment and complete the required background check and fingerprinting. APD accepts money orders and cashiers’ checks. APD takes payments and processes background checks on a walk-in basis from Monday to Thursday between the hours of 9:00am and 2:30pm. Upon background clearance, APD will approve the vendor for a “Vendor Permit Card.”

STEP 6 — APPLYING FOR BUSINESS LICENSE

At the same time applicants apply for their public vending permit, they must apply for a Business License with the Office of Revenue via email. This step must be completed within 30 days of award of the location or the applicant will forgo the location and it will be awarded to the next alternate vendor. The application fee for a Business License is \$125. Information on how to apply for your business license via email is available at atlantaga.gov/government/departments/finance/revenue/applying-for-a-business-license

APPROVED ITEMS ALLOWABLE FOR SALE

Vendors may only offer these pre-approved items for sale from a vending cart:

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 celebrating Atlanta landmarks, institutions, or 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. Prepared food: ONLY AT FOOD CARTS

- Foods or beverages that are heated, handled or prepared on site require approval from the Fulton County Board of Health
- Vendors must have a cart and commissary approved and permitted by Fulton County.

Pre-packaged food: AT RETAIL CARTS

- Fresh, unprocessed fruit and vegetables (no slicing, preparing, freezing, etc.).
- Single serve sealed package foods (candy, popsicles, chips/bagged snacks);
- Non-alcoholic beverages only (see item 3)
- Allowed at Food Carts along with prepared food.

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, and gloves

6. Cut flowers, single-stem or bunched

7. Seasonal and holiday items

If the item or service is not pre-approved (e.g. tobacco products, lottery tickets, handbags, jewelry, hair, incense, apparel that is not classified as “spirit merchandise” or “weather-related merchandise) as specified above, it shall be considered prohibited for sale by public right of way vendors. Vending these prohibited items will be considered a citable offense.



OTHER VENDING OPERATIONAL RULES

- Hours of operation shall be between 7:00am to 12:00am
- Amplified sound must comply with City of Atlanta Noise Ordinance
- All vendors shall display their valid vending permit and licenses at location

POINT OF SALE SYSTEM REQUIREMENT

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.

LITTERING

All vendors engaged in the sale of pre-packaged food, non-alcoholic pre-packaged beverages, prepared food, and/or prepared non-alcoholic beverages shall affix to their vending cart a receptacle for trash, which shall be maintained and emptied regularly, and which shall be marked as being for trash. Vendors engaged in the sale of items permissible for sale listed in this section are responsible for the removal of trash within a 25-foot radius surrounding the vending cart.

ENFORCEMENT OF POLICY AND REVOCATION OF PERMIT

Failure to comply with any provisions of the ordinance will result in a violation to 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].

For questions related to enforcement, or to report a violation, contact:
Atlanta Police Department, 404-546-4470.

For any violation causing an immediate public safety threat, please call 911 to have an officer dispatched to the scene.

CART GUIDELINES

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 (12:00am) to 7:00am.;
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 feet of street intersection/pedestrian walkway, 15 feet of a building entrance/exit, or 50 feet of a hotel/motel;
4. Vending cannot occur within 15 feet of other vending locations;
5. Vending cannot occur within 200 feet of a permanent business selling same or similar product;

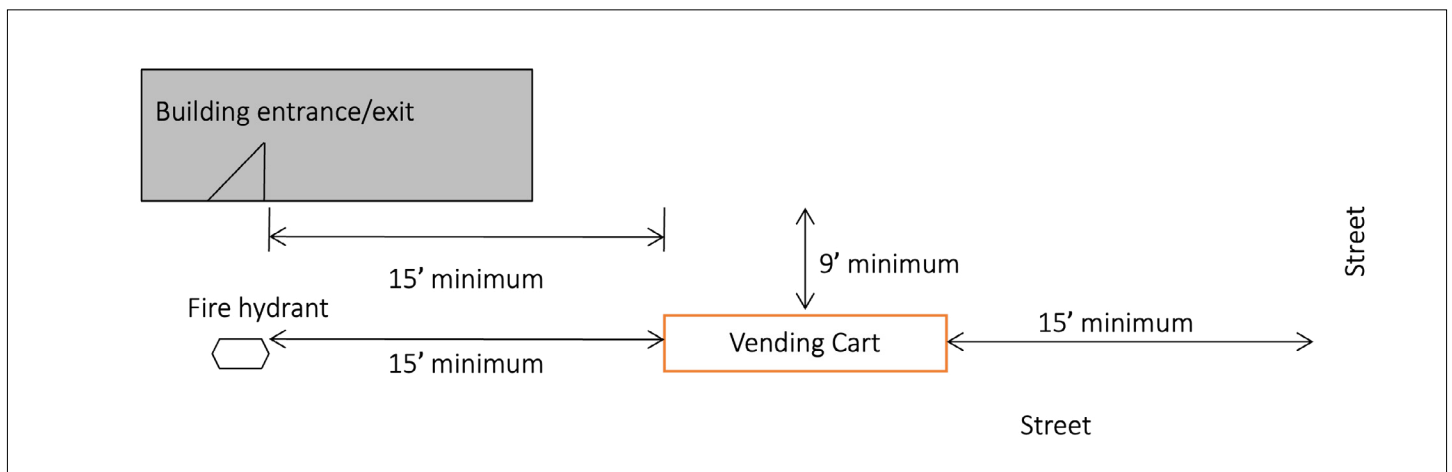


6. There must be a minimum of 5 feet unobstructed pedestrian space;
7. No vending location shall be within 15 feet of a fire hydrant;
8. No vending location shall be within 600 feet of the closest property line of any public or private elementary, middle or high school;
9. Vending operations cannot obstruct 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.;
12. Vendors must vend from their designated locations during the timeframes stated in the vending application packet.

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 (FOOD VENDORS HAVE ADDITIONAL CART REQUIREMENTS, WHICH ARE ADDRESSED BY THE FULTON COUNTY BOARD OF HEALTH; PLEASE CONSULT THEM FOR DETAILS.):
 - 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;

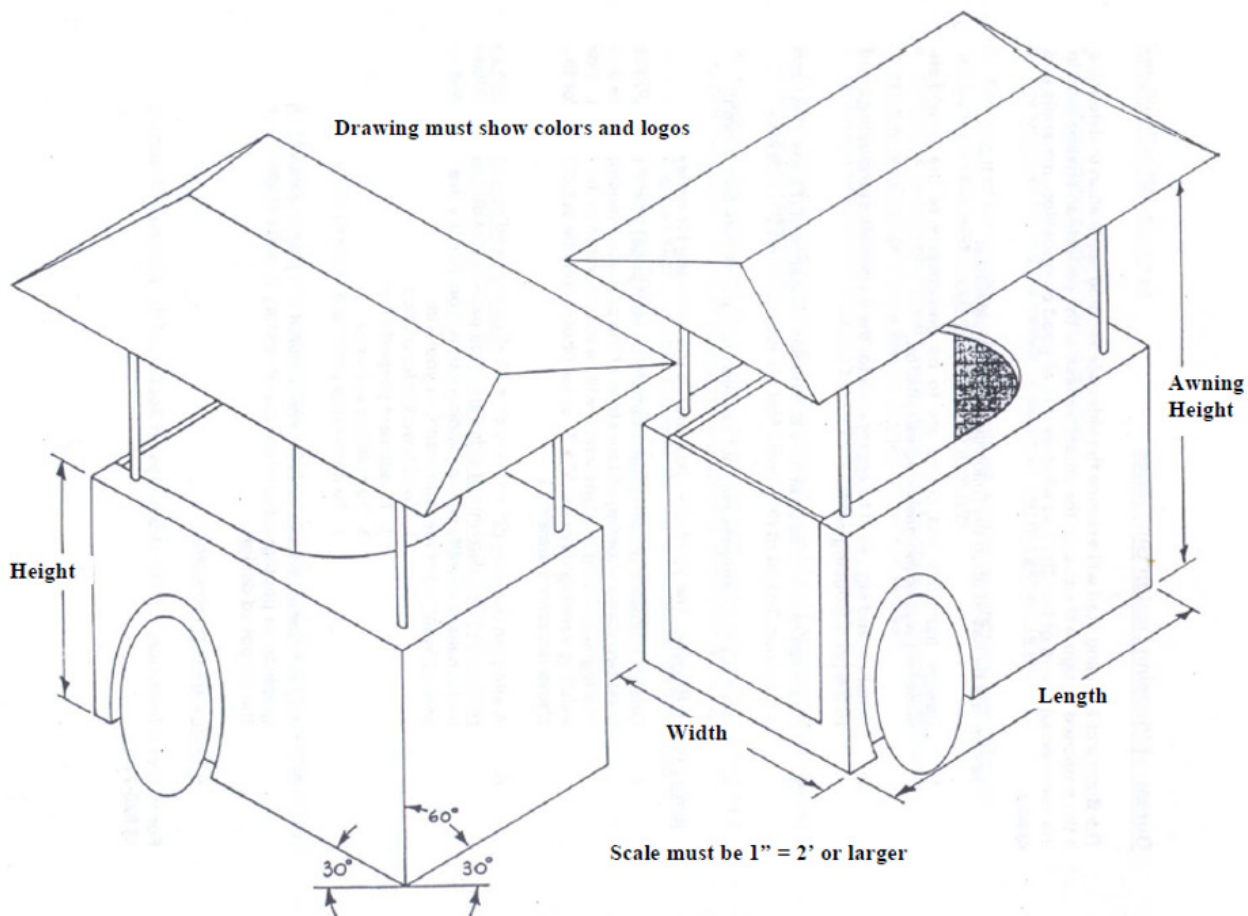
EXAMPLE OF SITE PLAN DRAWING



- 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 are 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.

EXAMPLE OF DIMENSIONAL CART DRAWING

NOTE: this drawing does not reflect a required design or configuration



FAQS

What is the difference between the Public Vending Program for Motor Vehicles, Carts & Kiosks and Food Trucks and Private Property Vending?

The City of Atlanta permits certain types of vending activity to occur in the public right of way. Permitted Motor Vehicles (Rolling Stores) selling pre-packaged food items, such as ice cream, can operate from City streets if they stop for 30 minutes or less and abide by other location and noise regulations. The City permits vending opportunities within City sidewalks, plazas and parks through designated locations for mobile vending carts. The City's Public Property Food Truck Ordinance allows for motorized food trucks to park at certain designated food truck areas. All those locations require a permit and currently all are in the downtown area.

Visit www.atlantaga.gov/vending for specific location and application information. Private Property Vending is any vending activity that occurs on private property or at flea markets. The Private Property Vending permitting process is administered by the Atlanta Police Department, through the License & Permits Unit. Visit the website or call the License and Permit Unit Hotline at **404-546-0311** for more information.

Do I have to complete a background check and finger printing every year?

A background check must be completed by the Atlanta Police Department's License & Permit Unit every year for all permit renewals. Finger printing is only required for initial permits.

Do assistant vendors who are working in and/or operating a vending cart need to be permitted through the City of Atlanta?

No. For public property vending only the operator of the cart or kiosk must be permitted; however, the permitted operator is solely responsible and liable for the operations of the permitted location. If a violation occurs when a staff member who is not permitted is working or operating the cart or kiosk, the permitted operator will be cited.

Once I am awarded a location in a vending lottery, how long do I retain access to the location?

Once awarded, vendors who remain in good standing with the City and complete all permit renewal processes (including payment of fees) on time, will retain the

rights to their designated locations. If a vendor does not complete the necessary process to renew their permit by March 1, or if the vendor is not in good standing with the City, the vendor will forfeit their rights to the vending location and it will be returned to the lottery.

What are the deadlines for payment?

To receive a valid vending permit, all vendors must pay the full amount of application (\$145) at the time of the application. Vendors who are not able to pay all fees at time of application (within 30 days of the location being awarded), will disqualify their application and the location will be returned to the lottery or released to an alternate vendor.

What are the deadlines for renewals?

Vendors must submit renewal applications before March 1.

Do I need multiple Vending Permits or Business Licenses to vend from multiple locations?

Yes. If you are vending from multiple designated locations, a separate business license and Public Vending Permit are required for each location.

Who enforces the City's Right of Way Vending Ordinance?

The City's Right of Way Vending Ordinance is monitored and enforced by the Atlanta Police Department. Business license and tax violations will be enforced by the Office of Revenue in partnership with the Police Department.

What is the deadline for entering the lottery?

Individuals or businesses interested in entering a lottery must register for the lottery by **June 23, 2023**. Registration will be available at atlantaga.gov/vending or request a link by emailing vending@atlantaga.gov. Vendors or an approved designee must attend the live, virtual lottery selection. If a designee is present, there will not be time allocated to use a substitute to call the vendor and determine the preferred site selection.

How often are lotteries held?

There is no predetermined schedule for vending lotteries. At a minimum, there will be a lottery at the start of the vending year to release any previously permitted vending locations where the prior vendor does not renew.



CONTACTS

Public Right of Way Vending, Lottery & Location Verification

City of Atlanta | Department of City Planning | Office of Housing & Community Development
55 Trinity Ave SW, Atlanta, GA 30303
Paige Patterson | vending@atlantaga.gov | 404-851-7839

Permit Application, Business License & Fees

City of Atlanta | Department of Finance | Office of Revenue
55 Trinity Avenue, SW, Suite 1350, Atlanta, GA 30303
Kierra West | excisetax@atlantaga.gov | ATL311 at 404-546-0311

Background Check & Private Property Vending

Atlanta Police Department | License & Permits Unit
3493 Donald Lee Hollowell Pkwy, Atlanta, GA 30331
Inspector Graham | 404-546-6631

Fulton County Board of Health Approval

Fulton County Board of Health | Environmental Health Services
10 Park Place South, SE, Suite 418, Atlanta, GA 30303
Galen Baxter | Galen.Baxter@fultoncountyga.gov | 770-520-7500
fultoncountyboh.com/environmental-health/food-service/

Georgia Department of Agriculture

Retail Food Program | RetailFoodInfo@agr.georgia.gov | 404-656-3627
agr.georgia.gov/food-establishment-licenses-retailers

QUESTIONS

General questions or questions about the Vending Program

Department of City Planning | Office of Housing and Community Development | vending@atlantaga.gov

Questions related to application payment or fee waivers for disabled veterans

Office of Revenue | 404-330-6270

Questions related to enforcement or to report a violation

Atlanta Police Department | 404-546-4470

If the issue creates an immediate threat to public safety, please contact 911.

