



# Proposed Street Vendor City Code Revisions

*City Council Work Session  
October 18, 2012*



## Background

- ✚ ***June, 2011 - a committee consisting of various City staff (including but not limited to Police, Parks and Recreation, Planning, Finance, Economic Development) was formed to review the current city code as it pertains to mobile vending within the right-of-way, near special events and near the Durham Farmer's Market***



## Background continued

- ✚ ***January, 2012 - City Administration tasked the Planning Department with enforcement of the current code and taking the lead on bringing a revised code to the public for review by July, 2012***
- ✚ ***May, 2012 - draft revisions to the code were presented to the staff for review and comments***
- ✚ ***June, 2012 - draft was prepared for public review***



# Public Information Session

- July, 2012- City Staff hosted a public information session and presented the draft code to a very large group of attendees. Comments received at the session focused mainly on the proposed distance separation requirements from restaurants and special events.***





# Stakeholder Sessions

## July, 2012 - October, 2012

*A number of small stakeholder meetings were held with:*

- *Mobile vendors*
- *Restaurant operators*
- *Non-profits*
- *Various downtown property owners*
- *Staff from both City and County agencies*





## Concerns raised during staff review:

- + Requirement for a vendor to move every 15 minutes is not user friendly nor enforceable.***
- + Restaurants would like vendors to keep reasonable distance from their establishments, including outdoor seating.***
- + The additional permit requirement for vendors is not necessary if the code is the same for all vendors.***



## Concerns continued:

- ✚ Durham Central Park, the Durham Farmer's Market and special event permit holders desire more control over sales adjacent to their events.***
- ✚ Ensure there is clear passage for pedestrians while accommodating vendors within the right-of-way.***



## What did we do?

-  ***The committee looked at various codes from other jurisdictions.***
-  ***“One size doesn’t fit all”. Durham is unique.***
-  ***The committee worked toward addressing the concerns raised while streamlining the process for all involved.***



## Overview of proposed revisions

- ✚ The existing Mobile Cart permit (required by Revenue Collections) will not be required. Instead, street vendors selling food will register with the Planning Department prior to paying the City Privilege License tax.***
- ✚ Vendors will not be required to move 60 feet every 15 minutes.***
- ✚ Vendors selling food shall adhere to a 50 foot distance separation from the entrance of restaurants and outdoor dining areas during hours of operation unless they have written permission.***



## Revisions continued

- There are also separation requirements required from Banks (ATMs), Bus Stops, Fire Hydrants, Intersections, Crosswalks and other vendors (carts only).***
- Proposed distance separation requirements from Special Events were eliminated from the draft code.***



**Will the entire code change?**



***No, the proposed code incorporates many current requirements***



# Code requirements not changing

## *Vendors will still be required to:*

- Provide trash receptacles and remove trash generated by their business each day
- Provide/leave safe passage for pedestrians
- Display required permits at all times (i.e. Health Department permit)
- Only sale food or First Amendment items within the right-of-way



## Responsible Departments

- Finance Department will continue to collect the required Business Tax (Privilege License).***
- Zoning Enforcement Section of the Planning Department will ensure compliance.***
- Police Department will assist as necessary with enforcement of the code.***
- Durham Health Department will inspect food carts and trucks for sanitation.***



# Requirements to operate

-  ***First Step: Street vendors selling food must register with the Planning Department . The vendor will receive a handout explaining the regulations.***
-  ***Second Step: The vendor must pay the required privilege license tax to the City of Durham Revenue Collections Division.***
-  ***Prior to operating, vendors must obtain the required approvals from Durham Health Department.***





# Enforcement

- ✚ ***Complaint based system***

- ✚ ***Night and weekend enforcement – coordination with Police and other agencies as appropriate***





# *Questions*