

# TRYON STREET MALL VENDING PROGRAM

## 2011 PROGRAM GUIDELINES



Charlotte CENTER CITY Partners

## Tryon Street Mall Vending Application Form

Complete application and mail to: Mall Manager  
Charlotte Center City Partners  
200 S. Tryon Street, Suite 1600  
Charlotte, NC 28202

Include a non-refundable fee of \$35.00 (payable to City of Charlotte), proof of business license and health permit, and a recent photo of your vending cart

**Deadline: Monday, March 31, 2011**

Applications received after this deadline will be placed on a waiting list.

**It is strongly recommended that vendors not invest in a cart or materials unless they receive notification that they will be accepted in the program.**

Required for review of application:

\_\_\_\_ Photo  
\_\_\_\_ Business License  
\_\_\_\_ Health Dept. permit  
\_\_\_\_ \$35.00 fee

**Failure to not include any of the above items will result in disqualification from Registration Process.**

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Owner (if other than applicant): \_\_\_\_\_

Business Address of Owner: \_\_\_\_\_

Business Phone of Owner: \_\_\_\_\_

Product(s) to be sold: \_\_\_\_\_

Description of Cart (e.g., color and type): \_\_\_\_\_

Does your cart require electricity? \_\_\_\_\_ If yes, amperage: \_\_\_\_\_

Describe type of packaging for products and estimate prices: \_\_\_\_\_

Other information which might best describe your product and presentation: \_\_\_\_\_

I certify that the information contained in this application is true and correct to the best of my knowledge, and that I have read, understand and agree to abide by the rules and regulations established by Charlotte Center City Partners and the provisions of the Charlotte City Code related to Tryon Street Mall Vendors. I understand that this application is not a commitment from Charlotte Center City Partners or the City of Charlotte to enter into a license with me. I also certify that I will comply with all local laws and ordinances of any lawful authority, agency, or governmental unit, which may apply to the use of the City's streets including, any applicable fire and health regulations of the City of Charlotte and Mecklenburg County.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

## **APPLICATION FOR PERMIT**

The attached application for a permit shall be submitted to the Mall Manager prior to **March 31, 2011**. Applications received after this deadline will be placed on a waiting list. The application shall be accompanied by:

1. non-refundable application fee of \$35.00 in the form of check or money order made payable to the City of Charlotte,
2. a photo of the proposed vending cart
3. proof of a business license
4. a copy of a Mecklenburg County health permit

## **REVIEW AND INSPECTION**

The Mall Manager shall accept and process the permit application as provided below:

1. Charlotte Center City Partners (herein CCCP) shall review the application, and a recommendation to approve or deny the application will be made to the City Manager's Office.
2. The Mall Manager shall notify applicants of the decision of the City Manager's Office, in writing, within 45 days of submittal.
3. Prior to receiving a Tryon Street Vendors Permit from the City, each approved vendor will be required to send a \$150.00 check or money order (payable to the *City of Charlotte*) to the Mall Manager.

Permits shall be issued in the name of the individual who signs the vending application, and are not transferable to other parties. Permits must be displayed at all times on the vending cart.

## **ASSIGNED SPACES**

To ensure an attractive and successful Tryon Street Mall vendor environment, CCCP shall consider several factors in assigning site locations. These factors include: the type of merchandise sold; the uniqueness and variety of the product(s) offered; and the effect on nearby businesses. When assigning site locations to vendors of similar products, a lottery system will be used.

Spaces will be permitted for vending 24 hours per day/7 days per week, with the exception of previously shared/split permits. In the case of a shared permitted space, if one of the two vendors "sharing" a permitted space drops out of the program, the other vendor currently sharing the space is allowed right of renewal for the fully permitted space.

As outlined in the Charlotte City Code [Sec. 6-104 (a)], "(a) Vendor locations shall be assigned by the city manager or his designee either on a first-come-first-served basis, by lottery, or in accordance with an otherwise fair procedure. A vendor shall be

permitted to reapply and to retain a site location for as long as the vendor remains in good standing with the rules and regulations of the Tryon Street Mall Vending Program.”

Applications received after the March 31<sup>st</sup> deadline and approved by the City Manager’s Office, will be assigned sites based upon availability on a first-come, first-served basis.

## **DIMENSIONS OF CART**

The pushcart dimensions shall not exceed 4 feet wide by 6 feet long by 7 feet high. **Each vendor is allowed two (2) coolers of the same color to accompany his/her cart, the cooler shall be no larger than 50 quart/47 liter or approx. 25.5" x 15" x 17.5"**. This rule will be strictly monitored.

## **SIZE OF SITE/ VENDING AREA**

*Designated site areas are a maximum of 8 feet wide by 10 feet long, which includes space for cart, trash receptacle, two coolers, a small table for condiments (if necessary), personnel and customers.* These are the only items that are allowed in the vending area. Additional shelves and storage containers are not permitted in the vendor area. One sign is permitted and is limited to 18" x 24". Use of a Chalk Board or Wipe-off board is recommended. The use of cardboard is prohibited.

One table, not exceeding 34" X 34" or 20" X 48" will be allowed for condiments. Tables will need to be kept inside "Size of Site" dimensions (maximum of 8'Wx 10'L).

## **SITE ABANDONMENT**

All Tryon Street Mall Vendors must vend from their designated site a minimum of one time per week from April through November. Vendors who do not meet this requirement will be contacted by the Mall Manager. If a reasonable excuse cannot be provided for the vendor’s absence, or if the vendor cannot be contacted, CCCP will recommend to the City Manager’s Office that his or her permit be revoked. The site may then be reassigned to another vendor.

## **MERCHANDISE**

Merchandise sold on Tryon Street may include flower and food products only. Exceptions may be made with the approval of CCCP.

## **CHANGE IN MENU**

In fairness to other vendors in the program, no changes can be made to the products being sold listed on the application without prior written approval of CCCP. Approval of such product mix changes will be considered in relation to potential conflicts with abutting retailing or vendors.

## **DESIGN**

The design of the pushcarts is important to the overall ambiance of the Tryon Street Mall. There shall be careful review of the design and quality of the pushcart/ vending area for any applicant seeking a permit. The Mall District Committee and the Mall Manager shall take into consideration the quality of the painting, use of the color, accessory furniture, method of merchandise display, the quality of signs and other details that will ensure that the pushcarts/ vending area are attractive. All display, vending and services accessories must be incorporated within the cart and maximum area.

One table, not exceeding 34" X 34" or 20" X 48" will be allowed for condiments. Tables and coolers will need to be kept inside "Size of Site" dimensions (8'Wx 10'L).

## **WEIGHT**

The total weight of the cart plus merchandise must not exceed 125 pounds per square foot.

## **CASH AND MERCHANDISE SECURITY**

Each operator is responsible for the security of his/her own cart, merchandise and cash. Individual cart operators are urged to report suspicious persons or incidents to the police. All cash should be kept on the operator at all times. Charlotte Center City Partners and the City of Charlotte are not liable for the loss of any money or merchandise.

## **INSURANCE**

Approved vendors must furnish proof of commercial general liability insurance including coverage for products/completed operations and contractual liability for the indemnification provision in the vendor's permit, in the amounts of \$300,000 for bodily injury per occurrence and \$100,000 for property damage per occurrence.

Coverage must be purchased from an insurance company licensed to do business in North Carolina. An original certificate of insurance must be presented prior to designation of permit.

## **MANNER OF DRESS**

Vendors play an important role in the overall impact of the Mall area, and CCCP pays close attention to the appearance of the cart operators. Cart operators are expected to wear appropriate dress at all times. Identification badges, provided upon acceptance to the program, must be worn by vendors at all times.

## **MAINTENANCE OF VENDOR SITE**

The vendor assumes responsibility for the protection of City property within the site location during operation. Each vendor is expected to keep his or her site clean. The Mall Manager after inspecting each site may suspend operation until site is clean. The vendor is encouraged to provide a trash bag or similar refuse depository. The cooperation of all operators will be appreciated. Please be reminded that attractive carts and professional personnel generate the most business.

**Rubber mats are mandatory for all vendors selling food products.** Rubber mats must be at least 3' X 5'. They must be placed on sidewalk under cart when cooking/ serving food to protect the sidewalk pavers from food and grease stains. If grease stains appear on sidewalk pavers in the designated vending area, vendors will be held responsible. Any vendor not using a mat will be asked to leave for the day and may not return until mat is used.

## **CONSUMPTION OF FOOD OR DRINK BY CART PERSONNEL**

Operators shall not be permitted to drink alcoholic beverages while operating the cart. Based upon the regulations of the Health Department and the Environmental Health Department, vendors are prohibited from smoking, eating, etc.

## **ENFORCEMENT OF RULES & REGULATIONS**

All rules will be strictly monitored. Vendors will be expected to follow all rules and regulations listed in the preceding guidelines. Vendors will receive notices of infraction in writing, and may be fined \$10 for each infraction of code, and will be expected to pay their fine and remedy those infractions before returning to their designated space.

- First Violation:** Vendor is notified of infraction(s), and must make immediate correction or will be asked to leave for the day.
- Second Violation:** Vendor is notified of infraction(s), fined and asked to leave for the day. Vendor may not return until infraction(s) are corrected.
- Third Violation:** Vendor forfeits license, and may not reapply until the next season.

## **RESTRICTIONS ON OPERATING DURING FESTIVALS AND EVENTS**

**Permits issued under the Tryon Street Mall Vendors Program will not be valid during any market, festival or activity, arts and crafts exhibits or other similar events sanctioned by the City of Charlotte through the City's Street Festival Policy.** The Mall Manager will notify affected vendors two weeks prior to any such event.

Charlotte Center City Partners and City of Charlotte thank you for your interest in the Tryon Street Mall Vending Program. This program is designed to give small businesses and entrepreneurs the opportunity to be a part of the Center City community and to enhance the personality of the Tryon Street Mall.

It is the policy of the Charlotte Center City Partners and the City of Charlotte to grant permits to vendors in a fair and equitable fashion within the constraints of the attached guidelines. We invite the participation of all vendors, regardless of their residence status, race, color, creed, national origin, religion, age, gender, and/or veteran status. Vending on public property within the City of Charlotte is permitted only as outlined in policy, and only along Tryon Street from Stonewall to Eighth Street and Trade Street from College to Church Street.

These review regulations are adopted pursuant to Chapter 6 Article IV of the Charlotte City Code entitled "Tryon Street Mall Vendors" adopted on February 25, 1985. The purpose of this manual is to describe the operating regulations for the program and to outline the expectations of Charlotte Center City Partners. It does not replace applicable ordinances regulating vending.

The Mall Manager will answer all questions about the program. Please contact Charlotte Center City Partners at (704) 332-2227.