



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
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COUNCIL MEMORANDUM NO. 95-23

From: Mayor Stein
Date: February 22, 1995
Subject: Vendor Ordinance

Every year we receive perhaps a dozen or more requests from mobile vendors to do business in parks or on city streets. Often the request is related to an event such as Iditarod and the Water Festival. Some requests are for seasonal operations at Wasilla Lake Parks. Two recent requests are enclosed.

Food and beverage vendors provide a service to the community. Most recent inquiries are from city or valley residents. Vendors are an integral part of public events such as Iditarod and Water Festival. As do other businesses, vendors must collect sales tax, pay property tax on their equipment and conform to state health standards.

Anchorage has developed a comprehensive vendor licensing program to control vendors in their city. A copy of their code and application form is enclosed.

Staff respectfully asks policy direction from Council on vendors. Presently the city discourages mobile vendors. Does Council wish to consider an ordinance setting up a system such as used in Anchorage?

John C. Stein, Mayor

CITY OF ANCHORAGE

VENDOR LICENSES

Furnish to applicant

- a. Copy of application
- b. Copy of insurance form

Applicant must return to office:

- a. Completed application
- b. Certificate of insurance
- c. \$150.00 license fee
- d. State of Alaska business license number (561-2969)
- e. Copy of health certificate (if applicable) (343-6509)

10.60.010 Exemption.

- A. Section 10.10.020 shall not apply to this chapter. (AO 88-19).

10.60.020 Definitions.

As used in this chapter:

- A. "Block" means one side of one square city block.
- B. "Cart" means any nonmotorized wagon, cart, or device, whether stationary or mobile, from or at which goods or services are offered by a vendor.
- C. "Roving vendor" means a person who offers food, goods or services to the public, with or without the use of a motor vehicle, from one or more locations on public property or from no fixed location at all and in a manner that is not within the definition of sidewalk vendor.
- D. "Sidewalk vendor" means a person who offers goods or services to the public from a location within a public right-of-way without the use of a motor vehicle, but does not include:
1. a person who offers goods or services to the public from an open air location adjacent to a structure in which is located the business offering such goods and services;
 2. a person who offers goods or services to the public from an open air location solely in connection with a special event; or
 3. a person who offers only music, mime, theater or another performance art without the use of props or aids other than those which are held by the performer at all times for use as a part of the performance or which are used as a collection box for money.
- E. "Special event" means a fair, festival, exhibition or similar activity in a public place which is authorized to continue for a period of 30 days or less by a permit issued pursuant to Chapter 24.80.010 of this code.
- F. "Vendor" means a person engaged in the business of offering goods or services to the public as roving vendor or as a sidewalk vendor.
- G. "Vendor site" means a space on or in a public right-of-way at which a sidewalk vendor may operate, as designated and assigned by the municipal clerk pursuant to Section 10.60.070. (AO 88-19 effective 5/1/88).

10.60.030 License required.

- A. It is unlawful for any person to engage in the business of a vendor unless that person has first obtained a license from the clerk as provided in this chapter.
- B. It is unlawful for any person to engage in the business of a vendor in a manner that is inconsistent with the terms of a license issued pursuant to this chapter. (AO 88-19 effective 5/1/88).

10.60.040 Types of licenses.

Two different, non-transferable, vendor licenses shall be available to any qualified person who applies:

- A. Type I shall be required for a sidewalk vendor;
- B. Type II shall be required for a roving vendor.

(AO 88-19 effective 5/1/88).

10.60.050 License applications.

- A. An application for a sidewalk vendor license shall be made to the clerk on a form approved by the clerk and shall be accompanied by the following:
 - 1. the application fee of \$150.00;
 - 2. proof of insurance as required by Section 10.60.110;
 - 3. the business address and telephone number to be used by the applicant for the business to be operated pursuant to the license;
 - 4. a complete description of the equipment to be used for display, storage or other purposes related to the business to be conducted pursuant to the license and including all distinctive markings and signs;
 - 5. proof that the applicant has obtained the following licenses:
 - a. health permits required for the preparation and sale of food or beverages;
 - b. State of Alaska business license; and
 - c. any license required by Title 11 of this code.
 - 6. a complete description of the type(s) of goods and services that shall be offered under the license;
 - 7. proof that the person to whom the license is to be issued shall have an active management or operations role in the business to be conducted pursuant to the license.

B. An application for a roving vendor license shall be made to the clerk on a form approved by the clerk and shall include those items stated in subsection A of this section as well as a description of every vehicle to be used in the business operated pursuant to the license.

C. An application for a sidewalk or roving vendor license effective February 15 may be filed after January 1 of that year. (AO 88-19, effective 5/1/88, AO 91-46).

10.60.060 License revocation and appeal procedures.

A. The clerk may revoke a vendor license for any of the reasons stated in Section 10.10.035. (AO 88-19 effective 5/1/88).

10.60.070 Designation and assignment of vendor sites.

A. All vendor sites shall be designated and assigned by the municipal clerk on a master map that is maintained in the Municipal Clerk's office, including their physical dimensions, in accordance with the following standards:

1. within the area that lies on and between 3rd and 9th Avenues and A and L Streets, the vendor site shall leave no less than a 10 foot wide strip of unobstructed sidewalk for pedestrian use and shall not otherwise obstruct pedestrian or vehicular use of the public right-of-way.
2. the site is at least 20 feet away from a Fire Department or Police Department driveway;
3. the site is completely outside the sidewalk area adjacent to any part of a posted bus stop;
4. the site is at least five feet away from a crosswalk, fire hydrant, fire escape or the curb edge of a sidewalk except where designated by the map following this chapter;
5. the site is at least 50 feet away from a business in which is located a business that traditionally sells the same goods or services that may be offered on the site;
6. the site is not adjacent to a sidewalk curb which has been painted or designated to be painted red, yellow, or blue;
7. the site is separated from all other vendor sites by a distance not less than 10 feet;
8. vendor sites shall be designated on a master map maintained by the clerk, not to exceed eight sites on any one block between E and F Streets, and not to exceed two sites on any other block; and
9. vendor sites shall be no longer than 10 feet; and
10. no vendor may have more than 2 sites per block.

- B. Each designation of a vendor site in an area that is used for a special event shall be rescinded for the period of time during which that special event is authorized. (AO 88-19, effective 5/1/88).
- C. For applications received before April 1 of each year, the clerk may assign a vendor site upon receipt of an application and fee. Should an applicant fail to meet all requirements for a license under Section 10.60.050 by April 1, the clerk may reassign the vendor site to another applicant and the original applicant shall forfeit the fee.

For applications received after April 1 of each year, the applicant must complete all requirements for a license under Section 10.60.050 before the clerk may assign a vendor site. (AO 88-19 effective 5/1/88, AO 91-46).

10.60.080 Equipment.

- A. During all hours of operation, a vendor shall post the applicable vendor license in a conspicuous location at the vendor site or in the vehicle from which the business is conducted pursuant to that license.
- B. A vendor shall maintain the following documents, as applicable, at the vendor site or in the vehicle from which the business is conducted pursuant to his license and shall display them to any person upon request:
 - 1. current State of Alaska business license for the business operated pursuant to the license;
 - 2. all government permits relating to the service of food or beverages offered by the vendor;
 - 3. a certificate of the insurance required by Section 10.60.110; and
 - 4. all government permits relating to the provision of transportation services offered by the vendor.
- C. Only the following equipment may be brought to a vendor site for use in connection with the business operated there:
 - 1. a cart which:
 - a. is no larger than three feet wide, six feet long and seven and one-half feet tall, including all appurtenances and merchandise on display, except for a litter receptacle, stool and ice chest to be provided by the vendor;
 - b. include interior space for concealed storage of all inventory, supplies, equipment and other materials brought to the vendor site in connection with the business conducted there;

2. an umbrella used in connection with a cart which does not exceed six feet in diameter, when opened;
3. one table no longer than four feet and no wider than three feet, covered with a clean material which extends to the ground on all sides so as to conceal the table legs; and
4. easels and other items reasonable necessary to the display or creation of art at the vendor site no longer than three feet wide and four feet high, limited to two each. (AO 88-19 effective 5/1/88).

10.60.090 Types of goods and services that may be offered by a sidewalk vendor.

- A. A sidewalk vendor may only offer, for the exchange of money, the following types of goods and services at a vendor site:
1. food and/or beverages;
 2. handicrafts, artwork, jewelry, fur and leather goods;
 3. goods bearing an Anchorage or Alaskan theme in some form;
 4. tourist services regulated by Title 11 of this code;
 5. shoe shine services; and
 6. flowers. (AO 88-19 effective 5/1/88).

10.60.100 Standards of operation for sidewalk vendors.

- A. A sidewalk vendor shall remove all goods and equipment from the site at the end of the business day, as defined in his license.
- B. A sidewalk vendor shall maintain his vendor site free of litter at all times.
- C. A sidewalk vendor shall not place any equipment on a vendor site or otherwise engage in the business authorized by his license between the hours of 11 p.m. and 6 a.m. or outside the hours stated on his license, whichever is more restrictive. (AO 88-19).

10.60.110 Required Insurance.

- A. Before any license is issued for a vendor the applicant shall furnish one or more policies or certificates of liability insurance issued by an insurance company authorized to do business in the State of Alaska and reflecting the applicable coverage:
1. a vendor of food or beverages shall have insurance in the amount and of the types required by Anchorage Municipal Code Section 16.60.040(5) and the Anchorage Municipal Code of Regulations Section 16.60.035(G);

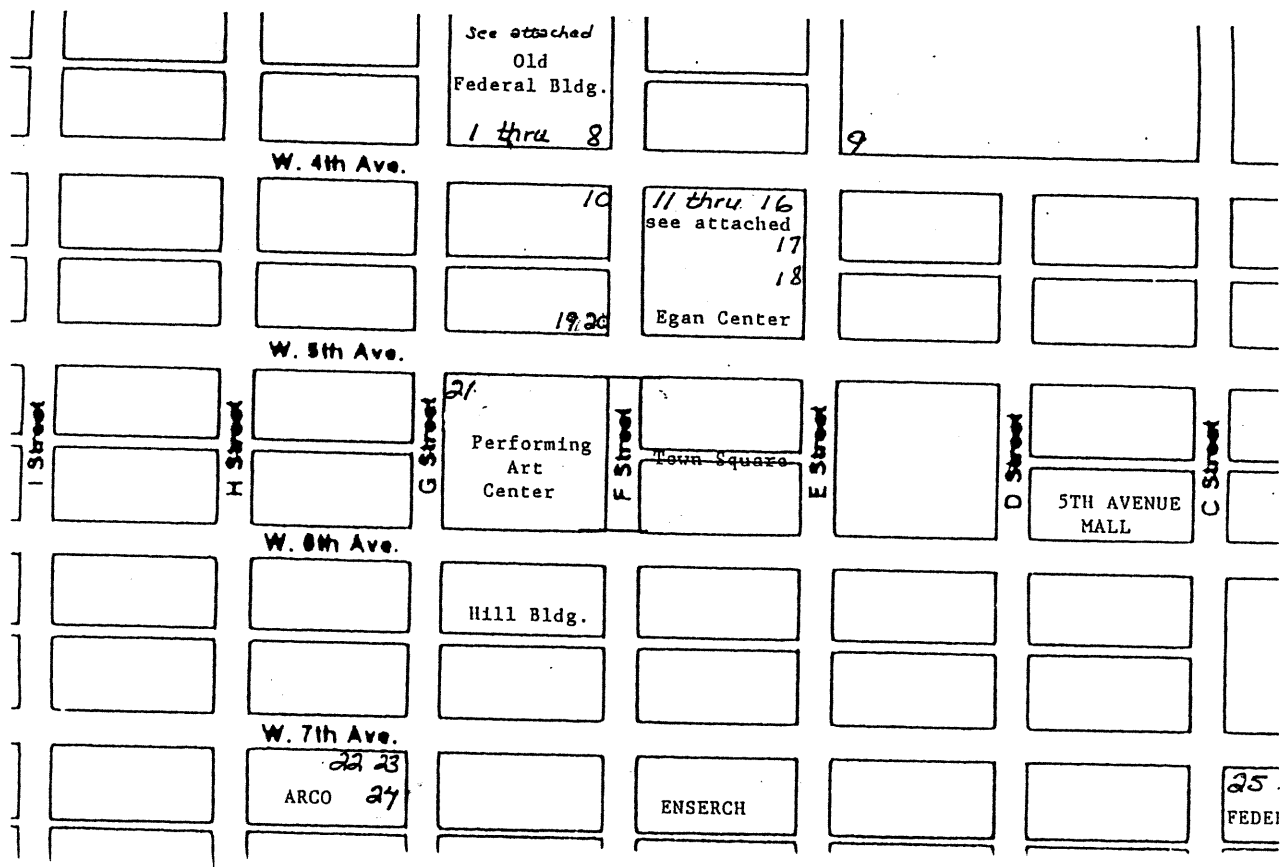
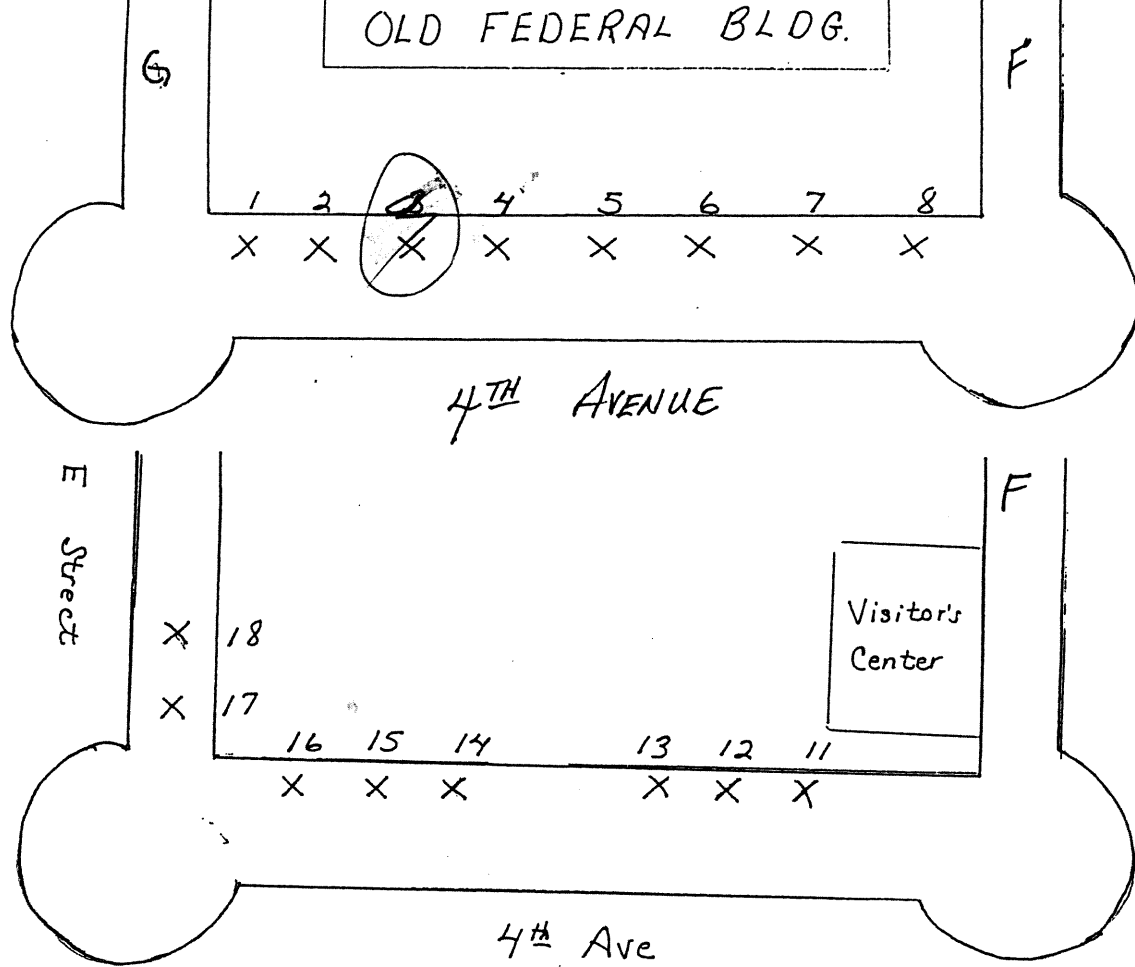
2. a vendor of goods or services shall also submit documentary proof to the municipal clerk indicating that the vendor is covered by liability insurance as follows: personal injury (each occurrence) \$100,000; aggregate products (each occurrence) \$100,000; property damage (each occurrence) \$50,000.
- B. Every policy of insurance offered pursuant to this section shall be acceptable only if it is approved by the municipal risk manager.
 - C. Every insurance policy shall contain a clause obligating the insurer to give the clerk written notice no less than 30 days before the cancellation, expiration, nonrenewal, lapse, or other termination or alteration of such insurance. A lapse, cancellation, expiration, nonrenewal or other termination or alteration of such insurance shall cause the license to which it pertains to be automatically suspended for so long as the insurance required by this section is not in place.
 - D. Any person may pursue a claim against a vendor and his insurance coverage by filing an action in a court of competent jurisdiction and by serving a copy of such a complaint on the clerk immediately thereafter. (AO 88-19).

10.60.120 Prohibited acts.

- A. It shall be unlawful for any nonfood vendor to engage in the business of a vendor from a motor vehicle:
 1. on a public right-of-way,
 2. in a publicly owned or operated parking facility, or
 3. within a vehicle parking space designate by a sign or a meter within the area on or between 3rd and 9th Avenues and A and L Streets.
- B. It shall be unlawful for a vendor to attract customers by hawking or physically accosting persons.
- C. It shall be unlawful for any person to engage in the activities of a vendor at any location other than a vendor site designated by the municipal clerk pursuant to this chapter. (AO 88-19).

10.60.130 Parks.

Notwithstanding the provisions of this chapter, the Director of the Department of Parks and Recreation shall regulate all activities by vendors on those municipal lands and facilities managed by the Department of Parks and Recreation. (AO 88-19).



available



MUNICIPALITY OF ANCHORAGE
Office of Municipal Clerk
Vendor's License Application

License Number: _____
 Date Issued: _____
 Original Application: _____
 Renewal: _____
 Date: _____

PLEASE PRINT OR TYPE INFORMATION

I, _____, hereby make application for a Type I (Sidewalk) _____ or Type II (Roving) _____ Vendor's License in accordance with Title 10 of the Anchorage Municipal Code for the 19 ____ license year.

Name of Applicant: (last, first, middle) _____

Name of Business: _____

Business Mailing Address: _____ Zip: _____

Business Street Address: _____ Zip: _____

Business Telephone: _____

Description of equipment to be used including all distinctive markings and signs (including vehicle if roving vendor):

Description of goods and services offered: _____

Health Permit #: _____ State of Alaska Business License #: _____

Permit Required by AMC, Title II: _____

NOTE: 1. STATE OF ALASKA BUSINESS LICENSE REQUIRED
2. MUNICIPAL LICENSE NOT TRANSFERABLE ANY CHANGE IN OWNERSHIP OR INTEREST REQUIRES A NEW LICENSE.

IF CORPORATION LIST OFFICER'S:

President: _____ Address: _____ Phone: _____

Vice President: _____ Address: _____ Phone: _____

Secretary: _____ Address: _____ Phone: _____

Treasurer: _____ Address: _____ Phone: _____

Directors and Stockholders holding 30% or more of stock in corporation:

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

State of Alaska)

ss

Third Judicial District)

I _____ being duly sworn, deposes and says that I am the individual making the foregoing application, that I have an active management or operations role in the business to be conducted and that the answers to the foregoing questions and other statements contained in this application are true and complete to the best of my knowledge.

Signature of Applicant: _____

SUBSCRIBED AND SWORN to before me this _____ day of _____ 19 ____.

 Notary Public
 My Commission Expires: _____

FOR CLERK'S OFFICE USE

I.D. Furnished (Document and Number): _____

Insurance Filed (date): _____

Fee Paid: _____ (Cash: _____ Check Number: _____) Receipt Number: _____

HEALTH PERMIT FOR FOOD VENDORS (date): _____

TRANSPORTATION PERMIT (date): _____

SITE ASSIGNED: YES NO Number: _____



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99687
PHONE: 373-9050

COUNCIL POLICY NO. 88-03

TITLE: Policy on Park Vendors

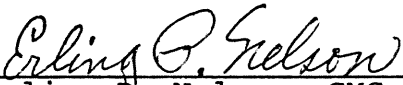
It is the policy of the Wasilla City Council that no permits will be issued for vendors doing business on public property at Wasilla Lakeside Park except that the Greater Wasilla Area Chamber of Commerce may select or establish a maximum of two (2) nonprofit organization vendor stands during the Wasilla Water Festival Days. The Chamber shall provide or shall require the vendor to obtain liability insurance and the vendors will be required to furnish and service trash receptacles.



Tomon Carney
Deputy Mayor, City of Wasilla

June 27, 1988
Date Approved

ATTEST:



Erling P. Nelson, CMC
City Clerk

CHAPTER 13.12

COMMERCIAL SALES ON CITY PROPERTY

SECTIONS:

13.12.010 Sales Unlawful

13.12.010 Sales Unlawful. It shall be unlawful for any person to vend, sell, peddle or offer for sale any commodity or article within any City Park, on City Property or right-of-ways without a permit issued by the City Council. (Ord. W79-S-3 §3 1979)



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99687
PHONE: 373-9050

COUNCIL MEMORANDUM NO. 88-70

FROM: Mayor Stein


DATE: June 8, 1988

SUBJECT: Vending Permits

Several inquiries have been made concerning Vending Permits for City Parks. In 1986 5 permits were issued by Council in accordance with WC 13.12.010 (attached). Permits issued in 1986 were at a cost of \$200.00 or 5% of gross sales, whichever is greater.

On April 13, 1987 Council adopted a policy to issue no vending permits for the 1987 season (attached).

Administration requests you set policy for the 1988 season.



John C. Stein, Mayor

JCS/mdh

Attachments: 2

Pat Hjellen suggested that the City fill positions without putting more personnel on the payroll.

Willett Bushnell feels that there was no cut back in administration and discussed depreciation.

Ruth DeCamp requested a schedule of personnel.

Ida McMahon questioned revenue with regards to interest income and discussed depreciation.

Steve Gloss feels that increased mill rate is inappropriate at this time.

Councilman Patterson closed the hearings to the public.

Motion/Second: Carney/Welsh

To discuss the FY'88 budget and public safety department issues under Unfinished Business. Motion passed unanimously.

Motion/Second: Carney/Welsh

To move Resolution W87-T-2 from new business item C. to unfinished business. Motion passed unanimously.

VI. PERSONS TO BE HEARD: (NON AGENDA ITEMS)

VII. EXECUTIVE SESSION: (NONE SCHEDULED)

VIII. UNFINISHED BUSINESS:

A. Resolution W87-T-2 Sales Tax
Motion/Second Carter/Kemp

To adopt Resolution W87-T-2 amending the date of election to read October 6, 1987. Motion passed unanimously

B. FY'88 Budget
Motion/Second Carter/Carney

To adjust schedule with regards to adoption of the FY'88 budget by holding a working session during the meeting of April 27th and hold public hearing during the meeting of May 11, 1987. Motion passed unanimously.

IX. NEW BUSINESS:

A. Vending Permit request Dick Bowen
Motion/Second Carney/Welsh

To adopt policy to issue no permits for vending at Wasilla Lake Park for this season. Motion passed unanimously.



CITY OF WASILLA

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WASILLA, ALASKA 99687
PHONE: 373-9050

COUNCIL MEMORANDUM NO. 88-77

FROM: Robert E. Harris

DATE: June 23, 1988

RE: Vendors in Lakeside Park

During the meeting on June 13, 1988 the Council requested Administration proposal for a policy regarding Vendor Permits n Wasilla Lakeside Park. The following policy is suggested.

The Wasilla City Council will issue no permits for vendors to do business on public property at Wasilla Lakeside Park except that the Greater Wasilla Area Chamber of Commerce may select or establish a maximum of two (2) non-profit organization vendor stands during the Wasilla Water Festival days.

Robert E. Harris
Deputy Administrator

REH/akk



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99687
PHONE: 373-9050

MEMORANDUM

TO: Erling Nelson
Director of Municipal Services


FROM: Robert Harris, Deputy Administrator

DATE: June 28, 1988

RE: Policy on Park Vendors

Please inform your employees who may have need to respond to public inquiring of the following Council Policy for 1988.

The Wasilla City Council will issue no permits for vendors to do business on public property at Wasilla Lakeside Park except that the Greater Wasilla Area Chamber of Commerce may select or establish a maximum of two (2) nonprofit organization vendor stands during the Wasilla Water Festival Days. The Chamber shall provide or shall require the vendor to obtain liability insurance and the vendors will be required to furnish and service trash receptacles.


Robert E. Harris
Deputy Administrator

REH/clt

cc: Public Works