

STREET VENDORS

§ 111.15 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. The City of Glen Rose, Texas.

STREET VENDOR. Any person, firm or corporation who shall sell foods, beverages or confections, or any other types of merchandise, from vehicles, pushcarts, pedal-driven carts, or on foot, moving on, in and along public parks, streets, sidewalks and easements of the city.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.16 LICENSE REQUIRED.

No person, firm or corporation shall engage in the activities of a street vendor, from vehicles, pushcarts, pedal driven carts, or on foot, moving on, in, and along the public parks, streets, sidewalks, and easements of the city without a license issued by the city to do so.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990) Penalty, see § 10.99

§ 111.17 APPLICATION FOR LICENSE.

Any person desiring to engage in the activities of a street vendor shall file a written application with the City Secretary, verified by affidavit as to the truthfulness of its contents, and containing the following information:

- (A) Name, residence and post office address, and telephone number of applicant and, if applicant is not a permanent resident of the city, applicant's permanent residence, post office address and telephone number;
- (B) A specific description of the activities in which applicant desires to engage, and for which the license is desired;
- (C) A full and complete description of the merchandise or services which applicant desires to sell;
- (D) Whether the applicant, upon any sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery of the merchandise or rendition of services sold;
- (E) Source of supply, location and proposed method of delivery of the merchandise to be sold;
- (F) Names, residence and post office addresses, and telephone numbers of 3 individuals as character and business references, and with whom the city may communicate with reference to any information it may desire regarding the applicant;
- (G) Whether applicant has engaged in any activities as a street vendor in other cities, and, if so, the names of the last 3 cities, and the dates of applicant's activities in those cities;
- (H) The name, address, date of birth and driver's license number of each of the applicant's agents; and
- (I) There shall be attached to the application a recent photographic likeness of the applicant and each of applicant's agents.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.18 LICENSE FEE.

- (A) At the time the application is filed with the City Secretary, the applicant shall pay to the city a fee in the sum of \$25, which sum

shall be compensation to the city for the services herein required of it, and to enable the city partially to defray the expenses of investigation, surveillance and the enforcement of the provisions of this subchapter. If under the provisions of § 111.22, no license is issued, the sum of \$10 shall be refunded to the applicant, otherwise no refund shall be made.

(B) If the applicant is a corporation, partnership, association, joint venture or individual having more than 1 agent engaging in street vending in behalf of the applicant, the \$25 shall cover the costs of licensing the first 2 of the agents and a fee of \$5 per agent shall be required for each agent of applicant in excess of 2.

(C) Should any person holding a license issued under the provisions of § 111.20 desire to substitute or add an agent during the duration of the license the holder shall file an application for the new or substitute agent and pay a fee of \$5 for each agent.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.19 FEE OF RENEWAL LICENSE.

Within 30 days before the expiration of the license issued under the provisions of § 111.20, any person desiring to continue to engage in street vending shall comply again with the provisions of § 111.17. At the time the application is filed with the City Secretary, the applicant shall pay a fee of \$25, which sum shall be compensation to the city for the services herein required of it and to enable the city partially to defray the expenses of investigation, surveillance and the enforcement of this section. If the applicant has more than 1 agent engaged in street vending in behalf of the applicant, the \$25 fee shall cover the cost of licensing the first 2 of the agents and a fee of \$5 per agent shall be required for each agent or applicant in excess of 2.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.20 ISSUANCE OF LICENSE.

The City Secretary may investigate statements made in said application and within 10 days after applicant has fully complied with the provisions of §§ 111.17 and 111.18, the City Secretary shall issue to the applicant a license to engage in street vending for a period of 1 year from the date of issuance; provided, however, no license shall be issued to an applicant whose application contains 1 or more statements or answers which are false in whole or part, or if the City Secretary has reason to believe the applicant or any of the applicant's agents is not of good moral character.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.21 SUSPENSION OF LICENSE.

The city may suspend for a period not to exceed 6 months, the license of any holder who is convicted in the municipal court of a violation of any provision of this subchapter. Suspension of the license, for whatever cause, shall automatically suspend the license of all agents of the licensee during any period of suspension and it shall be unlawful for the holder to engage in street vending during the suspension.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990) Penalty, see § 10.99

§ 111.22 REVOCATION OF LICENSE.

Any license issued under the provisions of this section shall be automatically revoked and cancelled upon the holder's conviction of a crime involving moral turpitude, and the city may revoke and cancel the license of any holder who is convicted in the municipal court of 3 or more violations of any 1 or more provisions of this subchapter within any 12-month period, or whose agents are convicted in the municipal court of 3 or more violations of any 1 or more provisions of this section within any 12-month period. No license shall thereafter be issued to the holder. Revocation of the license, for whatever cause, shall automatically revoke the license of all agents of the licensee.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.23 DISPLAY OF LICENSE.

When engaged in street vending, the license required by this section shall be carried by the salesperson and shall, upon request, be submitted to any peace officer, city official or citizen for examination.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.24 LICENSE NOT TRANSFERABLE.

The license provided for in this subchapter shall not be transferable, nor shall it give authority to anyone other than the licensee named thereon to engage in street vending.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.25 HEALTH CARD.

At the time the application is filed, the applicant and each agent must display to the officials of the city the existence of health cards issued by city, state or county health authorities, if required.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.26 ACTIVITIES PROHIBITED AFTER SUNSET.

No person, firm or corporation or any agent thereof shall engage in the activity of street vending later than 1/2 hour after sunset unless a special exception is approved by the City Council and the exception is noted on the license issued by the city under this subchapter.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.27 LOUD NOISE PROHIBITED.

It shall be unlawful for any person, firm or corporation or agent thereof, while engaged in street vending, to make or cause to be made any loud or unusual noise of a nature as to cause the peace and quiet of the neighborhood to be disturbed.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990) Penalty, see § 10.99

§ 111.28 EXEMPTIONS.

A duly licensed transient merchant under the terms of §§ 111.01 through 111.04 shall not be required to obtain a license but shall be subject to the other requirements of this subchapter.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)

§ 111.29 COMPLIANCE WITH OTHER ORDINANCES.

No person shall be granted a license under this subchapter unless the applicant shall comply with all other applicable ordinances of the city.

(Prior Code, Ch. 4 § 9) (Ord. 233, passed 4-10-1990)