

## Section 14

### Vendors

- 14.1 Purpose: These Regulations are intended to allow for the distribution of vendors in the Town of Clinton in such a way as to focus this type of use in locations which are most conducive to pedestrian traffic and gathering. Recognizing that the Town of Clinton contains both established restaurants and a seasonal influx of individuals who may be looking for more casual or recreational options, this Section attempts to balance the competing needs of all stakeholders.

The Regulations are divided into three categories, Transient Vendors, Stationary Vendors, and Event Vendors to recognize the differing needs of these types of uses. A vendor permit may be granted for either Transient or Stationary Vendors. The two uses are mutually exclusive. The holder of a Transient or Stationary Vendor may also apply for an Event Vendor permit.

The Commission has determined that the interests of health, safety and welfare are best served by requiring vendors to obtain zoning permits. Each type of vendor shall be required to obtain a zoning permit prior to commencing operation. Failure to obtain a permit shall subject the vendor to penalties equivalent to those imposed on other zoning violators.

- 14.2 Definitions:

14.2.1 Event Vendor: A vendor which participates at an event or festival held within the town of Clinton, and may be trucks or trailers which are easily mobile but are intended to stay in one location for several days at a time.

14.2.2 Stationary vendor: A vendor which operates a truck or trailer or other portable structure but is intended to stay in one location.

14.2.3 Transient vendor: A vendor which operates a two-axle truck or other two-axle vehicle which move from location to location each day and are inherently designed to be mobile in their sales technique. This may include door-to-door salesmen and similar solicitors. A transient vendor may stay at each location for up to three (3) hours daily.

14.2.4 Vendor: Any person or persons who engage in the activity of selling, offering for sale, offering to give away, or giving away of anything of value including food, beverages, goods, wares, merchandise or services.

- 14.3 Transient Vendors:

14.3.1 Standards: A permit may be issued provided that the following criteria are met:

- (a) Transient vendors must park on private property or on a cul-de-sac outside the regular flow of traffic.

- (1) The vendor must have the consent of each private property owner in which they park on or in front of said property.
  - (2) Transient vendors shall not be located closer than twenty feet (20') of any fire hydrant.
- (b) Transient vendors shall be located so that they do not obstruct emergency access, line-of-sight or other essential circulation patterns.
  - (c) Transient vendors must demonstrate that they have an unobstructed area of at least ten feet (10') in front of and behind the vehicle or portable structure and fifteen feet (15') from the side of the vehicle on which the sales occur to allow potential customers to approach the vehicle safely and to queue without obstructing traffic or creating a danger to themselves or others.
  - (d) Transient vendors are prohibited from erecting permanent or fixed-location structures, tables, umbrellas or similar devices at any location at which they stop.
  - (e) Transient vendors must be self-sufficient in electricity and water supply and may not hook up to supplies at any location at which they stop.
  - (f) Transient vendors may erect temporary signs pursuant to Section 34.8 of these Regulations.
  - (g) Transient vendors shall not create any objectionable noise, smoke, odor, toxic fumes, vibration, radio interference, or other unsuitable conditions that would degrade the properties in the neighborhood it visits.
  - (h) Transient vendors shall be limited in their hours of operation from 8:00 a.m. to 8:00 p.m. Sunday through Thursday, and 8:00 a.m. to 9:00 p.m. Friday and Saturday.
  - (i) Transient vendors are responsible for the clean-up of all litter associated with the items they sell which shall be accumulated at the locations they visit.
  - (j) A Transient Vendor Permit shall be limited in duration for a period of six (6) continuous months, which period may be extended for three additional one-month periods at the sole discretion of the ZEO. Transient Vendor Permits are limited to no more than nine (9) months in any twelve (12) month period.

14.3.2 Procedures: An applicant for a Transient Vendor Permit shall submit an application for said permit along with the following information:

- (a) The make, model and license plate number of the vehicle or vehicles to be used for vending;
- (b) A statement of use, indicating what will be sold;
- (c) All appropriate State licenses and permits required for the sale of the types of items being sold;
- (d) Specific locations where the Transient vendor will be stopping, by street address, together with the signed consent of the owner of that location.
  - (1) Should these locations change subsequent to the permit being obtained, a modification of the permit is required.
- (e) A copy of the unapproved Clinton Police Department Application – For Solicitor's/Vendor's Permit form, along with copies of the driver's licenses of all operators of the vehicle or vehicles to be operated.

#### 14.4 Stationary Vendors:

14.4.1 Standards: A permit may be issued provided that the following criteria are met:

- (a) Stationary vendors must be located on private property.
  - (1) The vendor must have the consent of the property owner on which they are located.
- (b) Stationary vendors shall be located so that they do not obstruct emergency access, line-of-sight or other essential circulation patterns.
- (c) Stationary vendors shall be located so that they are not encroaching into the lot line setbacks for the zone in which they are located.
- (d) Stationary vendors must demonstrate that they have an unobstructed area of at least ten feet (10') in front of and behind the vehicle and fifteen feet (15') from the side of the vehicle or portable structure on which the sale occurs to allow potential customers to approach the vehicle safely and to queue without obstructing traffic or creating a danger to themselves or others. Stationary vendors shall not be located closer than twenty feet (20') of any fire hydrant.
- (e) Stationary vendors may erect semi-permanent or fixed-location structures, tables, umbrellas or similar devices at their location provided that these items are located entirely on private property and do not obstruct pedestrian pathways, such as sidewalks.

- (f) Stationary vendors may hook up to electricity and water supply at their location, provided they have the written consent of the owner of said facilities.
- (g) Stationary vendors may erect temporary signs pursuant to Section 34.8 of these Regulations.
- (h) Stationary vendors shall not create any objectionable noise, smoke, odor, toxic fumes, vibration, radio interference or other unsuitable conditions that would degrade the properties at their location.
- (i) Stationary vendors shall be limited in their hours of operation from 8:00 a.m. to 8:00 p.m. Sunday through Thursday, 8:00 a.m. to 9:00 p.m. Friday and Saturday. Set-up of the site shall not commence before 6:00 a.m. and break-down shall be completed no later than 10:00 p.m. Vendor shall not leave any conveyance or stand unattended during operating hours.
- (j) Stationary vendors are responsible for the cleanup of all litter associated with the items they sell which shall accumulate at their location.
  - (1) Vendors shall provide trash receptacles in sufficient quantities to allow customers to dispose of their trash in a sanitary manner and shall be responsible for emptying them when they are full and at the end of each day.
  - (2) No food waste may be left exposed overnight.
- (k) A Stationary Vendor Permit shall be limited in duration for a period of four (4) continuous months, which may be extended for two additional two-month periods at the sole discretion of the ZEO. Stationary Vendor Permits are limited to no more than eight (8) months in any twelve (12) month period.

14.4.2 Procedures: An applicant for a Stationary Vendor Permit shall submit an application for said permit along with the following information:

- (a) The make, model, and license plate number of the vehicle or vehicles to be used for vending;
- (b) A statement of use, indicating what will be sold;
- (c) All appropriate State licenses and permits required for the sale of the types of items being sold;
- (d) The specific location where the Stationary vendor will be located, by street address, together with the signed consent of the owner of that location;

- (e) A copy of the unapproved Clinton Police Department Application – For Solicitor’s/Vendor’s Permit form, along with the names of all proprietors or managers of the Stationary vendor.

14.5 Event Vendors: Throughout the year, within the town of Clinton there are festivals or events which typically last one to three days and feature food and other attractions. While the Town would like to encourage these types of events, the goal of the Event Vendor Permit is to regularize how vendors of these types of events are licensed. Event vendors typically arrive twelve (12) to twenty-four (24) hours prior to an event to set up their site, remain in place throughout the event and then remove their personal property within twelve (12) hours of the end of the event.

14.5.1 Standards: A permit may be issued provided that the following criteria are met:

- (a) Event vendors must be located on the grounds of the event itself, with the consent of the event organizer.
- (b) The Event vendor shall be located so that it does not obstruct emergency access, line-of-sight or other essential circulation patterns.
- (c) Event vendors must demonstrate that they have an unobstructed area to allow pedestrians to pass unimpeded between the truck/trailer and the nearest fixture or other vendor location. There shall be adequate queuing for each location.
- (d) Event vendors may erect fixed-location structures, tables, umbrellas or similar devices at their location subject to the rules and requirements of the event organizer.
- (e) Event vendors may hook up to electricity and water supply at their location provided they have the written consent of the owner of said facilities.
- (f) Event vendors may erect temporary signs pursuant to Section 34.8 of these Regulations.
- (g) Event vendors shall not create any objectionable noise, smoke, odor, toxic fumes, vibration, radio interference or other unsuitable conditions.
- (h) Event vendors shall be limited in their hours of operation to the hours the event is officially opened for business. This means that even if an Event vendor is physically on-site prior to or following an event, it may not be open for business during those periods.
- (i) Event vendors are responsible for the cleanup of all litter associated with the items they sell which shall accumulate at their location.

- (j) Event Vendor Permits shall be limited in duration for a period of three (3) days, which may be extended by the ZEO for an additional day upon demonstration of need.

14.5.2 Procedures: An applicant for an Event Vendor Permit shall submit an application for said permit along with the following information:

- (a) The make, model and license plate number of the vehicle or vehicles or trailers to be used for vending;
- (b) A statement of use, indicating what will be sold;
- (c) All appropriate State licenses and permits required for the sale of the types of items being sold;
- (d) The specific event where the Event vendor will be attending, together with the signed consent of the owner of that location;