



**CITY COLLECTOR'S
OFFICE CITY OF
CHARLESTON**

STREET VENDOR STANDARDS

Pursuant to Section 18 of the Municipal Code of the City of Charleston, the following standards apply to Street Vendors:

Sec. 18-1061. Standards for Nonmotorized Vending Units.

(a) It shall be unlawful to leave any Nonmotorized Vending Unit unattended on an approved public right of way or remain on an approved public right of way outside of the allowed hours of operation. If any Nonmotorized Vending Unit is left unattended for more than 30 minutes, it will be considered abandoned and may be removed by the City. If removed by the City consistent with this subsection, the Street Vendor shall be liable for all reasonable removal and storage charges. The City may also require additional restrictions to abate nuisances.

(b) A Street Vendor may not operate a Nonmotorized Vending Unit within two hundred (200) feet of any event that is licensed or sanctioned by the City, unless the Street Vendor is an authorized participant in such event.

(c) A Street Vendor operating a Nonmotorized Vending Unit may not make or cause to be made any unreasonable or excessive noise in violation of Section 78-212 of this Code, including noise from generators. Any Street Vendor operating a Nonmotorized Vending Unit in conjunction with an operational generator may not operate within 50 feet from any outdoor dining area as defined in this Article. A Street Vendor may not use or maintain any outside sound amplifying equipment, lights, or noisemakers, such as bells, horns or whistles or similar devices. A Street Vendor engaging in food service shall take all reasonable steps to prevent activity akin to a nuisance, including but not limited to smoke and steam emissions.

(d) With the exception of trash bins, a Street Vendor operating a Nonmotorized Vending Unit may not use or place on the approved public right-of-way any external signage, tables, seating, or any other equipment not contained within or upon the Nonmotorized Vending Unit.

(e) A Street Vendor operating a Nonmotorized Vending Unit may not have any exclusive and/or perpetual right to use any location upon the streets, alleys, or public grounds of the City. All locations designated as approved public rights-of-way for Nonmotorized Vending Units shall be available on a first come, first served basis with no particular location(s) assigned to any particular Street Vendor(s). Notwithstanding, the City may assign locations for Street Vendors during city-sponsored events.

(f) A Street Vendor operating a Nonmotorized Vending Unit may not conduct business on an approved public right-of-way between the hours of 4 a.m. and 6 a.m. nor may any Nonmotorized Vending Unit be permitted to remain on an approved public right-of-way between the hours of 4 a.m. and 6 a.m.

(g) A Nonmotorized Vending Unit operating within the designated locations may not be of a size or configuration as to interfere with City or public use of any public right-of-way or impede ingress or egress by vehicles or pedestrians.

(h) An unobstructed clearance for pedestrian travel consistent with the Americans with Disabilities Act must be maintained around any Nonmotorized Vending Unit.

(i) An unobstructed clearance of 42 inches, must be maintained between a fire hydrant and any Nonmotorized Vending Unit.

(j) A Street Vendor operating a Nonmotorized Vending Unit may not park such Unit on a utility/manhole cover located upon an approved public right-of-way.

(k) Street Vendors shall obey any lawful order of a police officer to move a Nonmotorized Vending Unit to a different approved location, or to remove it entirely, if necessary to avoid congestion or obstruction of a public right-of-way, or for the City's use of such right-of-way for emergency purposes, construction or any other public benefit deemed necessary or appropriate at the discretion of the officer including but not limited to nuisance abatement.

(l) Any power required for a Nonmotorized Vending Unit located on an approved public right-of-way shall be self-contained and it may not draw its power from the public right-of-way, except where approved by the city manager. Power cables or equipment may not extend across any public street, alley or sidewalk.

(m) Street Vendors operating a Nonmotorized Vending Unit shall contain all refuse within the Nonmotorized Vending Unit, or provide a small moveable trash can maintained by the Street Vendor and located adjacent to the Nonmotorized Vending Unit in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic. The operator of the Nonmotorized Vending Unit shall be responsible for properly disposing of such refuse as would any business, and shall not place it in any public trash container, or in any private container without proper permission. Spills of food or food by-products shall be cleaned up by the Street Vendor operating the Nonmotorized Vending Unit, and no dumping of gray water on the streets is allowed.

(n) Any signage or advertising signs shall be maintained by the Street Vendor and located adjacent to the Nonmotorized Vending Unit in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic.

(o) The Street Vendor's license shall be displayed conspicuously at all times upon the vendor's table, cart or container. Any and all additional licenses or permits required pursuant to law and this article shall be displayed conspicuously at all times upon the vendor's table, cart or container.

(p) Nothing in this Section shall be construed to prohibit the distribution or the sale of newspapers on the sidewalks.

Sec. 18-1081. Standards for Mobilized Vending Vehicles.

(a) It shall be unlawful to leave any Mobilized Vending Vehicle unattended on an approved public right-of-way or remain on an approved public right-of-way outside of the allowed hours of operation unless the same is legally parked in a manner consistent with all parking and traffic regulations. A Mobilized Vending Vehicle left unattended in violation of this subsection shall be subject to citation(s) for traffic/parking violations and may be towed by the City. If removed by the City consistent with this

subdivision, the Street Vendor shall be held liable for all reasonable towing and storage charges. The City may also require additional restrictions to abate nuisances.

(b) A Street Vendor may not operate a Mobilized Vending Vehicle within two hundred (200) feet of any event that is licensed or sanctioned by the City, unless the Street Vendor is an authorized participant in such event.

(c) A Street Vendor operating a Mobilized Vending Vehicle may not make or cause to be made any unreasonable or excessive noise in violation of Section 78-212 of this Code, including noise from generators. Any Street Vendor operating a Mobilized Vending Vehicle in conjunction with an operational generator may not operate within 50 feet from any outdoor dining area as defined in this Article. A Street Vendor may not use or maintain any outside sound amplifying equipment, lights, or noisemakers, such as bells, horns or whistles or similar devices. A Street Vendor engaging in food service shall take all reasonable steps to prevent activity akin to a nuisance, including but not limited to smoke and steam emissions.

(d) With the exception of trash bins, a Street Vendor operating a Mobilized Vending Vehicle may not use or place on the public right-of-way any external signage, tables, seating, or any other equipment not contained within or upon the Mobilized Vending Vehicle.

(e) A Street Vendor operating a Mobilized Vending Vehicle may not have any exclusive and/or perpetual right to use any location upon the streets, alleys, or public grounds of the City. All locations designated as approved public rights-of-way for Mobilized Vending Vehicles shall be available on a first come, first served basis with no particular location(s) assigned to any particular Street Vendor(s). Notwithstanding, the City may assign locations for Street Vendors during city-sponsored events.

(f) A Street Vendor operating a Mobilized Vending Vehicle may not conduct business on an approved public right-of-way between the hours of 4 a.m. and 6 a.m., nor may any Mobilized Vending Vehicle be permitted to remain on any approved public right-of-way between the hours of 4 a.m. and 6 a.m. unless parked in conformance with all applicable parking and traffic regulations.

(g) Mobilized Vending Vehicles shall be parked at all times in conformance with applicable parking and traffic regulations, including but not limited to payment of parking meters during hours of operation, and may not hinder the lawful parking or operation of other vehicles. Mobilized Vending Vehicles may not bag parking meters to conduct street vending operations. Mobilized Vending Vehicles shall be permitted to park in loading zones between the hours of 6:00 p.m. and 4:00 a.m. Any opening or window from which business is conducted for all Mobilized Vending Vehicle must open toward the sidewalk, walkway or parking area. No window or opening from which business is conducted may open toward the street or traffic area.

(h) A Mobilized Vending Vehicle may not be of a size or configuration as to interfere with City or public use of any public right-of-way or impede ingress or egress by vehicles or pedestrians.

(i) An unobstructed clearance of at least 42 inches must be maintained between a fire hydrant and any Mobilized Vending Vehicle.

(j) An unobstructed clearance for pedestrian travel consistent with the Americans with Disabilities Act must be maintained around any Mobilized Vending Vehicle.

(k) A Street Vendor operating a Mobilized Vending Vehicle may not park such Vehicle on a utility/manhole cover located upon an approved public right-of-way.

(l) Street Vendors shall obey any lawful order of a police officer to move a Mobilized Vending Vehicle to a different approved location, or to remove it entirely, if necessary to avoid congestion or

obstruction of a public right-of-way, or for the City's use of such right-of-way for emergency purposes, construction or any other public benefit deemed necessary or appropriate at the discretion of the officer, including but not limited to the abatement of a nuisance.

(m) Any power required for the Mobilized Vending Vehicle located on a public right-of-way shall be self-contained and it may not draw its power from the public right-of-way, except where approved by the city manager. Power cable or equipment may not be extended across any public street, alley or sidewalk.

(n) Street Vendors shall contain all refuse, trash, and litter within the Mobilized Vending Vehicle or provide a small moveable trash can maintained by the Street Vendor, and located adjacent to the Mobilized Vending Vehicle in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic. The Street Vendor operating the Mobilized Vending Vehicle shall be responsible for properly disposing of such refuse as would any business, and may not place it in any public trash container, or in any private container without proper permission. Spills of food or food by-products shall be cleaned up by the Street Vendor operating the Mobilized Vending Vehicle, and no dumping of gray water on the streets is allowed.

(o) Any signage or advertising signs shall be maintained by the Street Vendor and located adjacent to the Mobilized Vending Vehicle in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic.

(p) The Street Vendor's license shall be displayed conspicuously at all times upon the vendor's Mobilized Vending Vehicle. Any and all additional licenses or permits required pursuant to law and this article shall be displayed conspicuously at all times upon the vendor's Mobilized Vending Vehicle.

(q) Nothing in this Section shall be construed to prohibit the distribution or the sale of newspapers from a motor vehicle.