



# CITY OF MONTROSE MOBILE VENDOR PERMIT APPLICATION

P.O. Box 790, 433 South First Street, Montrose, CO 81402  
Phone 970-240-1420 / Fax 970-252-4720  
www.cityofmontrose.org

**DATE OF APPLICATION:** \_\_\_\_\_ **20**\_\_\_\_\_.

- Application submitted at least 60 days in advance of issuance of permit. Permits are issued on a yearly basis and expire on December 31<sup>st</sup> of each year.
- Permittees are required to provide proof of general liability insurance in minimum amounts of \$150,000 per person, \$600,000 per occurrence including the City, its officers and employees as additional insureds. Applicant must submit a certificate of insurance with this application.
- Please attach the following fees to this application:
 

\$200.00	Application Fee Prorated for a Year
\$50.00	Power Usage Fee if applicable

## APPLICANT

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

Legal Entity to Hold Permit: \_\_\_\_\_

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

Phone Number: (Day) \_\_\_\_\_ (Eve) \_\_\_\_\_

## PROPOSED LOCATION OF VENDOR

*(Attach map or sketch of right of way area to be occupied)*

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*Mobile Vendor carts or Mobile Vending Units that are stationary for more than one hour may only be located in “B-1”, Central Business District or “B-2”, Highway Commercial and Service District on local and collector streets only or in Centennial Plaza or Demoret Park.*

**TYPE OF BUSINESS OR ACTIVITY**

Type of Business: \_\_\_\_\_

Nature of Activity (type of merchandise to be sold or displayed: \_\_\_\_\_

Operating Hours: \_\_\_\_\_

Duration of Activity: \_\_\_\_\_  
(mm/dd/yy to mm/dd/yy)

Describe any mobile vending device or other structure(s) to be used in the business or activity including kiosks, carts, stands, fences and barriers (*See attached specifications and attach pictures*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Power Usage:** Will power be required? \_\_\_\_\_ yes \_\_\_\_\_ no.  
(15 amp breakers available) If power is used, an administrative fee of **\$50.00** will be assessed.

**Water Usage:** The City of Montrose does not provide water for vendor use at Centennial Plaza or Demoret Park.

**OTHER PERMITS AND LICENSES**

Indicate which additional permits you have or will need to be obtained, attaching copies of those already obtained:

- \_\_\_\_\_ City Sales Tax License (Sales Tax Accountant 970-240-1465)
- \_\_\_\_\_ Food Service License (Health Inspector 970-252-5000)
- \_\_\_\_\_ Transient Vendor’s License (Sales Tax Accountant 970-240-1465)
- \_\_\_\_\_ City Sign Permit (Community Development 970-240-1427)
- \_\_\_\_\_ Other: \_\_\_\_\_

Please note that applicants and/or vendors are responsible for obtaining and complying with the terms these licenses and permits.

## IDENTIFICATION

List all applicants, assistants and employees and provide a copy of a government issued identification:

Name	Identification
_____	_____
_____	_____
_____	_____
_____	_____

## PROOF OF NOTIFICATION

All applicants must include proof of notification to businesses or residences within 75 feet of the location of the use of the right of way. (Form attached)

## RULES AND REGULATIONS

Permittee agrees to indemnify and hold harmless the City of Montrose, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this permit, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of the Permittee, or any employee of the Permittee, or which arise out of any worker's compensation claim of any employee of the Permittee. The Permittee agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims or demands at the sole expense of the Permittee, or at the option of the City agrees to pay the City or reimburse the City for the defense costs incurred by the City in connection with, any such liability, claims or demands. The Permittee also agrees to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.

Permittee hereby agrees to waive any claim against the City, its officers or employees for damage to their persons or property arising out of this permit, the exercise of rights granted under this Permit, or the use of the public property granted herein by the City.

Permittee shall maintain and use the public property at all times in conformity with City ordinance, regulations and other applicable law, keep it in a safe and clean condition and allow no nuisance to be created by virtue of the Permit. Permittee shall not construct any buildings or improvements upon the public property. Permittee will be held responsible for any damage incurred to the public right of way or adjacent surrounding area as a direct result of the events activities.

The City may revoke this permit at any time as deemed appropriate in the City's discretion. In such event all property of the Permittee shall be removed at Permittee's expense and pre-existing conditions restored.

## RESTRICTIONS

In addition to all other applicable requirements and regulations, the following restrictions shall apply:

1. The vendor's business shall be limited to the site and hours of operation as set forth within the Permit.
2. For mobile vendors seeking to utilize multiple rights-of-way, or vending business that setup or stay at one location for more than (1) one hour, such usage shall be restricted to local and collector streets only in the "B-1" and "B-2" zones. All traffic and parking restrictions shall apply, mobile vendors shall not be allowed to stop vehicular traffic. Permitted mobile vendors shall not solicit door-to-door, as such activity is prohibited.
3. No more than three (3) mobile vendors may occupy either Centennial Plaza or Demoret Park at any time, unless the vendor is associated with an Events Use Permit approved by the City in accordance with the provisions herein. Demoret Park vendor sites will be determined at the discretion of the City. Consideration will be given to the order that complete applications and payment of all associated fees were received for any calendar year. Applications for the current calendar year may be made beginning on the first business day after January 1st of each year. Reservations will only be made with a completed Mobile Vendor Permit application and payment of all associated fees. Any conflicts will be resolved through a lottery system.
4. The mobile vending business shall not constitute any nuisance to the public. The amplified emission of sound shall be prohibited. The vendor shall be responsible for keeping all sites of business clean of debris and litter resulting from the business.
5. No food vending shall be allowed within 500 feet of:
  - a. Schools on school days;
  - b. Restaurants or other food establishments or concessions, except for permitted vendors utilizing Demoret Park or Centennial Plaza.
  - c. Permitted events or street closures unless such vending is specifically approved and associated with the respective street closure or events use permit. Permitted events, regardless of when they are scheduled, will have priority use of Centennial Plaza. Mobile vendors may be asked to leave.
6. No mobile vending shall be allowed:
  - a. Within 20 feet of a corner at an intersection in the "B-1" zone or 25 feet of a corner at an intersection in the "B-2" zone.
  - b. Within 10 feet of a driveway.
  - c. Within 15 feet of another vendor (except at a permitted event or if assigned vendor spaces in Demoret Park and Centennial Plaza are less than 15 feet apart).
  - d. If there is not at least 4 feet of unobstructed pedestrian space on the sidewalk.
  - e. On the median strip of a divided street.
  - f. Against display windows of a fixed business location.
  - g. Within 15 feet of a fire hydrant.
  - h. Within the area between the curb/street edge and any tree/light fixture, to ensure pedestrian access.
  - i. Within 10 feet of any handicap parking space or access ramp.
  - j. City Parks unless as provided in Section 3-5-5 E (9) (event licensing procedures) of the City of Montrose Regulations.
7. Mobile vendors are not required to obtain a separate Vendor Permit if the vendor is part of an event that is licensed by the City, however the event holder must authorize the vendor.
8. Mobile vendors are allowed in City Parks only if there is an event licensed by the City; however the event holder must then authorize the vendor.
9. Mobile vendors are not required to obtain a Vendor Permit if the vendor is located on private property and has complied with all other applicable sales tax, transient vendor, health requirements, and other regulations including but not limited to site plan requirements and location in the correct zoning district.
10. Mobile vendors are not allowed to sell or provide alcohol unless licensed by the State of Colorado and the City of Montrose.

## Mobile Vending Carts

Mobile vendor carts that will be located on sidewalks must comply with the following:

- A photograph of the vending cart to be used shall be provided to the City.
- Mobile vendor carts must be mobile and must be movable by one attendant if the cart is located on a sidewalk. The cart must have wheels at least 6" in diameter.
- Mobile vendor carts must be less than 4 feet (4') in width, 10 feet (10') in length and 8 feet (8') in height, swing up towing hitches will not be included in the length measurement, but a fixed towing hitch will be included.
- Display lighting on the cart shall be directed at the merchandise only and shall not be directed at passing pedestrians or motorists.
- Signs or graphics on the vendor cart shall convey the theme of the business shall be no larger than 6 feet square and shall be attached to the cart.
- Mobile vendor carts shall be made of suitable materials for extended outdoor use and comply with all applicable health and safety standards. All surfaces, edges and details must be designed and finished to avoid potential hazards. High-quality materials and standards for detailing are essential and may include materials such as wood, stone, canvas, tile, metal, glass or Plexiglas.
- No mobile vendor cart shall be incompatible with the health, safety and welfare of the people of the City of Montrose, with due regard for the width, grade, and geometric shape of the proposed site for use of the cart, the proposed positioning of the cart, traffic safety concerns due to field of vision or driver distraction, and other uses of streets, rights-of-way, and other public property; an aesthetic compatibility assessment may also be required, to ensure that the cart and its proposed use will be in keeping with the traditional use and character of the proposed site. The City shall evaluate vender permit applications using the guidelines in this Paragraph, and shall not issue a vender permit until establishing that the cart and its location are compatible with the guidelines in this Paragraph.

## Mobile Vending Units

Mobile vending units that will be located in one location more than one (1) hour must comply with the following:

- A photograph of the mobile vending unit or vehicle to be used shall be provided to the City.
- The mobile vending unit must have wheels at least 6" in diameter.
- Display lighting on the unit shall be directed at the merchandise only and shall not be directed at passing pedestrians or motorists.
- Signs or graphics on the mobile vending unit shall convey the theme of the business shall be no larger than 6 feet square and shall be attached to the cart.
- Mobile vending units shall be made of suitable materials for extended outdoor use and comply with all applicable health and safety standards. All surfaces, edges and details must be designed and finished to avoid potential hazards. High-quality materials and standards for detailing are essential and may include materials such as wood, stone, canvas, tile, metal, glass or Plexiglas.
- No mobile vending units shall be incompatible with the health, safety and welfare of the people of the City of Montrose, with due regard for the width, grade, and geometric shape of the proposed site for use of the cart, the proposed positioning of the cart, traffic safety concerns due to field of vision or driver distraction, and other uses of streets, rights-of-way, and other public property; an aesthetic compatibility assessment may also be required, to ensure that the cart and its proposed use will be in keeping with the traditional use and character of the proposed site. The City shall evaluate mobile vendor permit applications using the guidelines in this Paragraph, and shall not issue a mobile vendor permit until establishing that the cart and its location are compatible with the guidelines in this Paragraph.

The undersigned hereby agrees to comply with all conditions stated above and confirms that all statements on this application by the Permittee are true and accurate to the best of Permittee's knowledge.

**Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

\_\_\_\_\_  
**Permittee**

Section Below for City Use Only

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**Location Approved \_\_\_\_\_ by \_\_\_\_\_**

**Fees Paid \_\_\_\_\_ Insurance Received \_\_\_\_\_**

**Pictures Received \_\_\_\_\_ Permit Issued \_\_\_\_\_**

**City Staff Review and Conditions:**

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

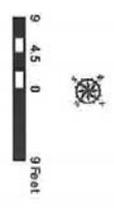
**Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

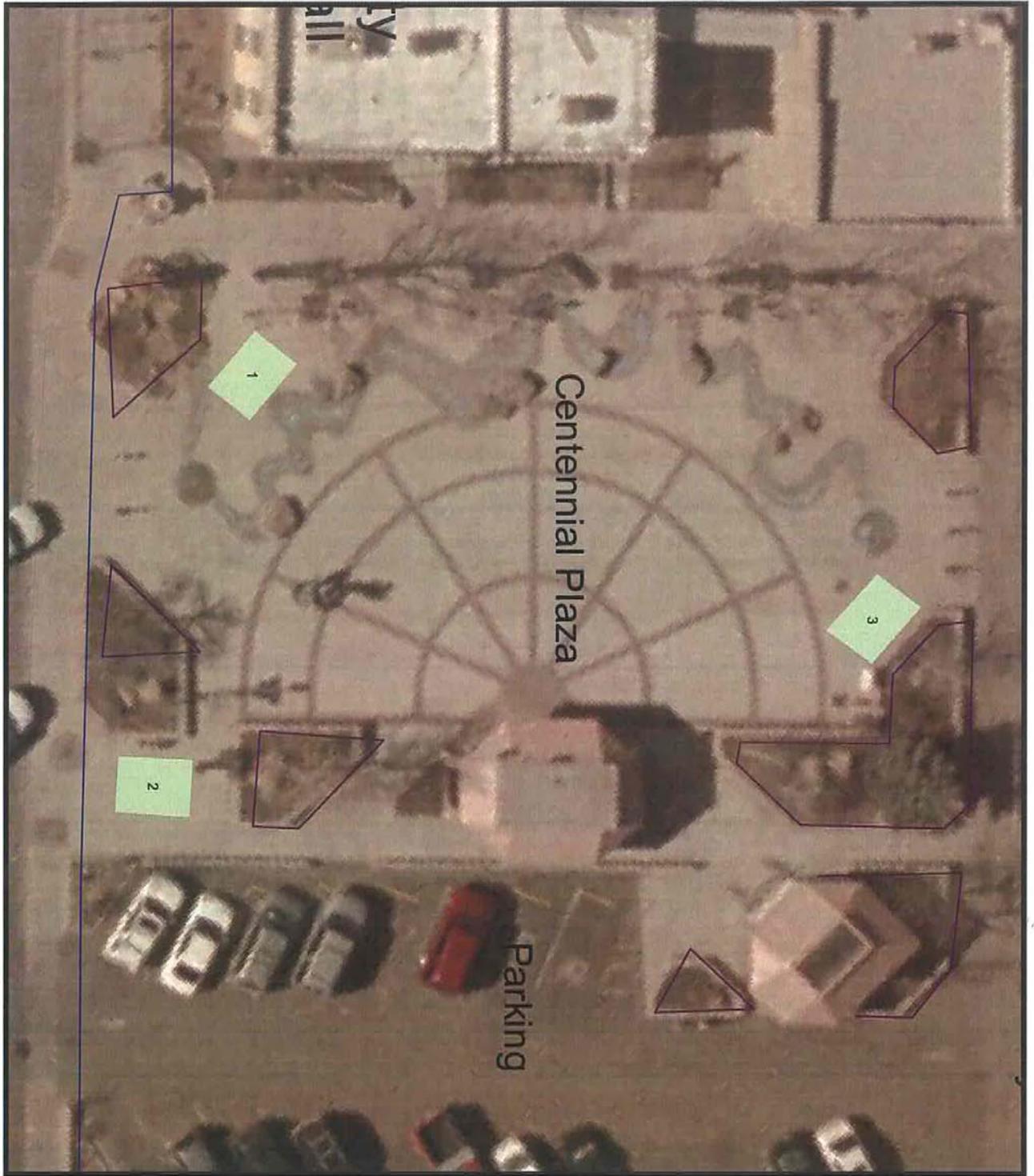
\_\_\_\_\_  
City Clerk's Office





**Demoret Park  
Mobile Vendor Map**





Centennial Plaza  
Mobile Vendor Map

