



CITY OF NEWPORT VENDING ENDORSEMENT APPLICATION ON PUBLIC PROPERTY

Please fill out and sign. Signed applications may be emailed to: j.cason@newportoregon.gov or delivered to the Finance Department at City Hall (169 SW Coast Highway, Newport OR 97365).

Applicant: _____ ☐ Business Owner ☐ Employee

Business Name: _____

Business Address: _____

Business Mailing Address (if different): _____

Business Phone: _____

Business Email: _____

Materials to be offered for sale at stand (food, merchandise or services):

Type of Stand (check one): ☐ Mobile Vendor or ☐ Fixed Stand

Mobile Vendors may be engaged in vending in a single location for no more than 15 minutes in a residential zone, and two hours in all other zones. Fixed Stands are limited to the locations listed below. Fixed stands are Limited to 100 square feet in area with vertical displays up to five feet tall. Umbrellas or canopies are limited to 100 square feet in area and must have at least seven feet clearance from pavement.

Location of **Fixed** Stand (check one):

- ☐ Nye Beach Turnaround (See note 1).
- ☐ Bayfront Boardwalk (Bay Boulevard near base of SW Hatfield Drive) (See note 1).
- ☐ The Old Fern Plant (dock/platform at Bay Boulevard near the base of SE Eads Street) (See note 1).
- ☐ The sidewalk immediately adjacent to the business listed above. See notes (2) and (3).

(1) Subject to availability. City Council has limited these locations to three licenses at the Nye Beach Turnaround, six licenses at the Bayfront Boardwalk, and six licenses at the Old Fern Plant.

(2) Vending endorsements for areas adjacent to a permanent place of business may include more than one stand and must be operated by the business.

(3) This is only permitted in the following areas of Newport: (a) **Bayfront:** SW Bay Boulevard between SW Bay Street and SE Eads Street, (b) **City Center:** SW Coast Highway between SW Angle Street and SW Fall Street; or Hurbert Street between SW 7th Street and SW 9th Street, or (c) **Nye Beach:** the area bounded by Olive Street on the south, NW 6th Street on the north, NW High Street and NW Coast Street on the east and the Pacific Ocean on the west, including both sides of each named street. "Olive Street" means both Olive Street and the area that Olive Street would occupy if it continued straight to the Pacific Ocean west of SW Coast Street.

Location of **Mobile** Vendors (check one per application)

- ☐ Nye Beach (See note 4)
- ☐ Bayfront (See note 4)
- ☐ City Center (See note 4)
- ☐ Other areas

(4) Licenses are limited to four (4) mobile vendors each in Nye Beach, Bayfront, and City Center parking districts. Vendors may not vend from parking spaces with a 2-hour or less time limit.

FOR OFFICE USE ONLY

Endorsement No.: _____ Date Received: ____ / ____ / ____ Received By: _____ Fee Amount: _____

ATTACHMENTS

The following information must be included with the completed endorsement form:

- ☐ A description and photograph or drawing of stand(s) to be used in the operation of the business. This requirement is waived for stands operating on sidewalks adjacent to the place of business of the license holder.
- ☐ Names of each person who may be engaged in operating the stand. For each person include home address, phone number, business address and business phone number.
- ☐ Proof of liability insurance covering personal injury and property damage, with coverage limits of at least \$2,000,000, naming the city as an additional insured.
- ☐ A valid copy of all necessary permits required by State or local health authorities, and other required licenses or permits, such as a sign permit, obtained by the applicant. (Mobile Food Units must be licensed by Lincoln County)

ONGOING OPERATIONAL LIMITATIONS

No vendor shall:

- A. Vend within 500 feet of the grounds of any elementary or secondary school during the period commencing one-half hour prior to the start of the school day and ending one-half hour after dismissal at the end of the school day.
- B. Vend within the Nye Beach, City Center, or Bayfront parking districts, the boundaries of which are defined in NMC Section 14.14.100, unless they have obtained a fixed or mobile business vending endorsement specifically for that purpose.
- C. Vend between the hours of 9:00 P.M. and 6:00 A.M.
- D. Leave any stand unattended.
- E. Sell food or beverages for immediate consumption along rights-of-way or public property that front an eating or drinking establishment or in areas where a litter receptacle is not available within 25 feet of the vendor.
- F. Leave any location without first picking up, removing and lawfully dispersing of all trash or refuse remaining from sales made by the vendor or otherwise resulting from the vendor's activities.
- G. If vending is from a stand, allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand.
- H. If the license includes a stand, expand the stand beyond what is described in the application and allowed in the permit.
- I. Vend anything other than that which the vendor is licensed to vend;
- J. Violate any city ordinance regulating sound or noise.
- K. Vend within any portion of a vehicle travel lane within a street other than at times when the street is closed to allow vending. This prohibition does not prohibit the use of mobile stands legally parked and selling to persons not within the vehicle travel lane of a street. For the purpose of this subsection, "legally parked" means the vehicle is located within a striped parking stall or other area designated for vehicle parking.
- L. Operate a stand without displaying a copy of the business license with the vending endorsement on the stand or engage in other vending activity without having the business license with vending endorsement immediately available for inspection.
- M. If other than a fixed stand, vend at any location where the sidewalk is not at least 8-feet in width, or within 10-feet of an entrance way to any building or within 20-feet of any crosswalk or intersection.
- N. Allow his or her stand or any other item relating to the operation of the vending business to lean against or hang from any building or other structure without the owner's permission.
- O. Block pedestrian use of a sidewalk. Pedestrian use is considered blocked if two persons cannot pass each other walking in opposite directions.

ACKNOWLEDGEMENT

I/We, the owners of the subject business, hereby acknowledge that I/we have read and agree to adhere to the ongoing operational limitations set forth in this document, and understand that failure to abide by these operational limitations may result in the revocation of this business license vending endorsement.

Acknowledged by Business Owner: _____

Date Acknowledged: _____