

1 **BOARD BILL NO. 30AA INTRODUCED BY ALDERMAN JOHN COATAR**

2 An Ordinance pertaining to vendors on the Wharf area described herein; repealing  
3 Ordinance #61362, and enacting a new Ordinance establishing the process of soliciting  
4 vendors for said area, establishing a “Wharf Vending District”, and establishing a  
5 Riverfront Vending District Committee.

6 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

7 **SECTION ONE. Intent.**

8 The Wharf area described herein is a part of the larger Riverfront area experiencing  
9 revitalization as the City, Great Rivers Greenway, City Arch River and the National  
10 Parks Service work together to beautify, update and make accessible attractions and  
11 green space in the “City Arch River” area, which includes the Riverfront. It is the intent  
12 of this Ordinance to set forth a process to locate and permit vendors which will contribute  
13 to and fit the atmosphere of this unique parcel, and to provide for input from Great Rivers  
14 Greenway as set forth herein.

15 **SECTION TWO. Repeal.**

16 Ordinance #61362 , approved June 6, 1989, is hereby repealed.

17 **SECTION THREE. Description of Wharf area subject to this Ordinance.**

18 The subject property of this Ordinance is: the portion of the Wharf between the north  
19 curb line of Chouteau Avenue and the south curb line of Biddle Street and the west curb  
20 line of Leonor K. Sullivan Boulevard and the west curb lane of the Levee Fire Lane, as  
21 depicted in Exhibit A. This property is to be known as the “Wharf Vending District”.

1 **SECTION FOUR. Establishment of a Riverfront Vending Committee.**

- 2 1. There is hereby established a committee in and for the subject area  
3 which shall be known as the Riverfront Vending Committee (RVC).
- 4 2. Composition. The RVC shall consist of five (5) members.
- 5 3. Membership. The RVC shall initially be composed of the Port Manager  
6 of the City of St. Louis Port Authority, the Special Events Program  
7 Executive of the City of St. Louis, the Director of Streets of the City of  
8 St. Louis, the Executive Director of Great Rivers Greenway and another  
9 member designated by the Executive Director of Great Rivers  
10 Greenway. Any member listed herein may appear at such meeting by  
11 designee from his or her City Department, or in the case of Great Rivers  
12 Greenway, from that entity.
- 13 Great Rivers Greenway is a party to the Cooperation Agreement with  
14 the City of St. Louis authorized by Ordinance 69542, which Agreement  
15 recognizes Great Rivers Greenway's participation in and commitment  
16 to the development of the broader Riverfront Area, of which the Wharf  
17 Vending District established herein is a part. Within 90 days of passage  
18 of this Ordinance, all committee members shall be approved for service  
19 on the committee by the consent of a majority of the Board of Aldermen  
20 of the City of St. Louis. If any committee member or proposed  
21 committee member is not approved by a majority of the Board of  
22 Aldermen, the Mayor will submit an alternative member for approval  
23 by the Board of Aldermen.

ORDINANCE NUMBER 70313

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4. Designation of Chairman. The Executive Director of Great Rivers Greenway shall be designated as the Chairman of the RVC.

5. Area of Effect. The RVC shall be responsible for providing extensive advisory input as set forth in this Ordinance, including providing required comment and review of applications for vending permits within the subject area. No vending permit shall be approved for the area set forth in Section Three without the approval of the RVC.

6. Meetings. The meetings of the RVC shall be held at the call of the Chairman, and at other such times as the RVC may determine. Three (3) members shall constitute a quorum, and in the absence of the Chairman, the City's representative shall be the Active Chairman. Meetings of the RVC may be called by the Special Events Program Executive of the City of St. Louis. No official action of the RVC shall be taken except at a meeting open to the public. The Special Events Program Executive of the City of St. Louis shall be designated as Secretary of the RVC and shall be responsible to keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicate such fact. A majority of the RVC may adopt rules and regulations to govern the procedure before the RVC.

7. Duties and Powers. The RVC shall review applications for vending permits seeking to do business in the Wharf Vending District as described in Section Three and depicted in Exhibit A. The Street

ORDINANCE NUMBER 70313

1 Director of the City of St. Louis will receive permit applications from  
2 vendors seeking a permit for vending in the area referenced herein, and  
3 will submit all such vending applications to the RVC. The Street  
4 Director issue Riverfront Wharf vending permits as recommended by  
5 majority vote of a quorum of the RVC, and shall complete all duties set  
6 forth to him under this Ordinance.

7 **SECTION FIVE. Rules and Regulations for the Wharf Vending District.**

8 In addition to all other requirements of this Ordinance, the following provisions shall  
9 apply to every vending business in the “Wharf Vending District”. The provisions of this  
10 Section shall supersede any other provision of the City Code if such provisions are  
11 inconsistent.

- 12 1. Every vending business in the “Wharf Vending District” must operate from a  
13 fixed location designated by the RVC and specified on its permit, except when  
14 licensed as a Festival Vendor.
- 15 2. Vendors must apply for and obtain a permit to operate a vending business in  
16 the “Wharf Vending District” as provided in this section prior to obtaining a  
17 vendor’s license from the license collector. Vending permits shall be issued by  
18 the Director of Streets (“Streets Director”) for locations within the Wharf  
19 Vending District.
- 20 3. No person, partnership or corporation shall be issued more than two (2)  
21 vendor’s permits for locations within the Wharf Vending District.

ORDINANCE NUMBER 70313

- 1           4. Vendors' permits in the "Wharf Vending District" shall be approved prior to  
2           issuance by the RVC. No such permit shall be issued unless review, comment  
3           and approval has issued at a public meeting of the RVC.
- 4           5. The proposed annual fee for a vendor's permit in the Wharf Vending District  
5           shall be submitted by the permit applicant responding to a Request for  
6           Proposal; provided however, that the minimum annual fee for a vendor's  
7           permit shall be \$1000.00; also provided that this fee may be increased by the  
8           Street Director, in his discretion, after recommendation of the RVC,  
9           identifying increases in regulatory costs to the City justifying proposed fee  
10          increases.
- 11          6. When the Streets Director, at the request of the RVC, determines that a  
12          vending permit should be issued for a location within the Wharf Vending  
13          District:
- 14           A. The RVC shall establish criteria, as follows:
- 15           i.)Vending location;
- 16           ii.)Items to be sold, e.g. food, beverage, clothing;
- 17           iii.)Hours of vending;
- 18           iv.)Type of vending structure; the criteria shall expressly provide that no  
19           vending may be done from shopping carts;
- 20           v.)Contribution to diversity of products available from vendors, and  
21           diversity of appearance of vendors' facilities, within the Wharf Vending  
22           District;

ORDINANCE NUMBER 70313

1 B. The Streets Director shall cause to be issued a solicitation for permit  
2 applications, which shall:

3 i.) be published in two newspapers of general circulation in the  
4 metropolitan area

5 and on the City's website for two weeks;

6 ii.) identify the vending location;

7 iii.) state the criteria;

8 iv.) request permit applications, which shall:

9 a. require applicants to indicate whether they will pay the City  
10 sums above the minimum fee;

11 b. require appropriate applicant identity information;

12 c. require photographic and other information about the vending  
13 structure;

14 d. contain detailed information regarding items to be sold and  
15 prices and suppliers;

16 e. provide additional information as deemed appropriate; and

17 f. state the due date for applications.

18 C. After receipt of permit applications, the Streets Director shall forward  
19 the same to the RVC . Based upon the recommendation of the RVC, all  
20 applications may be rejected.

21 7. No permit issued under the provisions of this Ordinance shall be assignable or  
22 transferable.

ORDINANCE NUMBER 70313

1           8. The Street Director shall revoke the permit of any duly licensed persons or  
2 itinerants for not complying with the provisions of this Ordinance and notification  
3 of all revoked permits shall be given to the License Collector's Office.

4           9. Permit fees shall be deposited in the Riverfront Wharf Revitalization Fund,  
5 established herein.

6 **SECTION SIX. Riverfront Revitalization Fund.**

7 There is hereby established a special fund, to be known as the Riverfront Wharf  
8 Revitalization Fund. Funds in the Riverfront Wharf Revitalization Fund may be  
9 appropriated only for expenditures that are recommended by the RVC for maintaining  
10 and improving the "Wharf Vending District". This fund is to be a dedicated account,  
11 opened and maintained by the Port Authority of the City of St. Louis for the limited use  
12 of expenses related to the Wharf Vending District as recommended by a majority of the  
13 RVC and approved by the Board of Estimate and Apportionment.

14 **SECTION SEVEN. Prohibition and Penalty.**

15 No Person shall occupy the "Wharf Vending District" for the purpose of displaying,  
16 selling or offering for sale, any goods, food or merchandise, unless said person has  
17 secured a permit or lease under the provisions of this Ordinance or is a part of a Special  
18 Event registered with the Office of Special Events of the City of St. Louis. Any Person or  
19 Firm violating the provisions of this Ordinance shall, upon conviction, be fined the sum  
20 of not less than one hundred (\$100.00) nor more than five hundred (\$500.00) dollars.  
21 Each day that any violation shall continue shall constitute a separate offense.

ORDINANCE NUMBER 70313

1 **SECTION EIGHT. Emergency Clause.**

2 This being an ordinance for the preservation of public peace, health, and safety, it is  
3 hereby declared to be an emergency measure within the meanings of Sections 19 and 20  
4 of Article IV of the Charter of the City of St. Louis and therefore shall become effective  
5 immediately upon its passage and approval by the mayor.