

1 An ordinance pertaining to vendors; repealing Ordinance 34889, approved on April
2 21, 1926, Section 29-104 of Ordinance 52030, approved on June 1, 1963, Ordinance
3 53070, approved on March 10, 1965, Ordinance 54719, approved on April 5, 1967,
4 Ordinance 55785, approved on January 7, 1971, Ordinance 56640, approved on
5 December 20, 1973, Ordinance 57583, approved on April 3, 1978, Ordinance 58086,
6 approved on June 12, 1980, Ordinance 58514, approved on March 1, 1982, Ordinance
7 59090, approved on March 23, 1984, Ordinance 59454, approved on June 4, 1985,
8 Ordinance 59533, approved on September 24, 1985, Ordinance 59923, approved on
9 June 27, 1986, Section Two of Ordinance 64166, approved on October 24, 1997,
10 Ordinance 64327, approved on March 13, 1998 and Chapter 8.48 of the Revised Code
11 of the City of St. Louis; establishing comprehensive rules and regulations for vendors
12 within the City of St. Louis, setting the fees to be collected by the License Collector
13 for the operation of a vending business; establishing different classifications of
14 vendors, creating special vending districts; Ordinance 64569, approved on February
15 11, 1999, Ordinance 64712, approved on July 29, 1999, Ordinance 65061, approved
16 on October 11, 2000, Ordinance 65347, approved November 28, 2001 Ordinance
17 66655 approved February 28, 2005, Ordinance 66860 approved November 8, 2005,
18 Ordinance 68108 approved September 24, 2008, Ordinance 68588 approved March
19 16, 2010, Ordinance 68603 approved March 16, 2010, Ordinance 68757 Approved
20 October 22, 2010, Ordinance 68990 approved October 20, 2011, and Ordinance
21 69639 approved December 30, 2013, prohibiting street vendors within the City of St.
22 Louis except within designated vending districts; establishing vending districts within
23 the City of St. Louis; *prohibiting vending on any LRA owned property*, promulgating
24 rules and regulations for vending within vending districts; containing definitions, a
25 penalty clause, a severability clause and an emergency clause.

26 NOW THEREFORE BE IT ORDAINED BY THE CITY OF ST. LOUIS AS
27 FOLLOWS:

28 SECTION ONE. Ordinance 34889, approved on April 21, 1926, Section 29-104 of
29 Ordinance 52030, approved on June 1, 1963, Ordinance 53070, approved on March
30 10, 1965, Ordinance 54719, approved on April 5, 1967, Ordinance 55785, approved
31 on January 7, 1971, Ordinance 56640, approved on December 20, 1973, Ordinance
32 57583, approved on April 3, 1978, Ordinance 58086, approved on June 12, 1980,
33 Ordinance 58514, approved on March 1, 1982, Ordinance 59090, approved on March
34 23, 1984, Ordinance 59454, approved on June 4, 1985, Ordinance 59533, approved
35 on September 24, 1985, Ordinance 59923, approved on June 27, 1986, Section Two
36 of Ordinance 64166, approved on October 24, 1997, Ordinance 64327, approved on
37 March 13, 1998 and Chapter 8.48 of the Revised Code of the City of St. Louis, an

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38 Ordinance 64569, approved on February 11, 1999, Ordinance 64712, approved on
39 July 29, 1999, Ordinance 65061, approved on October 11, 2000, Ordinance 65347,
40 approved November 28, 2001 Ordinance 66655 approved February 28, 2005,
41 Ordinance 66860 approved November 8, 2005, Ordinance 68108 approved
42 September 24, 2008, Ordinance 68588 approved March 16, 2010, Ordinance 68603
43 approved March 16, 2010, Ordinance 68757 Approved October 22, 2010, Ordinance
44 68990 approved October 20, 2011, and Ordinance 69639 approved December 30,
45 2013, are hereby repealed.

46 SECTION TWO. Definitions.

47 "City Park" means any area maintained by the Director of Parks, Recreation and
48 Forestry including any sidewalk immediately adjacent to such area but not extending
49 past the curb line of such sidewalk.

50 "Festival vendor" means any person who sells or offers for sale any goods, wares,
51 merchandise, flowers, horticultural products, services, food or beverages from a
52 booth, stall, stand, table, wagon, pushcart, handcart or other vehicle, or from a pack,
53 basket or similar container, or hand held display at a parade, fair or festival for which
54 the City has issued a permit.

55 "Itinerant vendor" means any person who engages in a temporary or transient business
56 in the City, selling goods, wares, merchandise, flowers, horticultural products,
57 services, food or beverages, and who for the purpose of carrying on such business,
58 hires, leases or occupies any building or enclosed structure, or any portion thereof, for
59 the exhibition or sale of goods, wares or merchandise.

60 LRA owned property means any property owed in fee simple by the Land
61 Reutilization Authority of the City of St. Louis.

62 "Popup" vendor" means any person who engages in a temporary or transient
63 business in the City, selling goods, wares, merchandise, flowers, horticultural
64 products, services, food or beverages, and who for the purpose of carrying on such
65 business, hires, leases or occupies any lot, or any portion thereof, for the exhibition
66 or sale of goods, wares or merchandise.

67 "Roadway" means that portion of the street or alley, including the median if any,
68 between the regularly established curbs, or that portion ordinarily used for vehicular
69 traffic.

70 "Sampling" means to knowingly distribute or furnish without charge, or cause to be
71 furnished or distributed without charge any goods, wares, phones, merchandise,
72 flowers, horticultural products, food or beverages from a table, wagon, pushcart,
73 handcart or other non-motorized vehicle, or from a pack, basket or similar container,
74 or hand held display.

75 "Sidewalk" means that portion of a street, intended for the use of pedestrians, between
76 the curb line or lateral boundary of a roadway and the adjacent property line.

77 "Sidewalk Vendor" means any person who sells or offers for sale on any public
78 sidewalk or public right of way, other than a roadway or roadway median, any goods,
79 wares, merchandise, flowers, horticultural products, services, food or beverages from
80 a booth, stall, stand, table, wagon, pushcart, handcart or other non-motorized vehicle,
81 or from a pack, basket or similar container, or hand held display.

82 "Soulard Market Area" means the area bounded by Lafayette Street on the south,
83 Seventh Street on the east, Marion Street on the north and Interstate highway 55 on
84 the west.

85 " Vehicle Vendor "means any person who sells or offers for sale on any public
86 roadway any goods, wares, merchandise, flowers, horticultural products, services,
87 food or beverages from a wagon, pushcart, handcart or other vehicle.

88 "Vend or vending" means to sell or offer for sale any goods, wares, merchandise,
89 flowers, horticultural products, services, food or beverages.

90 SECTION THREE. Vending prohibited; exceptions.

91 No person shall sell or offer for sale or permit the offering or selling of any goods,
92 wares, merchandise, flowers, horticultural products, services, food or beverages upon
93 any public sidewalk, street, roadway, or roadway median within the City of St. Louis
94 except in those areas designated by ordinance as Vending Districts.

95 No person shall sample, sell or offer for sale or permit the offering or selling of any
96 goods, wares, merchandise, flowers, horticultural products, services, food or
97 beverages upon any LRA owned property within the City of St. Louis

98 No person shall sell or offer for sale or permit the offering or selling of any goods,
99 wares, merchandise, flowers, horticultural products, services, food or beverages
100 upon any privately owned lot , within the City of St. Louis in those areas prohibiting
101 vending except for festival vendors .

102 SECTION FOUR. Vending district designated

103 The following areas are designated as Vending Districts within the City of St. Louis.
104 Except for those vending businesses located in The Wharf Vending District as
105 regulated by the provisions of Ordinance 61362, every vending business operated
106 within a Vending District shall comply with the rules and regulations adopted in this
107 ordinance.

108 A. "Downtown Vending District" shall mean the area bounded by the east side of
109 Fourth Street on the east, and the centerlines of Cole Street on the north, Eighteenth
110 Street on the west and Chouteau Street on the south.

111 B. "City Park Vending Districts" shall mean any area maintained by the Director
112 of Parks, Recreation and Forestry.

113 C. "Wharf Vending District" as defined and regulated by Ordinance 61362, June
114 6, 1989.

115 D. "Meramec Street Vending District" shall mean the area bounded by the west
116 curb line of South Broadway south from the south curb line of Meramec Street to the
117 southernmost part of the lot numbered 4257 South Broadway; and on Ohio Street
118 from the south curb line of Meramec Street to the north curb line of South Broadway
119 provided such vendors are licensed as provided herein. Licensed vendors in this
120 district may sell agricultural products and flowers only.

121 E. Reserved.

122 F. "The Grand Boulevard Vending District" shall mean the area along Grand
123 Boulevard from Natural Bridge Avenue to Interstate Highway 70.

124 G. Reserved.

125 H. Reserved.

126 I. Reserved.

127 J. "Midtown Neighborhood Vending District" shall mean the area bounded by
128 Chouteau Avenue on the south, Leffingwell Avenue on the east, Vandeventer Avenue
129 on the west, and Delmar Boulevard and Olive Street via North Compton Avenue on
130 the north.

131 K. "Tiffany Neighborhood Vending District" shall mean the area bounded by
132 Chouteau Avenue on the north, Interstate 44 on the south, Grand Boulevard on the
133 east and 39th Street on the west.

134 L. "Covenant Blu/Grand Center Neighborhood Vending District" shall mean the
135 area bounded by Dr. Martin L. King Drive to the north, North Compton Avenue to the
136 east, Olive Street to the south, and North Vandeventer Avenue to the west.

137 **SECTION FIVE. Applicability**

138 This ordinance shall not be construed to forbid merchants occupying with their
139 goods, wares, merchandise, flowers, food or beverages, a limited portion of the
140 sidewalk adjacent to the property occupied by them in conformity with the conditions
141 of a permit obtained from the Department of Streets or the Board of Public Service, or
142 prevent or prohibit the sale or offering for sale any goods, wares, merchandise,
143 flowers, food or beverages

144 (i) by merchants pursuant to Ordinance 60950, approved on July 18, 1988; or

145 (ii) the delivery of any goods, wares, merchandise, flowers, food or beverages to any
146 residence or business within the aforementioned geographical areas;

147 (iii) during any period of time for which a festival, fair or parade permit has been
148 issued by the Street Department or the Board of Public Service for a festival, fair or
149 parade to be conducted within any of the aforementioned areas.

150 **PART I VENDORS LICENSE**

151 **SECTION SIX. Vending business - Permitted - License required**

152 No person shall operate a business as a sidewalk vendor, vehicle vendor, itinerant
153 vendor, or festival vendor within Vending District without first having obtained a
154 license according to the provisions of this ordinance. No person shall act as an agent
155 or an employee for any person licensed under the provisions of this ordinance unless
156 such person has first obtained an identification certificate from the License Collector.
157 No licensee shall permit any other person to act as agent or employee for such
158 licensee unless such person has first obtained an identification certificate from the
159 License Collector.

160 **SECTION SEVEN. Vendor's License-Application-contents**

161 Application for a license shall be made in writing on a form provided by the License
162 Collector, and signed by the applicant. If the applicant is a corporation, a duly

163 authorized agent shall sign the application. The application shall contain the following
164 information:

- 165 (a) The full name, residence address and business address of the applicant and any
166 employee of the applicant
- 167 (b) The business telephone number of the applicant;
- 168 (c) The type of license sought by the applicant;
- 169 (d) A general description of the item or items to be sold;
- 170 (e) A full face photograph of the applicant and a full face photograph of the
171 applicant's employees, if applicable;
- 172 (f) a written statement of clearance certifying that no current or past earnings and /or
173 property taxes are due and payable to the City;
- 174 (g) a statement from the Director of Revenue of the State of Missouri certifying that
175 the applicant is not delinquent in the payment of any sales tax if the list of delinquent
176 taxpayers provided to the City by the Director of Revenue indicates a delinquency on
177 the part of such person.

178 Any such other information as may be required by the License Collector.

179 Subsequent to the issuance of a license, the licensee shall be required to notify the
180 License Collector within 10 days of any changes in the information made part of the
181 application.

182 SECTION EIGHT Issuance of license - Contents - Exhibition

183 Upon the filing of the completed application, the payment of the proper license fee as
184 prescribed in this ordinance, the License Collector shall deliver to the licensee a
185 license.

186 Every license shall be numbered consecutively, and shall show the name, occupation
187 and place of residence of the licensee and the period for which the license is issued.

188 Every license shall be color-coded in a manner to be determined by the License
189 Collector.

190 **Every license shall state the Vending District(s) in which the license shall be valid**
191 **for the licensee to legally operate their vending business and every license shall**

192 *instruct the licensee that the license is not legal in any other Vending District or*
193 *Non Vending District.*

194 Each licensee shall carry the license with him and shall exhibit it whenever required
195 by any police officer or other officer authorized under the laws or ordinances to make
196 arrests.

197 SECTION NINE. Identification Certificate-Application-contents

198 Application for an employee identification Certificate shall be made in writing on a
199 form provided by the License Collector, and signed by the applicant. The application
200 shall contain the following information:

201 (a) The full name, residence address and business address of the applicant;

202 (b) The name of the applicant's employer;

203 (c) A full face photograph of the applicant;

204 (d) Any such other information as may be required by the License Collector.

205 The License Collector is authorized to charge a non-refundable application processing
206 fee of \$20.00 to be collected at the time of application. Subsequent to the issuance of
207 an identification certificate, the certificate holder shall be required to notify the
208 License Collector within 10 days of any changes in the information made part of the
209 application. Each certificate holder shall carry the certificate with him and shall
210 exhibit it whenever required by any police officer or other officer authorized under
211 the laws or ordinances to make arrests.

212 SECTION TEN. Corporate applicant qualifications.

213 Each corporate applicant for a vending license shall be qualified to do business under
214 the laws of the state of Missouri.

215 SECTION ELEVEN. Applicability of Health Code-Inspection.

216 All licensees and their employees shall be subject to and comply with all applicable
217 requirements and standards for dispensing and purveying food contained in Title
218 Eleven (11) of the Revised Code, as amended, and rules and regulations promulgated
219 thereunder by the Health Commissioner. All food held, offered for sale, sold or given
220 away by licensees shall be subject to and comply with all applicable requirements for
221 such food of the Revised Code and the rules and regulations promulgated thereunder
222 by the Health Commissioner. Proof that a person has filed an application for a street

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223 vending license from the License Collector shall be required prior to the issuance of
224 any permits from the Health Department for the operation of a street vending
225 business.

226 SECTION TWELVE. Health Inspections and analysis.

227 It shall be the duty of every licensee to permit inspections to be made and, when
228 required, to furnish samples of any foods kept, offered for sale or given away by the
229 licensee as often as may be deemed necessary to determine that the foods are free
230 from adulteration, are not misbranded, and do not contain an excessive number of
231 microorganisms or their toxins. The licensee shall answer all reasonable and proper
232 questions and furnish records of the sampled product. Samples shall be examined or
233 analyzed by or under the direction of the City’s Department of Health, and a record of
234 each such examination or analysis shall be made and kept in its office.

235 PART II SIDEWALK AND VEHICLE VENDORS

236 SECTION THIRTEEN. Sidewalk and Vehicle Vendor’s License-Application

237 Every individual who desires a license as a sidewalk or vehicle vendor shall make
238 application therefor in conformity with the provisions of this ordinance relating to
239 applications for licenses. The fee for a sidewalk or vehicle vendor’s license shall be
240 \$200.00 per year. A non-refundable application processing fee of \$25.00 shall be
241 collected at the time of application; provided, however, that upon the granting of a
242 license, the amount of the application fee shall be credited to the fee for said license.

243 SECTION FOURTEEN. Sidewalk or vehicle vendor’s License-Term.

244 Any sidewalk or vehicle vendor’s license issued according to the provisions of this
245 ordinance shall be valid until December 31 of the year in which this ordinance is
246 enacted. Thereafter all licenses shall be valid for one (1) year beginning on January 1
247 and ending on December 31. Renewal of licenses shall be permitted beginning on
248 December 1.

249 No license shall be issued under this ordinance except for the full license period and
250 the full license fee.

251 SECTION FIFTEEN. Additional permit requirements.

252 The license collector shall issue the license to the applicant upon his meeting the
253 following conditions:

254 A. Present proof of compliance with all requirements deemed necessary by the
255 Department of Health, the Department of Streets, the Department of Public Safety or
256 the Department of Parks, Recreation and Forestry; and

257 B. Present proof of insurance in the amount of twenty-five thousand dollars/fifty
258 thousand dollars bodily injury coverage and property damage in the amount of ten
259 thousand dollars with an insurance company of good standing on each vehicle used in
260 the operation of the vending business.

261 SECTION SIXTEEN. Rules and Regulations.

262 A. The business of sidewalk or vehicle vending shall only be permitted between the
263 hours of 6:00 a.m. and 11:00 p.m.

264 B. No pushcart or other vehicle related to the operation of a vending business shall be
265 located on any City sidewalk or other public way during non-vending hours, nor shall
266 any such pushcart or other item be parked, stored or left overnight;

267 C. A licensed vendor may not block the passage of the public through a public area or
268 interfere with access to ramps, curb cuts or other conveniences for individuals with
269 disabilities. If a sufficient crowd gathers to transact business with a licensed vendor
270 such that the passage of the public through a public area is blocked or that access to
271 ramps, curb cuts or other conveniences for individuals with disabilities is blocked a
272 police officer may disperse that portion of the crowd that is blocking the passage of
273 the public.

274 D. A licensed vendor may not conduct a vending business in a public area so as to
275 obstruct access to private property, except with the prior written consent of the owner
276 or manager of the property.

277 E. The conduct and behavior of all licensed vendors shall comply in all respects with
278 existing noise ordinances.

279 F. No licensed vendor shall conduct a vending business within 150 feet from another
280 licensed vendor or an existing business which sells or offers for sale comparable
281 goods or merchandise.

282 G. No licensed vendor shall conduct a vending business within 300 feet of a fair or
283 festival unless such vendor has first obtained the written permission of the permit
284 holder of the fair or festival and has been issued a festival vendor's license under the
285 provisions of this ordinance.

286 H. Licensed vendors shall keep the sidewalks, street and other spaces adjacent to their
287 vending sites or locations clean and free of paper, peelings and refuse of any kind. All
288 trash or debris accumulating within fifteen (15) feet of any vending stand shall be
289 collected and disposed of by the vendor each day of operation.

290 I. Persons engaged in food or beverage vending shall affix to their pushcart a
291 receptacle for litter that shall be maintained and emptied regularly and marked as
292 being for litter.

293 J. Licensed vendors may not put refuse from the operation of their pushcart in or
294 beside any public trash container or in any drain along or in the streets or sidewalks.

295 K. Licensed vendors may not leave their pushcart unattended at any time.

296 L. A pushcart shall not be motor powered. Nothing in this paragraph shall prohibit the
297 transportation of a licensed vendor's pushcart to and from the licensed vendor's
298 authorized location by a motor powered vehicle.

299 M. The Director of Streets shall formulate any additional rules and regulations
300 necessary for the proper administration of this ordinance. Rules and regulations shall
301 be maintained in the office of the Director of Streets and shall be available for public
302 inspection during ordinary business hours.

303 SECTION SEVENTEEN. License transferal prohibited.

304 No transfer of ownership shall be allowed on any license issued hereunder.

305 SECTION EIGHTEEN. Licensed vendor's vehicles.

306 A. Every wagon, cart or other vehicle used by a licensed vendor in or about his
307 business shall have the name of the owner and his address plainly, distinctly, and
308 legibly painted in letters and figures at least two inches in height in a conspicuous
309 place on the outside of each side of every such wagon, cart or other vehicle, and such
310 name and address shall be kept so painted plainly and distinctly at all times while
311 such wagon, cart or other vehicle is in use during the continuance of the license
312 covering the use of such wagon, cart or other vehicle.

313 B. No vehicle used for vending, selling or peddling within the City shall interfere with
314 or impede the flow of traffic on any City street. No vending vehicle shall violate any
315 traffic or parking laws, including the prohibition of double parking of the City.

316 C. Whenever the vehicle is stopped for the purpose of making a sale, it shall be
317 stopped at the right hand curb of the street at the extreme right hand edge of the

318 pavement and shall be legally parked. No sale shall be made from any such vehicle
319 from other than the curb side when said vehicle is legally parked or to any person who
320 is standing in the normally traveled portion of a City street or alley. At such stops the
321 vehicle's motor shall be turned off unless its operation is essential to producing the
322 product sold.

323 D. No vehicle may be parked or stored in a restricted parking area.

324 E. Each vending vehicle subject to the provisions of this chapter shall be equipped
325 with:

326 (i) A mechanical and electrical signaling device which while the vehicle is stopped to
327 make sales, will display flashing signals plainly visible from the front and rear, during
328 the day or night, indicating that sales therefrom are being made;

329 (ii) A receptacle for the disposal of wrappers, papers, containers and other trash.

330 F. All vehicles used in the sale of the products described in this ordinance must be
331 kept in a clean and sanitary condition at all times, and when containing loads or parts
332 of loads of such products, they must be kept only in sanitary places that meet with the
333 rules and regulations of the City Health Department.

334 **PART II - FESTIVAL VENDORS**

335 **SECTION NINETEEN. Festival Vendor License-Application.**

336 Every individual who desires to operate a vending business at a festival, fair or parade
337 shall make application for a festival vendor license in conformity with the provisions
338 of this ordinance relating to applications for licenses. The fee for a festival vendor's
339 license shall be \$75.00. A non-refundable application processing fee of \$25.00 shall
340 be collected at the time of application; provided, however, that upon the granting of a
341 license, the amount of the application fee shall be credited to the fee for said license.
342 The sponsor of the fair, festival or parade and the vendor shall be jointly and severally
343 liable for obtaining a festival vendor's license from the License Collector.

344 **SECTION TWENTY. Exemptions**

345 Any vendor at a fair or festival which is three (3) calendar days or less in duration or
346 any vending business which is operated at any fair, festival or parade solely for the
347 benefit of a not-for-profit organization as defined by Section 501 (c) (3) of the
348 Internal Revenue Code shall be exempt from the payment of a festival vendor license
349 fee. Festival vendors shall not be required to obtain employee identification

350 certificates for individuals who assist the licensee in the operation of a festival
351 vending business. Exempted festival vendors shall be required to comply with all
352 other provisions of this ordinance.

353 **SECTION TWENTY-ONE. Festival Vendor’s License - Term.**

354 A festival vendor’s license shall only be valid for the period of time during which the
355 fair, festival or parade is held.

356 **SECTION TWENTY-TWO. Festival vendor’s license - contents.**

357 In addition to any other requirement contained in this ordinance, the festival vendor’s
358 license shall include name and address of sponsor of fair, festival or parade, name and
359 address, social security number and federal identification number of organization or
360 vendor, type of article to be sold, days of vending, and other information deemed
361 necessary by the License Collector.

362 **SECTION TWENTY-THREE. Registration in advance.**

363 All festival vendors shall be registered at least twenty-one (21) days prior to the fair,
364 festival or parade at which they intend to sell goods or merchandise. The License
365 Collector may waive this provision for good cause shown.

366 **SECTION TWENTY-FOUR. Additional license and permit requirements.**

367 No festival vendor offering any goods, wares, merchandise, food or beverage
368 exclusively at a fair, festival or parade pursuant to the provisions of this ordinance, is
369 required to have any additional business or merchants license except for a license or
370 permit required by the excise laws of the City.

371 **SECTION TWENTY-FIVE Sampling prohibited within festival areas.**

372 No person shall knowingly distribute or furnish without charge, or cause to be
373 furnished or distributed without charge any goods, wares, merchandise, flowers,
374 horticultural products, food or beverages from a table, wagon, pushcart, handcart or
375 other non-motorized vehicle, or from a pack, basket or similar container, or hand held
376 display upon any public sidewalk, street, park, roadway, or roadway median within
377 any area designated by valid City of St. Louis permit as a festival area.

378 **PART III - ITINERANT VENDORS**

379 **SECTION TWENTY-SIX. Itinerant Vendor License-Application.**

380 Every individual who desires a license as an itinerant vendor shall make application
381 therefor in conformity with the provisions of this ordinance relating to applications
382 for licenses, and shall state the class of license sought. The fee for an itinerant
383 vendor's license shall be \$25.00 per day. A non-refundable application processing fee
384 of \$25.00 shall be collected at the time of application; provided, however, that upon
385 the granting of a license, the amount of the application fee shall be credited to the fee
386 for said license.

387 SECTION TWENTY-SEVEN Itinerant vendor's license - term

388 Any itinerant vendor's license issued according to the provisions of this ordinance
389 shall only be valid on the day issued.

390 No itinerant vendor's license shall be issued under this ordinance except for the full
391 license period and the full license fee.

392 SECTION TWENTY-EIGHT. License transferal prohibited.

393 No transfer of ownership shall be allowed on any license issued hereunder.

394 SECTION TWENTY-NINE. Temporary association with local dealer.

395 Any person engaged as an itinerant vendor shall not be relieved from the provisions
396 of this ordinance by reason of temporary association with any local dealer, trader,
397 merchant or auctioneer, or by conducting a temporary or transient business in
398 connection with, or as a part of, the business of, or in the name of any local dealer,
399 trader, merchant or auctioneer.

400 SECTION THIRTY. Applicability of provision.

401 The provisions of this ordinance shall not apply to sales made to dealers by
402 commercial travelers or selling agents in the usual course of business, nor to bona fide
403 sales of goods, wares or merchandise by sample for future delivery.

404 SECTION THIRTY-ONE. Limitations on applicability.

405 The provisions of this ordinance shall not apply to any person who hires, leases or
406 occupies any part of a building or enclosed structure, or portion thereof, for the
407 exhibition or sale of goods, wares or merchandise for a period of more than two
408 consecutive days and less than ten consecutive days on less than three occasions in
409 any calendar year **as long as the goods, wares or merchandise are sold inside the**
410 **building or enclosed structure.**

411 SECTION THIRTY-TWO. Rules and Regulations for Downtown Vending District

412 In addition to all other requirements of this ordinance the following provisions shall
413 apply to every vending business in the Downtown Vending District. The provisions of
414 this section shall supersede any other provision of *this or other ordinance* if such
415 provisions are inconsistent.

416 A. Every vending business in the Downtown Vending District must operate from a
417 fixed location on a public sidewalk or public right of way, other than a roadway
418 except when licensed as a festival vendor under the provisions of this chapter.

419 B. Vendors must apply for and obtain a permit to operate a vending business in
420 the Downtown Vending District as provided in this section prior to obtaining a
421 vendor's license. Vendor's permits shall be issued by the Director of Streets (the
422 "Streets Director") for locations in the Downtown Vending District which are not
423 within the City Parks Vending District, and by the Director of Parks, Recreation and
424 Forestry (the "Parks Director") for locations in the Downtown Vending District which
425 are within the City Parks Vending District.

426 C. No person, partnership or corporation shall be issued more than two (2)
427 vendor's permits for locations within the Downtown Vending District, including areas
428 in the Downtown Vending District which are within the City Parks Vending District,
429 at any one time. No vendor's permit may be issued for any location which is within
430 one block of any part of the City Parks Vending District and outside such district.

431 D. Vendors' permits in the Downtown Vending District shall be approved prior to
432 issuance by the Board of Public Service. No such permit shall be approved unless it
433 has been recommended by the Director of Streets, or in the case of locations within
434 both the Downtown Vending District and the City Parks Vending District, by the
435 Parks Director, who shall certify in their recommendation that prior to such
436 recommendation such Director consulted with the Partnership for Downtown St.
437 Louis concerning the matter and complied with the requirements of subsection (F) of
438 this section. This subsection does not apply to permits regulated by subsections (H)
439 and (I) of this section.

440 E. The minimum annual fee for a vendor's permit shall be \$500; provided, this fee
441 may be increased by the Board of Public Service, in its discretion, to an amount up to
442 \$1,000, after request of the Streets Director and the Parks Director, identifying
443 increases in regulatory costs to the City justifying the proposed fee increases. All
444 revenue derived from vendor's permit fees shall be held in the Downtown Vending
445 District Parks Fund established by Ordinance No. 68603.

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446 F. When the Streets Director or the Parks Director determines that a vending
447 permit should be issued for a location within the Downtown Vending District or for a
448 location within part of the City Parks Vending District which is within the Downtown
449 Vending District:

450 1. Such Director shall establish criteria, as follows:

451 a. Vending location;

452 b. Items to be sold, e.g. food, beverages, clothing;

453 c. Hours of vending;

454 d. Type of vending structure, e.g. food cart; provided, the criteria shall expressly
455 provide that no vending may be done from shopping carts;

456 e. Contribution to diversity of products available from vendors, and diversity of
457 appearance of vendors' facilities, within the Downtown Vending District or within the
458 City Parks Vending District within the Downtown Vending District;

459 2. Such Director shall issue a solicitation for permit applications, which shall:

460 a. Be published in two newspapers of general circulation in the metropolitan area
461 and on the City's website for two weeks;

462 b. Identify the vending location;

463 c. State the criteria;

464 d. Request permit application, which shall:

465 (1) Require applicants to indicate whether they will pay the City sums above the
466 minimum fee;

467 (2) Require appropriate applicant identity information;

468 (3) Require photographic and other information about the vending structure, e.g.
469 food cart;

470 (4) Contain detailed information about items to be sold and prices and suppliers;

471 (5) Require additional information as deemed appropriate; and

472 e. State the due date for applications.

473 3. After receipt of permit applications, the Streets Director or the Parks Director,
474 as applicable, shall rank the applications based on completeness, desirability of
475 product, proposed payments to the City, suitability of vending structure for the
476 location, and contribution to diversity of products available from vendors and
477 diversity of appearance of vendors' facilities, within the Downtown Vending District
478 or within part of the City Parks Vending District within the Downtown Vending
479 District;

480 4. Such Director shall then consult with the Partnership for Downtown St. Louis
481 concerning the matter.

482 5. Such Director may reject all applications and shall retain records of his or her
483 proceedings.

484 G. A sidewalk vendor shall be required to operate a vending business a minimum
485 of ninety (90) days per year for a minimum of four (4) hours per day. No pushcart or
486 other item related to the operation of a vending business shall be located on any City
487 sidewalk or other public areas during non-vending hours, nor shall any such pushcart
488 or any other item be parked, stored or left overnight in the Downtown Vending
489 District or in any part of the City Parks Vending District within the Downtown
490 Vending District;

491 H. Vendor's permits issued pursuant to this section shall be valid for three (3)
492 years beginning on January 1 following approval of an application and ending on the
493 third subsequent December 31, subject to payment in advance of the annual vendor's
494 permit fee by December 31; provided, the Streets Director or the Parks Director as
495 applicable may recommend to the Board of Public Service by December 1 of each
496 year during the term of a permit that the permit be revoked as of the subsequent
497 December 31 for noncompliance with this section or applicable regulations or failure
498 to maintain a vendor's license. Following the expiration or revocation of a license, the
499 applicable director may initiate a new solicitation process, if he or she believes
500 continued vending at the location is in the City's interests.

501 I. Notwithstanding the provisions of this section, no person shall be permitted to
502 vend on any public sidewalk or within any public right of way within the following
503 described area (also depicted in the diagram attached to Ordinance No. 68603 as
504 Exhibit A) in the Downtown Vending District, which includes the area known as the
505 South Downtown Project Area as defined in Ordinance 65668, unless such person is a
506 designated redeveloper for the South Downtown Project Area or has entered into a
507 valid vending agreement with a designated redeveloper for the South Downtown

508 Project Area and such person has otherwise complied with all requirements of this
509 section and Ordinance 65061:

510 A tract of land being located in all of Blocks 6465, 6466, 6467, 106, 6509, 1409, 160,
511 161, 162, 147, and 148 and part of Blocks 188, 425, 417, 418, 419, and 422 of the
512 City of St. Louis, Missouri being more particularly described as follows:

513 Beginning at the intersection of the Easterly line of former 9th Street vacated by
514 Ordinance No. 9191 and the Southerly line of Walnut Street, thence along the easterly
515 line of former 9th Street and its direct prolongation Southerly to the Northern Line of
516 Gratiot Street, thence along last said Northerly line to the Westerly line of 4th Street,
517 thence along last said Westerly Line to the Southerly line of Walnut Street, thence
518 along last said Southerly line to the Easterly line of former 9th Street, and the Point of
519 Beginning.

520 J. Notwithstanding the provisions of this section, no person shall be permitted to
521 vend on any public sidewalk or within any public right-of-way within the following
522 described area (also depicted in the diagram attached to 69096 as Exhibit A which is
523 on file in the Register’s Office) in the Downtown Vending District, unless such
524 person has entered into valid vending agreements with the Convention and Visitors
525 Commission:

526 The area bounded as follows: Beginning at the intersection of the line created 100 feet
527 West of Ninth Street and 100 feet North of Cole Street, thence East along such 100
528 foot North line of Cole Street to its intersection with the West right-of-way line of I-
529 70, thence South along such West right-of-way line of I-70 to its intersection with the
530 line created 100 feet South of Washington Avenue, thence West along such 100 foot
531 South line of Washington Avenue, to its intersection with the 100 foot West line of
532 9th Street, thence North along such 100 foot West line of 9th Street to its point of
533 beginning.

534 **SECTION THIRTY-THREE. Rules and Regulations for City Parks Vending Districts**

535 A. Except as provided in Chapter 22.20 of the Revised Code, as amended, pertaining
536 to awarding concession contracts in City parks, no person shall vend or operate a
537 vending business in any City park without first having obtained a license in
538 accordance with the provisions of this ordinance and a permit from the Director of
539 Parks, Recreation and Forestry.

540 B. The Director of Parks, Recreation and Forestry is authorized to establish rules,
541 regulations and fee schedules not inconsistent with the provisions of this ordinance

542 necessary for the proper administration of operating a vending business within City
543 Park Vending Districts; provided, however, that the Director shall issue not more than
544 ten (10) vehicle vendors permits and not more than three (3) fixed location sidewalk
545 vendor permits at one time for the totality of all city parks located within the
546 Downtown Vending District. Such rules, regulations and fee schedules shall be
547 maintained in the office of the Director and shall be available for public inspection
548 during ordinary business hours.

549 PART V GENERAL PROVISIONS.

550 SECTION THIRTY-FOUR Applicability Souldard Market vendors contracted to
551 concessionaires

552 The provisions of this ordinance shall not apply to any person operating a business
553 within the Souldard Market Area under an agreement with the Director of Public
554 Utilities or any person who has entered into a concession contract with the City of St.
555 Louis.

556 SECTION THIRTY-FIVE. Distribution of written or printed matter

557 A. The provisions of this ordinance shall not be construed as prohibiting the
558 distribution or sale of newspapers, pamphlets, handbills or other written or printed
559 matter sold or distributed for the purpose of disseminating news and information
560 **except to expressly prohibit the distribution or sale of newspapers, pamphlets,**
561 **handbills or other written or printed matter sold or distributed for the purpose of**
562 **disseminating news and information in the Kingshighway Memorial Boulevard**
563 **Median that runs the from the southern end at Dr. Martin Luther King Boulevard**
564 **to the northern at West Florissant Avenue.**

565 **B. The Director of Street is hereby directed to post No Vending, No Soliciting Signs**
566 **in both of the medians of Kingshighway Memorial Boulevard intersecting Natural**
567 **Bridge.**

568 SECTION THIRTY-SIX. Applicability—Sellers of farm produce or products or
569 seller's employees.

570 The provisions of Section Six of this ordinance requiring vendors within the City of
571 St. Louis to obtain a license shall not apply to the sale of any farm produce or farm
572 products including but not limited to any horticultural products, fruits, vegetables,
573 garden products, butter, eggs, or poultry by any farmer or producer, or any employee

574 of any farmer or producer, who shall grow or process such farm produce or farm
575 products.

576 SECTION THIRTY-SEVEN. Violation of chapter—Confiscation and release of
577 goods.

578 A. Any goods, wares, merchandise, flowers, horticultural products, food or beverages
579 sold or offered for sale or money made through the sale of said above products by a
580 vendor who is charged with a violation of this ordinance shall be confiscated by the
581 police department or the health department and held pending the prosecution of such
582 violation.

583 B. Any goods, wares, merchandise, flowers, horticultural products, services, food or
584 beverages or money made through the sale of said above products being held
585 pursuant to this section shall only be released upon notification by the warrant officer
586 for municipal violations that such goods, wares, merchandise, flowers, horticultural
587 products, services, food or beverages are no longer necessary for prosecution.

588 C. If such goods, wares, merchandise, flowers, horticultural products, services, food
589 or beverages are not redeemed by the vendor or the vendor's agent within a
590 reasonable time after the disposition of any summons issued for a violation of this
591 ordinance, they may be disposed of in any manner deemed in the best interest of
592 public health and safety.

593 D. If said money is not redeemed by the vendor or the vendor's agent within a
594 reasonable time after the disposition of any summons issued for a violation of this
595 ordinance, the money shall be donated to the police benevolent society.

596 SECTION THIRTY-EIGHT. Penalty

597 Any person who is found guilty or enters a plea of guilty to a violation of any
598 provision of this ordinance, or who knowingly furnishes false information on any
599 license or permit application required by this ordinance, shall be subject to a fine of
600 not less than \$100.00 nor more than \$500.00 or to a term of imprisonment of not more
601 than ninety (90) days or both a fine and imprisonment.

602 SECTION THIRTY-NINE. Revocation of license.

603 The License Collector shall revoke any vendor's license issued herein if the licensee
604 is found guilty or enters a plea of guilty to a violation of any provision of this
605 ordinance or violates any license regulation promulgation under the authority of this

606 ordinance. A licensee shall not be entitled to a refund of the fees paid for any license
607 which is subsequently revoked as provided herein.

608 **SECTION FOURTY. SEVERABILITY**

609 The provisions of this ordinance shall be severable. In the event that any provision of
610 this ordinance is found by a court of competent jurisdiction to be unconstitutional, the
611 remaining provisions of this ordinance are valid unless the court finds the valid
612 provisions of this ordinance are so essentially and inseparably connected with, and so
613 dependent upon, the void provision that it cannot be presumed that the Board of
614 Aldermen would have enacted the valid provisions without the void ones or unless the
615 Court finds that the valid provisions, standing alone, are incomplete and incapable of
616 being executed in accordance with the legislative intent.

617 **SECTION FOURTY-ONE EMERGENCY CLAUSE.**

618 This being an ordinance for the preservation of public peace, health, and safety, it is
619 hereby declared to be an emergency measure within the meaning of Sections 19 and
620 20 of Article IV of the Charter of the City of St. Louis and therefore shall become
621 effective immediately upon its passage and approval by the mayor.
622