

1 **BOARD BILL NO. 324** **INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**
2 **AND ALDERWOMAN APRIL FORD GRIFFIN**
3

4 An ordinance pertaining to street vending; amending Section One of Ordinance 66680 to
5 adjust the boundaries of the Downtown Vending District; repealing Ordinance 68108, which
6 established the Civic Center Vending District; repealing Section Thirty of Ordinance 65061 as
7 amended and adopting a new section in lieu thereof, providing rules and regulations for vending
8 businesses in the Downtown Vending District; establishing a special fund, to be known as the
9 Downtown Vending District Parks Fund and providing that funds in such fund may be
10 appropriated only for expenditure by the Department of Parks, Recreation and Forestry for
11 maintaining and improving parks which are within the Downtown Vending District;
12 amending Section Thirty-One of Ordinance 65061 to authorize the Director of Parks, Recreation
13 and Forestry to issue up to ten (10) vehicle vendor or fixed location sidewalk vendor permits at
14 one time for the totality of all parts of the City Park Vending District located within the
15 Downtown Vending District; with an emergency clause.

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

17 **SECTION ONE.** Paragraph A of Section One of Ordinance 66680 is hereby deleted and the
18 following language inserted in its place:

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

22
23 **SECTION TWO.** Ordinance 68108, approved September 24, 2008, is hereby repealed.

24
25 **SECTION THREE.** Section Thirty of Ordinance 65061 as amended by Section Two of
26 Ordinance 66680 is hereby amended by deleting the existing language and the following
27 language inserted in its place:

Date: February 19, 2010

Page 1 of 7

Board Bill No. 324 Sponsor: Alderwoman Phyllis Young and Alderwoman April Ford
Griffin

1 **SECTION THIRTY.** Rules and Regulations for Downtown Vending District

2 In addition to all other requirements of this ordinance the following provisions shall apply to
3 every vending business in the Downtown Vending District. The provisions of this section shall
4 supersede any other provision of Chapter 8.108A of the City Code if such provisions are
5 inconsistent.

6 A. Every vending business in the Downtown Vending District must operate from a
7 fixed location on a public sidewalk or public right of way, other than a roadway except when
8 licensed as a Festival Vendor under the provisions of this ordinance.

9 B. Vendors must apply for and obtain a permit to operate a vending business in the
10 Downtown Vending District as provided in this section prior to obtaining a vendor's license.
11 Vendor's permits shall be issued by the Director of Streets (the "Streets Director") for locations
12 in the Downtown Vending District which are not within the City Parks Vending District, and by
13 the Director of Parks, Recreation and Forestry (the "Parks Director") for locations in the
14 Downtown Vending District which are within the City Parks Vending District.

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

20 D. Vendors' permits in the Downtown Vending District shall be approved prior to
21 issuance by the Board of Public Service. No such permit shall be approved unless it has been
22 recommended by the Director of Streets, or in the case of locations within both the Downtown
23 vending District and the City Parks Vending District, by the Parks Director, who shall certify in

Date: February 19, 2010

Page 2 of 7

Board Bill No. 324 Sponsor: Alderwoman Phyllis Young and Alderwoman April Ford
Griffin

1 their recommendation that prior to such recommendation such director consulted with the
2 Partnership for Downtown St. Louis concerning the matter and complied with the requirements
3 of Subsection F of this section. This subsection does not apply to permits regulated by
4 subsections H and I of this section.

5 E. The minimum annual fee for a vendor's permit shall be \$500; provided, this fee
6 may be increased by the Board of Public Service, in its discretion, to an amount up to \$1000,
7 after request of the Streets Director and the Parks Director, identifying increases in regulatory
8 costs to the City justifying the proposed fee increases. All revenue derived from vendor's permit
9 fees shall be held in the Downtown Vending District Parks Fund established by Ordinance ____
10 (B. B. ____).

11 F. When the Streets Director or the Parks Director determine that a vending permit
12 should be issued for a location within the Downtown Vending District or for a location within
13 part of the City Parks Vending District which is within the Downtown Vending District:

- 14 1. such director shall establish criteria, as follows:
15
16 i) vending location;
17
18 ii) items to be sold, e.g. food, beverages, clothing;.
19
20 iii) hours of vending;
21
22 iv) type of vending structure, e.g. food cart; provided, the criteria shall expressly
23 provide that no vending may be done from shopping carts ;
24
25 iv) contribution to diversity of products available from vendors, and diversity of
26 appearance of vendors' facilities, within the Downtown Vending District or
27 within the City Parks Vending District within the Downtown Vending District;
28
29 2. such director shall issue a solicitation for permit applications, which shall:
30

Date: February 19, 2010

Page 3 of 7

Board Bill No. 324 Sponsor: Alderwoman Phyllis Young and Alderwoman April Ford
Griffin

- 1 i) be published in two newspapers of general circulation in the metropolitan area
2 and on the City's website for two weeks;
3
4 ii) identify the vending location;
5
6 iii) state the criteria;
7
8 iv) request permit applications, which shall
9
10 a) require applicants to indicate whether they will pay the City sums above
11 the minimum fee;
12
13 b) require appropriate applicant identity information;
14
15 c) require photographic and other information about the vending structure,
16 e.g. food cart;
17
18 d) contain detailed information about items to be sold and prices and
19 suppliers;
20
21 e) require additional information as deemed appropriate; and
22
23 v) state the due date for applications.

- 24
25 3. After receipt of permit applications, the Streets Director or the Parks Director, as
26 applicable, shall rank the applications based on completeness, desirability of
27 product, proposed payments to the City, suitability of vending structure for the
28 location, and contribution to diversity of products available from vendors and
29 diversity of appearance of vendors' facilities, within the Downtown Vending
30 District or within part of the City Parks Vending District within the
31 Downtown Vending District;
32 4. Such Director shall then consult with the Partnership for Downtown St. Louis
33 concerning the matter.

Date: February 19, 2010

Page 4 of 7

Board Bill No. 324 Sponsor: Alderwoman Phyllis Young and Alderwoman April Ford Griffin

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

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

9 H. Vendor's permits issued pursuant to this ordinance shall be valid for three (3)
10 years beginning on January 1 following approval of an application and ending on the third
11 subsequent December 31, subject to payment in advance of the annual vendor's permit fee by
12 December 31; provided, the Streets Director or the Parks Director as applicable may
13 recommend to the Board of Public Service by December 1 of each year during the term of a
14 permit that the permit be revoked as of the subsequent December 31 for non-compliance with
15 this ordinance or applicable regulations or failure to maintain a vendor's license. Following the
16 expiration or revocation of a license, the applicable Director may initiate a new solicitation
17 process, if he or she believes continued vending at the location is in the City's interests.

18 I. Notwithstanding the provisions of this Section, no person shall be permitted to
19 vend on any public sidewalk or within any public right of way within the following described
20 area (also depicted in the diagram attached hereto as Exhibit A) in the Downtown Vending
21 District, which includes the area known as the South Downtown Project Area as defined in
22 Ordinance 65668, unless such person is a designated redeveloper for the South Downtown
23 Project Area or has entered into a valid vending agreement with a designated redeveloper for the

Date: February 19, 2010

Page 5 of 7

Board Bill No. 324 Sponsor: Alderwoman Phyllis Young and Alderwoman April Ford
Griffin

1 South Downtown Project Area and such person has otherwise complied with all requirements of
2 this ordinance and Ordinance 65061:

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4 A tract of land being located in all of Blocks
5 6465, 6466, 6467, 106, 6509, 1409, 160, 161,
6 162, 147, and 148 and part of Blocks 188,
7 425, 417, 418, 419, and 422 of the City of St.
8 Louis, Missouri being more particularly
9 described as follows:

10

11 Beginning at the intersection of the Easterly line of former 9th
12 Street vacated by Ordinance No. 9191 and the Southerly line of
13 Walnut Street, thence along the easterly line of former 9th Street
14 and its direct prolongation Southerly to the Northern Line of
15 Gratiot Street, thence along last said Northerly line to the
16 Westerly line of 4th Street, thence along last said Westerly Line to
17 the Southerly line of Walnut Street, thence along last said
18 Southerly line to the Easterly line of former 9th Street, and the
19 Point of Beginning.

20

21 J. Notwithstanding the provisions of this Section, no person shall be permitted to
22 vend on any public sidewalk or within any public right of way within the following described
23 area (also depicted in the diagram attached hereto as Exhibit A) in the Downtown Vending
24 District, unless such person has entered into valid vending agreements with the Convention and
25 Visitors Commission:

26 The area bounded as follows: beginning at the intersection of the
27 centerlines of 9th Street and Cole Street, thence east along such
28 centerline of Cole Street to its intersection with the west right-of-
29 way line of I-70, thence south along such west right-of-way line
30 of I-70 to its intersection with the centerline of Convention Plaza,
31 thence west along such centerline of Convention Plaza west to its
32 intersection with the centerline of 7th Street, thence south along
33 such centerline of 7th Street to its intersection with the centerline
34 of Washington Avenue, thence west along such centerline of

Date: February 19, 2010

Page 6 of 7

Board Bill No. 324 Sponsor: Alderwoman Phyllis Young and Alderwoman April Ford Griffin

1 Washington Avenue to its intersection with the centerline of 9th
2 Street, thence north along such centerline of 9th Street to the point
3 of beginning.
4
5
6

7 **SECTION THREE.** There is hereby established a special, fund, to be known as
8 the Downtown Vending District Parks Fund. Funds in the Downtown Vending
9 District Parks Fund may be appropriated only for expenditure by the Department
10 of Parks, Recreation and Forestry for maintaining and improving parks which are
11 within the Downtown Vending District.

12 **SECTION FOUR.** Section Thirty-One of Ordinance 65061 is hereby amended by deleting
13 Subsection B thereof, and adopting the following in lieu thereof:

14 B. The Director of Parks, Recreation and Forestry is authorized to establish rules,
15 regulations and fee schedules not inconsistent with the provisions of Chapter 8.108A of the City
16 Code and this ordinance necessary for the proper administration of operating a vending business
17 within City Parks Vending Districts; provided, however, that the Director shall issue not more
18 than ten (10) vehicle vendor or fixed location sidewalk vendor permits at one time for the
19 totality of all parts of the City Parks Vending District located within the Downtown Vending
20 District. Such rules, regulations and fee schedules shall be maintained in the office of the
21 Director and shall be available for public inspection during ordinary business hours.

22 **SECTION FIVE.** This being an ordinance deemed necessary for the preservation of the public
23 peace, health, and safety, it is hereby declared to be an emergency measure within the meaning
24 of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall
25 become effective immediately upon its passage and approval by the mayor.