

**CITY OF ATLANTA
2017 PUBLIC VENDING PROGRAM
VENDING APPLICATION PACKET**

Food Trucks



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Public Right of Way Food Truck Permit Application Process

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances provides for food truck vending in approved locations within the City's general right of way. Operating a food truck in the City of Atlanta right of way requires a permit from the City of Atlanta Office of Revenue, and it is unlawful to sell any goods or services from any public right of way location without a permit.

To receive a Food Truck Vending Permit, applicants must use the following process:

- 1) Applicant must complete a Food Truck Public Property Vending Application (last page of this document) and submit the application to the City of Atlanta, Office of Revenue located in City Hall Suite 1350 (first floor), 55 Trinity Avenue, SW. **Initial applications must be filed in person.**

A complete application pack should include the following:

- \$145 non-refundable permit and application fees – Payment may be made by money order, certified bank check, any major credit card (Visa, MC, Amex, Discover), or cash. No personal or business checks will be accepted.
 - Valid Business License and Tax ID
Note: For Food Truck Vendors, a single Business License may cover multiple vending locations. The same is true for Vending Permits. Note that the Public Property Food Truck Permit is separate and distinct from the City's Private Property Food Truck permit.
 - Valid permit through the Fulton County Department of Health and Wellness, Environmental Health Services Division.
Note: Permitting through Fulton County requires a Plan Review and Preliminary Health Inspection with a score of 95 and Routine Health Inspection within 60 days of permit issuance.
- 2) Following approval of the application package by the Office of Revenue, the applicant must complete a background check and be fingerprinted by the Atlanta Police Department (APD) Office of Licensing & Permits, located at 3493 Donald Lee Hollowell Pkwy, NW.

Note: background checks must be completed within 30 calendar days of application filing date or application will be deemed invalid.

- 3) Pending a satisfactory completion of the Background Check with APD, the applicant will receive a valid vending permit from Atlanta Police Department, and the vendor is eligible to vend in designated “vending zones” established by the City of Atlanta.

Please note the following:

- *The city’s vending permit year runs from March 1st to February 28th. Permits issued after March 1st must be renewed prior to February 28th the following year. Application fees are not prorated.*
- *Renewal permit applications must be submitted by March 1st and completed by March 15th.*

The permit application can be found at the end of this document.

Vending Fees

All application fees, including permit, criminal background check and fingerprinting are due at the time an application is submitted and are non-refundable.

Initial application fees are \$145 and are comprised of:

- Permit application fee for Public Property Vending.....\$75/year
- Criminal background check fee\$50/year
- Fingerprint fee (initial application only)\$20/year

Renewal application fees are only \$125.

The vending permit year begins on March 1st; at that time all vendors must complete the renewal process and pay the associated application fees. Payment may be made by money order, certified bank check, any major credit card (Visa, MC, Amex, Discover), or cash. No personal or business checks will be accepted.

Per City ordinance, disabled veterans and blind persons are exempt from paying permit application fees. To qualify for the exemption, disabled veterans must provide a certificate of exemption issued by the Commissioner of Veteran Services and a Blind/Visual Impaired Person must submit an Awards Letter or Benefits Letter as proof.

Vending Permit Application Requirements

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances requires that the following materials must be submitted as a part of the Public Property Food Truck Permit application process:

- Applicant's name and current address
- Applicant's previous addresses within the last five years
- Social security number
- GDOR retail identification tax number (Sales Tax ID number)
- State issued picture identification
- City business license
- Fulton County Mobile Food Service Permit
- General description of the items permissible for sale to be sold or offered for sale at vending location

Once a completed application is submitted and approved by the Office of Revenue, the applicant has 30 calendar days to complete the permitting process. Failure to complete the process within 30 calendar days will result in automatic dismissal of the application.

Designated Food Truck Vending Zones

Vending from food trucks on public property can only take place in locations (or “zones”) that are designated by the City of Atlanta. Phase I of the Food Truck Program will take place in the Government Walk area of Downtown Atlanta. Expansions of designated “zones” will occur in future Phases.

Government Walk Zone:

Central Avenue

- Four metered parking spaces (two Food Trucks) on the west side of Central Avenue between Trinity Ave and Mitchell Street.

Mitchell Street

- Six metered parking spaces (three Food Trucks) on the south side of Mitchell Street between Central Avenue and Washington Street.
- Six metered parking spaces (three Food Trucks) on the north side of Mitchell Street between Central Avenue and Washington Street.
- Four metered parking spaces (two Food Trucks) on the south side of Mitchell Street between Pryor Street and Central Avenue.

Martin Luther King Jr Drive

- Four metered parking spaces (two Food Trucks) on the south side of Martin Luther King Jr Drive between Washington Street and Central Avenue.

Pryor Street

- Six metered parking spaces (three Food Trucks) on the west side of Pryor Street between Martin Luther King Jr Drive and Mitchell Street. Food Trucks utilizing these spaces shall be subject to the posted rush hour parking restrictions.
- Four metered parking spaces (two Food Trucks) on the east side of Pryor Street between Mitchell Street and Trinity Avenue.

Trinity Street

- Two metered parking spaces (one Food Truck) on the north side of Trinity Street between Central Avenue and Washington Street. Any Food Truck utilizing this space shall be subject to the posted rush hour parking restrictions.

Food Truck Operating Guidelines

- Vending may take place between 7:00am and 12:00am (midnight).
- City of Atlanta Vending Permits and Fulton County Health Permits must be posted visibly at all times. If operating multiple sites, the vendor is responsible for providing visual proof of permit in all vending locations.
- No vending is allowed within 15 feet of a fire hydrant.
- No vending is allowed within 600 feet of the closest property line of any public or private elementary, middle or high school.
- No vending location is allowed within 200 feet of a brick and mortar business selling the same or similar product
- Food Trucks may only be open to and may only serve customers from the side of the truck facing the sidewalk. Food Trucks are prohibited from operating with their trucks open to the roadway.
- Food trucks may only vend from metered parking spots available to the general public, with up to two spots allocated per truck. Duration limits are waived; however, trucks must pay the meters for the duration of the stop.
- Food trucks may operate from no more than one third of the metered parking spaces on each street on a block.

See Appendix A for more information.

Point of Sale System Requirement

All vendors are required to have an auditable point-of-sale system to track and report on sales revenue and appropriate taxation in compliance with State law. This requirement allows the City to fairly and consistently apply state law and reliably collect and account for tax revenues. See Appendix B for details surrounding point of sale systems.

See Appendix B for a list of known point of sale systems

Enforcement Policy and Revocation of Permit

Failure to comply with any provisions of the ordinance that result in the finding of a violation will be penalized, as follows:

- **First violation:** fine of up to \$100
- **Second violation:** minimum fine of \$100, up to \$1000 and/or suspension, up to revocation of permit
- **Third violation** within a 24 month period: revocation of permit

Any appeals against APD enforcement will be managed through existing License Review Board (LRB) procedures. More information on LRB procedures can be found at [City of Atlanta Code Section 30-26].

Appendix A

FAQs

What is the difference between the Right of Way Vending policy and the City's Public Property Food Truck policy?

The Right of Way vending policy is intended to regulate vending from the City's sidewalks and City owned kiosks whereas the Food Truck Ordinance is intended to regulate vending from City streets.

The City's Public Property Food Truck Ordinance has been designed for motorized food trucks which must park in the City's right of way (e.g. not on sidewalks). To protect the safety of the public and the safety of the vendors, only motorized vehicles may participate, which meet the criteria set by Fulton County Department of Health and Wellness in the Movable Food Service Unit regulations.

Does the City's Public Property Vending Program allow for vending in Parks?

At present there are no designated food truck areas in City Parks; however, the Department of Parks and Recreation is pursuing opportunities to pilot food truck vending in select areas. To be eligible to participate in the Park vending program, food trucks must first be permitted through the City's Public Property Vending program.

Can I vend from a push cart or other mobile vending vehicle that is not motorized?

No. The City's Public Property Food Truck Ordinance has been designed for motorized food trucks which must park in the City's right of way (e.g. not on sidewalks). To protect the safety of the public and the safety of the vendors, only motorized vehicles may participate, which meet the criteria set by Fulton County Code of Ordinances and Code of Resolutions Article V entitled "Food Service."

Vendors who are interested in vending from push carts or other mobile vending units, are eligible to participate in the City's Right of Way Vending program which is also permitted through the City's Office of Revenue.

Do I have to apply for my vending permit in person?

Yes. At this point, all vending permit applications will need to be completed in person at the Office of Revenue. In the future, we hope to move this process online and allow for electronic applications and renewals. A business license can be renewed online.

Who enforces the City's Public Property Food Truck Ordinance?

The City's Public Property Food Truck Ordinance is monitored and enforced by the Atlanta Police Department. All Health Code enforcement will be managed by the Fulton County Department of Health and Wellness, Environmental Health Services Division. Business license and tax regulations will be enforced by the Office of Revenue in partnership with the Police Department.

Do I need multiple Vending Permits or Business Licenses to vend from multiple locations?

No. A single Business License and vending permit may cover multiple food truck vending locations. However, the City's Public Property Vending Permit does not enable vendors to vend on private property. Vending on private property requires a separate and distinct Private Property Food Truck Permit which is issued by the Atlanta Police Department. A Special Administrative Permit (SAP) approval from the Office of Planning is also required, prior to obtaining approval from the Police Department.

If I have multiple vending locations, what are the permit requirements?

A single Public Property Food Truck Permit can cover multiple locations. If a vendor is operating in multiple locations, it is the vendor's responsibility to have visual evidence of permits (Food Truck Permit, Business License and Health Permit) on site at each location.

If my business is located in Georgia, but not in Atlanta, do I need a City of Atlanta Business Tax Certificate to operate in Atlanta?

No. Current state law mandates that you register your business in the municipality or jurisdiction where it is located. This registration allows your business to operate statewide. As long as you can provide proof of a valid Business Tax Certificate from the originating jurisdiction where your business is located, you will be eligible to apply for a food truck permit.

Is there a process to reserve vending locations in the designated food truck areas?

No. Under the current vending program, all vending locations are available on a first come, first served basis. In future iterations of the program, we will examine the possibility of creating other options.

Do staff who are working in and/or operating a Food Truck need to be permitted through the City of Atlanta?

No. Only the operator of the food truck must be permitted; however, the permitted operator is solely responsible and liable for the operations of the permitted truck. If a violation occurs when a staff member who is not permitted is working or operating the truck, the permitted operator will be cited.

What are the deadlines for payment?

To apply for a Public Property Food Truck Vending Permit with the City of Atlanta, all vendors must pay the full amount of application (\$145 for new permits, \$125 for renewals) at the time of application submission.

Vendors who are not able to pay all fees at the time of application submission will not be allowed to submit an application or be issued a permit.

Who do I call if I have a question about the Vending Program?

- For **general program questions**: Department of Planning & Community Development, *Economic Development*, Emily Giordano, vending@atlantaga.gov, 404-330-6103.
 - Questions related to **permitting through the City of Atlanta**:
Office of Revenue, biztax@atlantaga.gov, ATL311 at 404-330-6270.
- Questions related to **background check, private property vending or to report a violation**:
Atlanta Police Department, Ofc. Loreatha Cannon, lcannon@atlantaga.gov, 404-546-4470
If the issue creates an immediate threat to public safety, please contact 911.
- Questions regarding **the Fulton County health code or requirements for receiving the required health permits**:
Fulton County Department of Health and Wellness, Environmental Health:
Christopher Nichols 404-613-1303 or Christopher.Nichols@fultoncountyga.gov.

Appendix B

Known Point of Sale Systems

All vendors are required to have an auditable point-of-sale system to track and report on sales revenue and appropriate taxation in compliance with State law. There are a number of known low-cost options for point of sale systems. They include:

Square: <https://squareup.com>

Harbourtouch: <http://www.harbortouchs.com>

Shopkeep: <http://www.shopkeep.com>

Gotmerchant: <http://www.gotmerchant.com>

CITY OF ATLANTA
FOOD TRUCK VENDOR PERMIT
2017 APPLICATION

OFFICE OF REVENUE USE ONLY
PERMIT NUMBER

Application is hereby made for a revocable permit to vend in within the City of Atlanta in accordance with Chapter 30, Article XXIII (23) of the Code of the City of Atlanta.

Applicant Name: _____
Applicant Address: _____
City: _____ State: _____ ZIP: _____
Phone # (required): _____ Email (required): _____
Social Security Number: _____
List all prior addresses over the past 5 years:
1) _____
2) _____
3) _____
4) _____
5) _____

Have you previously held a City of Atlanta Public Right-of-Way Vending Permit? (circle)	Yes	No
If yes, please state address of prior vending location: _____		
Business License #: _____	Sales Tax #: _____	
Goods/Services Sold: _____		
Provide your vending times on proposed property: _____		

_____ By initialing here, I am certifying that I have read the City of Atlanta requirements pertaining to vending site and design and confirm that my business will adhere to such requirements at all times.

_____ By initialing here, I am certifying that I have read the City of Atlanta requirements pertaining to point-of-sale systems and confirm that my vending business will employ such a system at all times.

Please indicate requested public locations where you will be vending from your food truck (e.g. Government Walk Zone)

- 1) _____
- 2) _____
- 3) _____
- 4) _____

I shall indemnify and hold the City of Atlanta, its officers, agents and employees, free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including any appeals there from, which may be brought by third parties as a result of my activities which have been authorized by this permit

Applicant Name (print) _____

Applicant Signature _____ Date: _____

CITY OF ATLANTA
FOOD TRUCK VENDOR PERMIT
2017 APPLICATION

OFFICE OF REVENUE USE ONLY
PERMIT NUMBER

FOR CITY STAFF USE – DO NOT COMPLETE	
<input type="checkbox"/> Applicant name and current address <input type="checkbox"/> Social security number <input type="checkbox"/> Permit #: _____ <input type="checkbox"/> Permit Fee Receipt #: _____ <input type="checkbox"/> Business License #: _____ <input type="checkbox"/> Application fee Receipt #: _____ <input type="checkbox"/> APD Background Check: _____ <input type="checkbox"/> Finger Printing: _____ <input type="checkbox"/> County Health License: _____ <input type="checkbox"/> State issued picture identification	<input type="checkbox"/> Applicant previous addresses within the last five year <input type="checkbox"/> The exact times during which the Vendor intends to vend <input type="checkbox"/> GDOR retail identification tax number (Sales Tax ID number) <input type="checkbox"/> General description of the items permissible for sale to be sold or offered for sale at vending location

Check List Vending Application Requirements:

- Applicant name and current address
- Applicant previous addresses within the last five year
- Social security number
- GDOR retail identification tax number (Sales Tax ID number)
- State issued picture identification
- City business license
- Fulton County Movable Food Service Permit
- General description of the items permissible for sale to be sold or offered for sale at vending location
- Payment of \$145 (money order, certified check or cashier's check)