

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

**Motor Vehicle Vending
(Ice Cream Truck/Rolling Store)**



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Public Vending Permit Process

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances provides for vending within the general right of way. Operating a Motor Vehicle for vending (ice cream truck/rolling store) requires a permit from the City of Atlanta, and it is unlawful to sell any goods or services from the public right of way without a permit. Each vehicle requires a separate permit.

To receive a Public Vending Permit, prospective vendors must do the following:

- STEP 1:** Prospective vendors must complete a **Public Vending Permit Application** found at the end of this packet.
- STEP 2:** Applicants must submit a complete application packet and fees to the Office of Revenue, located in City Hall, Suite 1350 (first floor), 55 Trinity Avenue, SW, Atlanta, GA 30303.
- STEP 3:** Applicants then take the payment receipt to Atlanta Police Department (APD), License & Permit Unit, located at 3493 Donald Lee Hollowell Pkwy, NW, Atlanta, GA 30331, for fingerprinting and background check. Upon background clearance, APD will issue the vendor a “Vendor Permit Card.”
- STEP 4:** Applicants then return to Office of Revenue with “Vendor Permit Card” to complete the application process by applying for a Business License.

Vending Permit Fees

| | |
|--|------------------|
| Criminal background check fee: | \$50/year |
| Fingerprint fee: | \$20/year |
| <i>Finger printing fees are only required at time of original submission; not required for renewal process</i> | |
| Permit application fee for vending from an approved vehicle: | \$75/year |

All application fees, including: permit, criminal background check, and fingerprinting must be paid in full at the time an application is submitted. 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. All application fees – including background check and fingerprinting – are non-refundable.

The vending permit year runs from March 1st until February 28th. Permits issued after March 1st, due to the lottery process, still must be renewed by March 1st the following year. Application fees are not prorated.

Renewal applicants must:

- 1) Renew the Business License by February 15th (which can be done online) and
- 2) Renew permit by re-submitting the application and paying the associated application fees (\$125).
- 3) Complete a background check with APD and get a new Vendor Permit Card.

All associated fees reflect the charge per application. If you are applying for more than one vehicle, separate applications and associated payments must be filed.

Per City ordinance, disabled veterans and blind persons are exempt from paying permit application fees. This does not include maintenance fees for kiosk vendors. Disabled veterans must provide a certificate of exemption issued by the Commissioner of Veteran Services. A Blind person/Visual Impaired Person must submit an Awards Letter or Benefits Letter as proof.

STEP 1: Complete Public Vending Permit Application

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 Vending Permit application process. A copy of the permit application can be found at the end of this document.

- 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
- Description of the items permissible for sale to be sold or offered for sale at vending location

STEP 2: Application & Fee Submission to Office of Revenue

Submit to the Office of Revenue:

1. The completed application (last page)
2. Supplemental application materials: State identification, GA Department of Agriculture Approval.
3. Fee payment: First Time (\$75 + \$50 + \$20) = \$145;
Renewals (\$75 + \$50) = \$125.

The Office of Revenue will review to make sure application is complete with all necessary approvals and provide copy of application and payment receipt.

STEP 3: Background Check & Fingerprinting at APD

Take payment receipt to Atlanta Police Department, License & Permit Unit for background check and fingerprinting. This process should be completed on the spot. Upon successful completion of the background check, APD will issue a Vendor Permit Card to vendor. THE VENDOR PERMIT CARD IS NOT VALID WITHOUT BUSINESS LICENSE.

STEP 6: Complete Process with Business License at Revenue

To complete the process, applicant must take Vendor Permit Card back to the Office of Revenue to apply for a Business License. The [business license application](#) and required documents must be submitted in person the first time, but can be renewed online in subsequent years. The application fee for a Business License is \$125.

Approved Items Allowable for Sale

Motor Vehicle Vendors may only offer these pre-approved items for sale:

1. **Non-alcoholic Beverages:** water and other beverages, plastic or aluminum sealed single serve containers (no glass)
2. **Food:** Single serve sealed package foods (candy, popsicles, chips/bagged snacks)

If the item does not conform it shall be considered prohibited for sale by Motor Vehicle vendors and sale of these items will be considered a citable offense.

Other Vending Operational Rules

- Motor Vehicle Vendors may not stop or stand to do business for more than 30 minutes.
- Operation hours for vendors is from 7:00am to 12:00am.
- No vehicle using sound equipment shall operate such equipment -
 - before 9:00am or after 9:00pm daily
 - between the hours of 9:30am and 12:00 noon on Sundays
 - within one block of a church between 7:00am and 9:00pm on Sundays
 - within 600 feet of any public school between 7:30am and 3:30pm on days which schools are in session.
- Before making any sale, vendors must park the vehicle at the right curb at least eight feet from any other vehicle that may be parked on the street and not less than 100 feet from any intersecting street. When the vending vehicle stops, all sound equipment or other devices used to notify customers of the presence of the vendor shall be stopped and shall not be resumed until the vehicle is again put in motion.
- Amplified sound must comply with City of Atlanta Noise Ordinance.
- All vendors shall display their valid vending permit and licenses in the approved vehicle.

Littering

All vendors engaged in the sale of pre-packaged food, non-alcoholic pre-packaged beverages, prepared food, and/or prepared non-alcoholic beverages shall affix to their vending cart, or motor vehicle, or shall locate directly outside the kiosk, food truck, or motor vehicle a receptacle for trash, which shall be maintained and emptied regularly and which shall be marked as being for trash. Vendors engaged in the sale of items permissible for sale listed in this section are responsible for the removal of trash within a 25-foot radius surrounding the vending cart, kiosk or food truck.

Point of Sale System Requirement

All vendors are required to have 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. There are a number of known low-cost options for point of sale systems. They include:

Square: <https://squareup.com>

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

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

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

Enforcement of 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]. Questions related to **enforcement or to report a violation:**

*Atlanta Police Department, (404) 546-4470. **For any violation causing an immediate public safety threat, please call 911 to have an officer dispatched to the scene.***

FAQs

What is the difference between the Public Vending Program for Motor Vehicles, Carts & Kiosks and Food Trucks and Private Property Vending?

The City of Atlanta permits certain types of vending activity to occur in the public right of way. Permitted Motor Vehicles (Rolling Stores) selling pre-packaged items, such as ice cream, are allowed to operate from City streets as long as they stop for 30 minutes or less and abide by other location and noise regulations as summarized in the application packet.

The City permits vending opportunities within City sidewalks, plazas and parks through designated locations for mobile vending carts and City-owned kiosks. The City's Public Property Food Truck Ordinance allows for motorized food trucks to park at certain designated food truck areas. All of those locations require a permit and currently all are in the downtown area. Visit www.atlantaga.gov/vending for specific location and application information.

Private Property Vending is any vending activity that occurs on private property or at flea markets. The Private Property Vending permitting process is administered by the Atlanta Police Department, through the License & Permits Unit. Visit the [website](#) or call the License and Permit Unit Hotline at 404-546-4470 for more information.

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

Yes. For the initial application, all vending permit applications will need to be submitted in person. Renewal applicants start by renewing the business license online and have to go in person to submit the application and payment to the Office of Revenue and visit Atlanta Police Department for background check and a new Vendor Permit Card.

Do I have to complete a background check and finger printing every year?

A background check must be completed by the Atlanta Police Department's License & Permit Unit every year for all permit renewals. Finger printing is only required for initial permit.

Do assistant vendors who are working in and/or operating a vending cart or kiosk need to be permitted through the City of Atlanta?

No. For public property vending only the operator of the cart or kiosk must be permitted; however, the permitted operator is solely responsible and liable for the operations of the permitted location. If a violation occurs when a staff member who is not permitted is working or operating the cart or kiosk, the permitted operator will be cited.

What are the deadlines for renewals?

Vendors must submit renewal applications no later than March 1st.

Who enforces the City's Right of Way Vending Ordinance?

The City's Right of Way Vending Ordinance is monitored and enforced by the Atlanta Police Department. Business license and tax violations will be enforced by the Office of Revenue in partnership with the Police Department.

CONTACTS:

Public Right of Way Vending, Lottery & Application:

Emily Giordano, Economic Development, DPCD
68 Mitchell Street, SW, Suite 1200, Atlanta, GA 30303
vending@atlantaga.gov
404-330-6103

Business License & Fees:

Office of Revenue
55 Trinity Ave, SW, Suite 1350, Atlanta, GA 30303
biztax@atlantaga.gov, ATL311 at 404-330-6270

Background Check & Private Property Vending:

Officer Loreatha Cannon, Atlanta Police Department – License & Permits Unit
3493 Donald Lee Hollowell Pkwy, Atlanta, GA 30331
LCannon@AtlantaGa.Gov
404-546-4470

Georgia Department of Agriculture:

<http://agr.georgia.gov/retail.aspx>, 404-656-3627

Who do I call if I have other questions about the vending program?

- For **general questions:**
Department of Planning and Community Development, Office of Housing & Community Development, (404) 330-6103 or email vending@atlantaga.gov.
- Questions related to **application payment or fee waivers for disabled veterans:**
Office of Revenue, (404) 330-6270
- Questions related to **enforcement or to report a violation:** *Atlanta Police Department, (404) 546-4470 **For any violation causing an immediate public safety threat, please call 911 to have an officer dispatched to the scene.***

CITY OF ATLANTA
PUBLIC VENDING PERMIT
2017 APPLICATION

PERMIT NUMBER

OFFICE OF REVENUE USE ONLY

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.

Cart/Kiosk 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) _____

Type of permit requested (KIOSK OR CART OR MOTOR VEHICLE): _____

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 #: (GDOR) _____

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.

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: _____

Check List of Supplemental Application Materials:

- State issued picture identification
- Valid Health Permit from the GA State Department of Agriculture
- (Renewals Only) Business License Renewal confirmation

| 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"/> Proof of licensing agreement (if selling branded merchandise): _____ <input type="checkbox"/> APD Background Check: _____ <input type="checkbox"/> Finger Printing: _____ <input type="checkbox"/> Fire Inspection (If Food Cart): _____ <input type="checkbox"/> Health Inspection (If Food Cart): _____ <input type="checkbox"/> State issued picture identification | <input type="checkbox"/> Applicant previous addresses within the last five year <input type="checkbox"/> Valid Vending location designated pursuant to Sec. 30-1427 of the Atlanta Code of Ordinances <input type="checkbox"/> The exact times during which the Vendor intends to vend on the proposed property <input type="checkbox"/> Design Review: A dimensional drawing that clearly shows the footprint and placement of the cart and the Operating Area <input type="checkbox"/> GDOR retail identification tax number (Sales Tax ID number) <input type="checkbox"/> Description of the items permissible for sale to be sold or offered for sale at vending location (<i>must be permissible items for sale as defined by Ordinance</i>) |