



# TEMPORARY VENDOR INFORMATION FORM

Form revised 2/4/2019

## VENDING INFORMATION

Address/location of vending: \_\_\_\_\_

- The owner of the property must have obtained a permit to allow temporary vending on the property.

Type of Merchandise or Services to be sold or performed: \_\_\_\_\_

Vending dates (must not exceed 10 days):

Begin date: \_\_\_\_\_

End date: \_\_\_\_\_

## FOOD & BEVERAGE INFORMATION

Will food or beverages be sold or handled? (Please check one below): No: \_\_\_\_\_ (proceed to next section)

Yes: \_\_\_\_\_ If yes, the permit holder shall meet all applicable requirements of the Texas Food

Establishment Rules as adopted in Article 7.03, Food Service Establishments, of the Northlake Code of Ordinances and pay the appropriate permit fee listed above. An inspection may be performed by the Town's Health Inspector to verify compliance.

### Temporary Food Vending Permit Fee

\$75.00 one-time fee per event \$ \_\_\_\_\_

## TEMPORARY STRUCTURES, TENTS, CANOPIES INFORMATION

Any tents larger than 200 square feet or canopies larger than 400 square feet must meet all requirements of the Fire Code for such structures. See bullet point regarding compliance with fire safety under "Duties &

Responsibilities of Temporary Vendors" on the following page for more information. A permit for such structures will be issued with the submittal of this Temporary Vendor Information Form and payment of \$25 per tent or canopy structure. Each separate tent or canopy structure exceeding the referenced square footage requires a separate permit fee whether it is connected to or separate from any other tents or canopies.

### Temporary Structures, Tents & Canopies Permit Fee

No. of tents (200 sf +) & canopies (400 sf +) \_\_\_\_\_ X \$25.00 = \$ \_\_\_\_\_

## VENDOR INFORMATION

Vendor: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/ZIP: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

\*Texas Sales & Use Tax Permit #: \_\_\_\_\_

\*Temporary vendors must have a valid Texas Sales & Use Tax Permit. The Sales Tax rate within Northlake is 8.25%.

I, the undersigned, certify that I am the owner/authorized agent of the vendor, having read and completed this form and knowing the same to be true and correct, hereby agree to comply with all provisions of Article 5.06, Temporary Vending, of the Northlake Code of Ordinances.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## \*\*FOR OFFICIAL USE ONLY\*\*

Date Received: \_\_\_\_\_ Date Paid: \_\_\_\_\_

Received by: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Vendor #: \_\_\_\_\_ Revenue Account: 100-41150-00-00 VNDRS

Temp Food Vending fee	\$ _____
Temp Structures fee	\$ _____
<b>Total Fee Due</b>	<b>\$ _____</b>

# TEMPORARY VENDING

## VENDOR INFORMATION & REQUIREMENTS

### DUTIES & RESPONSIBILITIES OF VENDORS

- Please complete the information form by printing all information legibly. The form must contain the original signature of the vendor or their authorized representative.
- Please email all documents and application to M.J. Randolph: [mrandolph@town.northlake.tx.us](mailto:mrandolph@town.northlake.tx.us) .
- No fee is due unless the vendor will be conducting food & beverage sales or using temporary structure/s requiring a permit in accordance with the requirements outlined on the form. Such fee must be submitted to the permitted temporary vending property owner and/or paid by the permitted temporary vending property owner on the vendor's behalf to the Town of Northlake. Only cash, checks, or money orders are accepted and must be payable to the "Town of Northlake".
- Temporary vending shall be unlawful except when the vendor has secured the permission of the owner of a property for which a temporary vending permit has been issued and all sales and services comply with the terms and conditions of the permit and all requirements of Article 5.06, Temporary Vending, of the Northlake Code of Ordinances, including the following:
  - A temporary vendor shall complete a vendor information form to be provided to the Town by the owner upon request.
  - The vendor must have a current Texas Sales and Use Tax identification number if conducting taxable sales.
  - The booth, structure, or conveyance used must:
    - Have a minimum of 100 square foot area;
    - Be either a motor home, trailer, temporary booth (i.e. tent or canopy structure) or consist of physical partitions; and
    - Be covered with a roof or awning.
    - Meet all applicable fire code requirements.
  - Vendors shall comply with any and all emergency orders of the building official or police department relative to traffic safety, including removal of any and all of the vendor's structures or merchandise.
  - Comply with any and all requirements of the Town of Northlake regarding fire safety. The Fire Marshal may inspect the temporary structures used for vending purposes at any time. Tents and membrane structures having an area in excess of 200 square feet and canopies in excess of 400 square feet shall not be erected, operated, or maintained for any purpose without first obtaining a permit. All such tent structures must be listed on this permit application. A minimum of one, 2A 10BC fire extinguisher is required for tent or canopy. Additional fire extinguishers may be required due to the size of the structure, the activities within the structure, or for the material on display or demonstrated. The Applicant shall adhere to the regulations and ordinances set forth by the Town of Northlake and the Roanoke Fire Department/Argyle Volunteer Fire Department as they pertain to the item being permitted under this form. The applicant further agrees to release the Town of Northlake, the Roanoke Fire Department/Argyle Volunteer Fire Department and any officials, dully acting as such of any responsibility for consequences resulting from the conditions allowed under this permit. The Applicant shall be financially responsible for any and all conditions resulting from this permit. The applicant hereby certifies that this application has been read and examined and know the same to be true and correct and that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Any owner or authorized agent violating any of the statements in this permit or the intent of the code shall be deemed guilty of a misdemeanor punishable by a fine of not more than \$2,000.00.
  - Vending shall only be conducted between the hours of *6:00 a.m. and 11:00 p.m.*
  - Vending shall be conducted not less than (20) feet from the improved portion of a public road or highway.
  - Vendors shall not be located within or block access to a fire lane or parking space.
  - Sales of food or merchandise or provision of services in compliance with zoning for the site.

# TEMPORARY VENDING

## VENDOR INFORMATION & REQUIREMENTS

### ARTICLE 5.06 TEMPORARY VENDING

#### Sec. 5.06.001 Definitions

Improved property. Any platted lot upon which a structure has been constructed following site plan approval and for which a certificate of occupancy has been issued for its use.

Owner. The owner, lessee, licensee or legal occupant of real property.

Temporary vending. Sale of food or merchandise or the provision of services other than within an enclosed building which has been certified for occupancy by the town building official for such sales or services in conformity with the Code of Ordinances of the town.

Temporary vendor. The person, firm, corporation, or other entity who is the seller of food or merchandise or the provider of services.

#### Sec. 5.06.002 Penalty

Any person who violates any provision of this article shall be guilty of a misdemeanor and shall, upon conviction, be fined in accordance with the general penalty provision found in section 1.01.009 of this code. This remedy shall be cumulative of the remedies available to the town pursuant to other laws, ordinances, rules, regulations, and orders of the town, the county, the state and the United States.

#### Sec. 5.06.003 General restrictions

Temporary vending shall not be allowed except as permitted under this article. Temporary vendors shall not conduct temporary vending except as follows:

- (1) Between the hours of 6:00 a.m. and 11:00 p.m.
- (2) For a period not to exceed 10 consecutive days.
- (3) Not less than 20 feet from the improved portion of a public road or highway.
- (4) On land for which an owner has first acquired a permit under this article.
- (5) For sales of food or merchandise or provision of services in compliance with zoning for the site.

#### Sec. 5.06.004 Property owner's permit; site plan

- (a) An owner may not permit or allow temporary vending on the owner's land except when an owner's permit therefor has been issued by the town.
- (b) An owner's temporary vending permit, valid for one (1) year, may be issued to an owner under the following conditions:
  - (1) The owner's land is an improved property as defined in section 5.06.001.

# TEMPORARY VENDING

## VENDOR INFORMATION & REQUIREMENTS

- (2) The owner's land is not zoned for, occupied or used as a residence, either single-family or multifamily.
- (3) The owner has applied for a permit not less than three (3) days prior to beginning temporary vending.
- (4) The application lists no more than four (4) separate 10 day periods during the calendar year in which temporary vending may occur.
- (5) The owner attaches to his application a site plan showing the location of any proposed vending on the property with:
  - (A) No vending locations shown within or blocking access to a fire lane or parking space as identified on the approved site plan for the site;
  - (B) A minimum of 10 parking spaces for each vendor.
- (6) The owner pays a permit fee, as provided for in the fee schedule found in appendix A of this code, for each tract of land to be used for vending.

### **Sec. 5.06.005 Vendor's permit; responsibilities of property owner and vendors**

(a) Temporary vending shall be unlawful except when the vendor has secured the permission of the owner of a property for which a temporary vending permit has been issued and all sales and services comply with the terms and conditions of the permit and this article as follows:

- (1) A temporary vendor shall complete a vendor information form to be provided to the Town by the owner upon request showing the following:
  - (A) Name, address, telephone number and email address of the vendor.
  - (B) Current Texas Sales and Use Tax identification number if conducting taxable sales.
  - (C) Exact kinds of merchandise or services to be sold or performed.
  - (D) Kind of booth, structure, or conveyance to be used, which must:
    - (i) Have a minimum of 100 square foot area;
    - (ii) Be either a motor home, trailer, temporary booth or consist of physical partitions; and
    - (iii) Be covered with a roof or awning.
    - (iv) Meet all applicable fire code requirements.
  - (E) Location of the vending booth, structure or conveyance on the site.

# TEMPORARY VENDING VENDOR INFORMATION & REQUIREMENTS

(2) A separate health permit shall be issued for any temporary vendors selling food or beverages.

(3) Vendors shall comply with any and all emergency orders of the building official or police department relative to traffic safety, including removal of any and all of the vendor's structures or merchandise.

(b) A person having an owner's temporary vending permit shall:

(1) Not permit the erection or placement of a temporary vendor's booth or structure on the approved site more than one day before the vending dates listed on the permit application; and

(2) Remove all booths, structures, partitions or other sales sites on the approved site not more than one day after the vending dates listed on the permit application; and

(3) Have located on-site a minimum of one (1) 39-gallon or larger trash receptacle for each vendor.

(4) Provide unrestricted access to the vendor and vendor's employees and customers public restrooms on site at all times vendor is on property.

(5) Ensure compliance with any and all emergency orders of the building official or police department relative to traffic safety, including removal of any and all of the vendor's structures or merchandise."

*(Ordinance 06-0211B adopted 2/11/16)*