

Memorandum



CITY OF DALLAS

DATE October 19, 2012

Honorable Members of the Quality of Life & Government Services Committee:

TO Angela Hunt (Chair), Sandy Greyson (Vice Chair), Mónica R. Alonzo, Dwaine Caraway,
Carolyn R. Davis

SUBJECT Update on Proposed Amendments to the Downtown Street Vending Ordinance

On Monday, October 22, 2012 the committee will be updated on proposed amendments to the downtown street vending ordinance. Briefing materials are attached for your review.

If you have any questions, or require additional information, please do not hesitate to contact me.

A handwritten signature in blue ink, appearing to read 'Joe Zapata'.

Joe Zapata
Assistant City Manager

cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel Solis, Administrative Judge

A.C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Stephanie Cooper, Assistant to the City Manager



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COMMUNITY



Update on Proposed Amendments to the Downtown Street Vending Ordinance

Quality of Life &
Government Services Committee
October 22, 2012

Purpose

- ▶ Review proposed amendments to downtown street vending regulations designed to foster vibrant streets and public spaces

Background

- ▶ Street vendors are regulated in Chapter 50, Article XII of the Dallas City Code
- ▶ Downtown stakeholders offered changes to expand street vending to create more vibrant streets and public spaces in the Central Business District (CBD)
- ▶ Proposed changes are designed to streamline permitting for vending in the CBD and enhance the quality of vendors

Committee Feedback

- ▶ The following questions/comments were requested at the June 2012 briefing:
 - Review fees for vending permits
 - Limiting proximity of vending sites to fixed food establishments
 - Limiting the number of permits per vendor and increasing diversity of goods for sale
 - Details on proposed vendor dress code
- ▶ Other changes to the proposed ordinance that were reviewed in prior briefings are summarized beginning on page 10

Permitting and Licensing Fees

- ▶ Currently street vendors in any area of the CBD are required to have:
 - CBD concession license
 - CBD location permit if vending on public property
- ▶ Proposed amendments to Chapter 50 would require only a CBD concession license at two tiers depending on whether vending on public property
 - Includes proposed amendments to Chapters 51A and 52 of the City Code to allow vending on private property without a certificate of occupancy if the vendor has the property owner's consent and a mobile food establishment permit or CBD concession license

Permitting and Licensing Fees

	Existing Code	Proposed Code
Public Property	CBD location permit \$1,200 + CBD concession license \$150	CBD concession license \$1,200
Private Property	CBD concession license \$150 Consent from property owner	CBD concession license \$150 Consent from property owner

- ▶ Mobile food permit is required for food vendors
- ▶ Assessment of a fee for the use of the public right-of-way (ROW) is consistent with other codes/fees for licensing use of the public ROW (e.g. valets, awnings, etc.), and is based on downtown land value

Proximity of Vending Sites

- ▶ Current City Code does not limit proximity to other fixed businesses
- ▶ Proposed ordinance would not allow vending sites within 100 feet of an establishment that sells similar goods or services or 50 feet of an outdoor patio of an existing fixed food establishment, without written consent from affected owner
- ▶ Proposed ordinance would require fixed sites in all areas permitted within the CBD

No. of Vendors on Public Property

Area	No. of vendors Oct-2012	No. of permits Oct-2012	Current limit permits per vendor	Current permit type
Arts District	6	10	No limit	Roaming
Warehouse District	2	4	No limit	Roaming
CBD Core	3	3	5	Fixed site
TOTAL	11	17		

- ▶ As of October 2012, the majority of vending on public property is in the Warehouse and Arts Districts
- ▶ Staff recommends eliminating limit on permits in the CBD Core to encourage more vending

Dress Code

- ▶ Proposed minimum dress requirements for vendors include the following:
 - Clothing must be neat, clean and sanitary at all times
 - Walking shorts allowed, but no cut-offs
 - No apparel with offensive or suggestive language, images, symbols
 - No tank tops or halter tops
 - No outer apparel made of fishnet or undergarment material

Previously Reviewed Proposals

- ▶ In addition to consolidating the CBD concession license and location permits, the following changes have been proposed to further encourage active vending in the CBD:
 - Establishing deadlines for application renewals and updates
 - Clarifying code to prohibit sale, sublease or assignment to others
 - Require minimum hours of operation:
 - May 1 through September 1 – 15 hours over the span of at least 4 days per week and one weekend per month
 - Use a lottery system when multiple vendors apply for the same location
 - Remove restriction on the number of years a vendor can operate at a specific site

Previously Reviewed Proposals

- ▶ Expand hours for vending
 - Existing code allows vending from 6 a.m. to 8 p.m. daily
 - Proposed new hours:
 - 6 am to 8 pm, Mon.– Thu.
 - 8 am to Midnight, Fri. – Sat.
 - 10 am to 10 pm, Sundays
- ▶ Remove restrictions on vending near schools in the CBD
- ▶ Allow selling potted plants, vegetables or fruits in the CBD if 1000' from Farmers Market
 - Requires amendment to Chapter 29 of the City Code



Previously Reviewed Proposals

- ▶ In addition, the following items are proposed to enhance vendor quality
 - Strengthen regulations against aggressive selling by requiring sale of goods within five feet of the permit location
 - Establish fees and requirements for issuing photo identification badges for all concession licensees and their workers
 - Require that cost of merchandise for sale be legibly marked and visible to customers

Previously Reviewed Proposals

- ▶ Additional items to enhance vendor quality
 - Require that the city telephone number for complaints against vendors be legibly marked on carts
 - Establish a minimum dress code for vendors
 - Prohibit smoking by vendor while operating at the vending location
 - Prohibit use of public trash receptacles by vendors
 - Increase minimum fines to \$100 for the first offense and \$200 for an additional offense in a 12-month period

Next Steps

- ▶ Finalize draft ordinance for City Council consideration