



SPECIAL DOWNTOWN DISTRICT VENDING PROGRAM

OVERVIEW AND APPLICATION

Downtown Special Vending District Program – Overview/Regulations
OVERVIEW

The Special Downtown District Vending Program was designed based on the decisions of the Vending Task Force and is in accordance with the City of Buffalo Ordinance pertaining to Street Vendors in the Special Downtown District (Chapter 316, Article VIII).

The attached informational outline explains:

- Application procedure
- Performance Requirements/Regulations
- Enforcement of Regulations
- Term of Permits
- Fees
- Special Events

This program pertains only to the Special Downtown District as defined in Chapter 316, Article VIII of the City of Buffalo Peddling and Soliciting Ordinance (see attached map).

Downtown Special Vending District Program – Overview/Regulations

SPECIAL DOWNTOWN DISTRICT VENDING PROGRAM

I. Application Procedure

A. Where to apply:

Buffalo Place Inc.
671 Main Street
Buffalo, NY 14203
(716) 856-3150

B. When to apply:

1. Applications are accepted at any time. Vending licenses are valid from May 1 to April 30 of the following year.
2. When new sites are created, or existing sites become available through revocation or failure to renew, notice will be given and an application procedure and deadline established.

C. What is needed:

1. A **completed, notarized application** for a license to vend or peddle (Attached).
2. **Two passport sized photos** of the applicant.
3. General liability and product liability **insurance** coverage of \$500,000 naming the City of Buffalo as a co-insured.
4. A **New York State Sales Tax Certificate** or proof of application. [Contact the NYS Tax Office at 77 Broadway. 855-5300]
5. If food will be sold, proof of application or **Erie County Department of Health permit** to operate a permanent Food Service Establishment, and a copy of the receipt for payment of the fee. [Contact Marilyn Tuberdyk, 961-6800]
6. Any other permits required by any other statute.
7. Two personal **references** from residents of the City of Buffalo (for first time applicants).
8. **Police background check** (for first time applicants).
9. **Photo of your vending cart(s)** for review and approval.
10. **Check or money order** payable to "City of Buffalo, Division of Licenses"

II. Site Selection

- A. Choices for sites shall be selected from available sites on the Downtown Special District master list, published each year by the Director of Licenses. If a listing of available sites is not attached to this application, one can be obtained from Buffalo Place. **Maximum of three (3) sites per person or entity.**
- B. Applications will be reviewed based on past vending experience, uniqueness of goods, completeness of application, and provision of references.
- C. If there is competition for a site among similarly qualified vendors, the decision will be made by lottery.

Downtown Special Vending District Program – Overview/Regulations

III. Performance Requirements/Regulations

Vendors may retain vending sites for succeeding years if they renew their permits, have no complaints on file, and have a record of meeting the performance requirements listed below:

1. Vendors may only locate at sites they are approved to use.
2. Vendors may only sell merchandise they are approved to sell. Changes in merchandise must be approved by Buffalo Place Inc.
3. Annual vendors must vend 15 hours per week over at least four days per week between May 15 and September 1, with the exception of Annual vendors at Sites 1, 2, 16, 38, 53, and 61, who must vend 15 hours per week over at least three (3) days per week between May 15 and September 1.
4. Vendors must wear neat and clean clothing, and shoes and shirts are required. Aprons are required, and are available in the Buffalo Place office.
5. Vendors must vend from a sturdy, attractive handcart (well maintained) with wheels that can be managed by one individual.
6. Tables, or other pedestrian obstructions, are prohibited.
7. Name of vending cart must be attractively and professionally displayed.
8. Menu or merchandise listings must be professionally painted or hand written on an attractive permanently affixed chalk or marker board. **Handwritten cardboard signs will not be allowed.**
9. Licenses must be displayed in a standard location.
10. Vendors are required to remove their own trash. **Vendors may not use public trash receptacles.**
10. No license granted may be sold, leased, or assigned in any fashion.
11. Carts must be removed from the Special District each day.
12. Employees of vendors must **each** have a City of Buffalo-issued Peddler's Permit, in addition to the annual site permit.

IV. Enforcement of Regulations

A. Buffalo Place Inc. will regularly inspect vendors. Buffalo Place Inc. will inform vendors of a violation, and report the violation to the City of Buffalo's Director of Licenses. The Director of Licenses and the Buffalo Police will enforce regulations.

B. Revocation of Licenses (Chapter 316, Article VIII, §316-49)
Upon receipt of any complaint regarding the practices of licensed vendors, said vendors shall appear before the Director of Licenses to answer said complaint. The Director of Licenses shall notify the holder of said license by mail at least five days in advance of said meeting, informing the licensee of the nature of the complaint and all particulars thereof.

Downtown Special Vending District Program – Overview/Regulations

At the convening of the hearing, the licensee shall be given a full opportunity to answer the complaint and present any information relevant to the matter of which he has been given notice.

Upon completion of the hearing, the director of licenses shall notify the licensee, within seven days of the hearing, whether the license shall be continued for its term or revoked, and the stated reasons therefor.

No applicant shall receive a license for vending within the special district who has had a prior license revoked for cause within two years of said revocation.

V. Terms of Permits and Fees

- A. Annual - \$315.00 (Fees for permits issued between November 1 and April 1 will be discounted 50%.)
- B. Temporary - \$52.50
 - 1. Not to exceed 14 days
 - 2. Issued on a first come, first served basis.
- C. Daily - \$10.50
 - 1. Applicants who have completed the attached application during the vending year may apply for daily permits directly at the Division of Licenses.
 - 2. Application may be submitted no more than three days in advance of date requested.
 - 3. Issued on a first-come, first-served basis. No more than 14 in one vending year per vendor.
- D. Peddlers Permit - \$63.00

VI. Vending During Special Events (Chapter 316, Article VIII, §316-48)

In the case of a special event occurring within the downtown special district, the division of licenses shall have the authority, upon due notice to holders of licenses within the area of the special event, **to restrict or temporarily eliminate the activities of said licensee within the area of the special event for a period no longer than that during which the special event is occurring.** Said restriction or temporary elimination shall be without liability to the City of Buffalo for said restriction upon or elimination of the activities of licensee. The failure of licensee to adhere to such directive shall result in revocation of license under §316-49 of this article.

I have read and understand the vending program including the performance requirements/regulations. I have received a copy for my personal reference.

VENDOR NAME

(please print)

SIGNATURE

DATE

Downtown Special Vending District Program – Application
REV. 1/26/2009

PW 555 A APPLICATION FOR A LICENSE TO VEND OR PEDDLE IN THE SPECIAL DOWNTOWN DISTRICT ACCORDING TO CHAPTER 316, ARTICLE VIII, §316-45 OF THE CITY OF BUFFALO PEDDLING AND SOLICITING ORDINANCE.

The undersigned hereby applies for a license to peddle and vend goods, wares and merchandise, or food in the DOWNTOWN RESTRICTED AREA in the City of Buffalo. The License is non-transferable.

Full Name: _____ Phone #: _____
(Please print)

Address: _____ E-mail: _____

Former Address: _____

Age: _____ Date of Birth: _____ Place of Birth: _____

U.S. Citizen? () YES () NO

If alien-born, provide city and date of naturalization. You must produce your naturalization papers when filing your application.

CITY _____ DATE _____

Do you have experience vending/peddling? If yes, please explain.

Have you ever had a City of Buffalo vending/peddling license revoked? If yes, state the date and reason.

SITE(S) DESIRED: (see master list)

Number of sites you are applying for: _____

1st site _____ Location _____ Renewal: Yes No

2nd site/choice _____ Location _____ Renewal: Yes No

3rd site/choice _____ Location _____ Renewal: Yes No

Downtown Special Vending District Program – Application

VENDOR PRODUCT LIST

I desire to sell: FOOD / NON-FOOD (Circle one)

List all items to be sold:

INSURANCE

Carrier: _____

Policy #: _____

Expiration Date: _____

(Proof of insurance must be attached to the application)

LIST FULL NAME, ADDRESS, AND PHONE NUMBER OF ALL EMPLOYEES:

1. _____
2. _____
3. _____
4. _____

(REMINDER: Employees must have individual peddlers permits issued by the City of Buffalo.)

VENDOR PUSH CART SPECIFICATIONS

(Attach photo. Separate photo of each cart for multiple site applicants.)

Carts must be designed to be maneuverable by one individual.

Basic Description (material, color): _____

SIZE: Length _____ Width _____ Height _____

Overall square footage: _____ # of Wheels _____ Wheel Size _____

Will an umbrella be used? Yes _____ No _____ (If no, please explain)

Description of signs to be used (include # of signs): _____

Location of license display? _____

Location of menu or list of merchandise? _____

Location of cart name display? _____

Downtown Special Vending District Program – Application

N.Y.S. Sales Tax #: _____

Health Permit #: _____

Expiration date: _____

Type of license requested:

Annual Site License \$315.00 ()

Temporary Site License \$ 52.50 () Dates: _____ Time: _____

Daily Site License \$ 10.50 () Dates: _____ Time: _____

HAVE YOU EVER BEEN CONVICTED OF A CRIME? YES () NO ()
IF YES, ATTACH COPY OF POLICE REPORT STAMPED BY THE POLICE DEPARTMENT.

Applicant's photo must be attached to the application and on the license.

I HEREBY CERTIFY THAT ALL INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND CORRECT. I UNDERSTAND THAT IF I HAVE PROVIDED FALSE INFORMATION, MY PERMIT MAY BE REVOKED UNDER §316-36 AND §316-49 OF THE CODE OF THE CITY OF BUFFALO.

Applicant's Signature

Subscribed and sworn to before me this day of200__

Commissioner of Deeds, City of Buffalo
or a Notary of the State of New York.

Approved Site(s) #: _____

For new applicants only:

To the Director of Licenses of the City of Buffalo: We, the undersigned, citizens of Buffalo respectfully represent that we have known _____, the aforesaid applicant for _____ years, and know them to be a person of good moral character and a fit and proper person to have a Special Downtown District Vendor or Peddler License.

Signed _____ Address _____ Phone # _____

Signed _____ Address _____ Phone # _____