

# VENDOR PERMIT APPLICATION PACKAGE: **CORPUS CHRISTI MARINA**

**PROCEDURE:** The attached Application for Permit must be completed/ approved and a Permit issued prior to conducting business on the Bayfront Seawall or in Marina. Factors that will be considered in granting Permits include, but are not limited to, the (1) primary product/service being offered; (2) number and location of similar services/products already permitted; (3) design/appearance of the proposed mobile card/service location; (4) adjacent location of City-contracted concessions and other permanent facilities; and (5) safety as it pertains to the pedestrian/vehicle traffic and/or potential congestion problems.

**REQUIREMENTS:** Proof of the following required prior to Permit issue.

- (1) Vendor Permit Application (allow 5 business days for processing);
- (2) Insurance(s) as per Attachment #1;
- (3) Current Texas State Sales Tax Certificate;
- (4) Registration with Nueces County Clerk under Assumed Names;
- (5) Photos of the vending cart/unit
- (6) Health Permit (if selling food/drink).

**VENDING LOCATIONS** are permitted on a first-come, first-served basis and can not be reserved. The Permit Application must be completed/approved before a vending location is assigned.

**Business may be conducted only in the assigned Bayfront Seawall vending site. Vending units must be removed from the premises upon sunset and may not vend after dark.**

Site #1 – Interstate Hwy 37, South of Mirador #2 to Taylor Street

Site #2 – Taylor Street, North of Mirador #4 to People Street T-Head.

Site #3 – People Street T-Head South to the Lawrence Street T-Head.

Site #4 – Lawrence St T-Head South to Coopers Alley L-Head. (**mobile vendors only**)

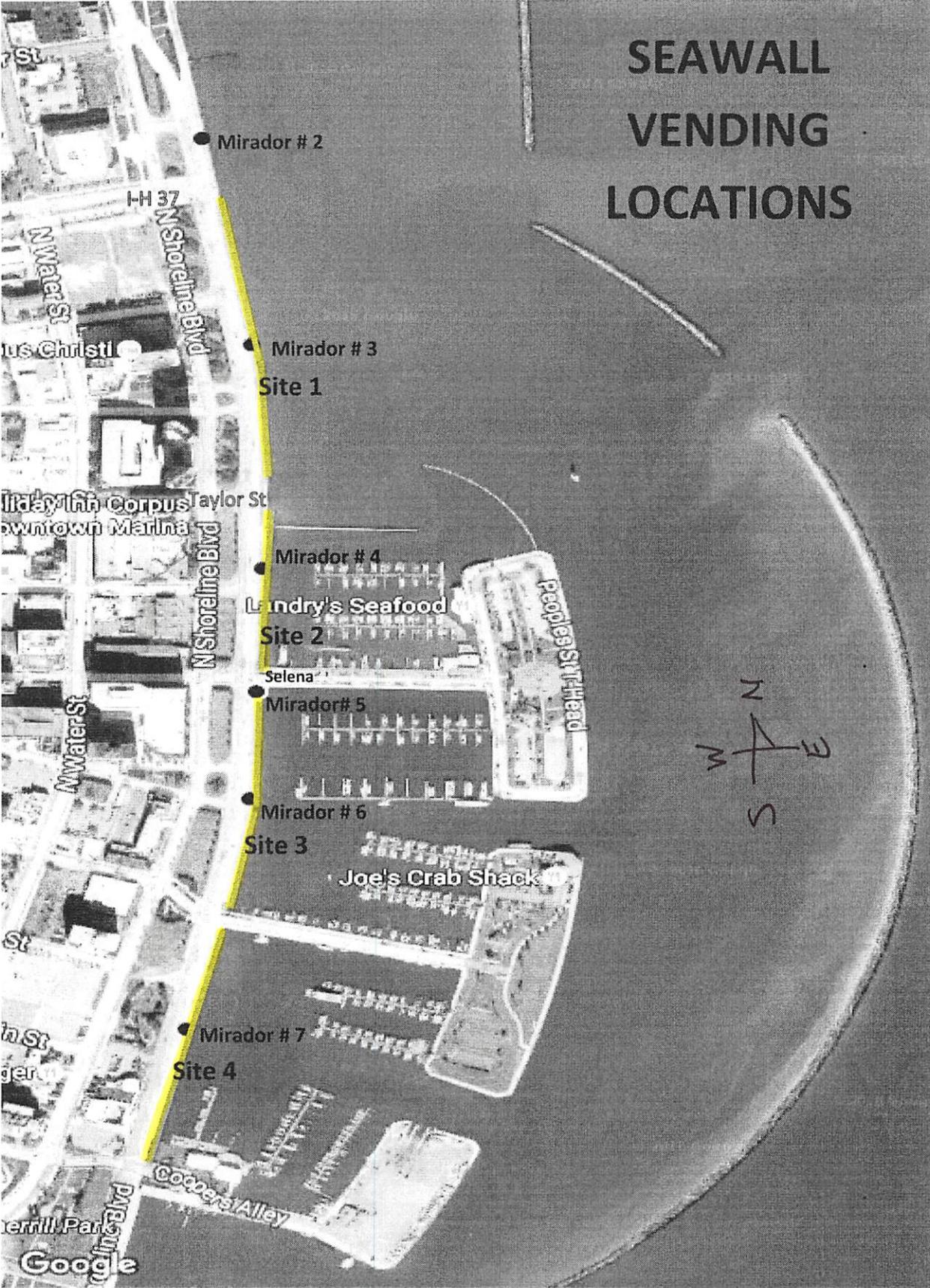
Note: Those wanting to vend on Corpus Christi and/or McGee Beaches are required to make such arrangements through the Parks & Recreation Department (361) 826-3461.

## **PERMIT FEES:**

\$25.00 Per Thirty (30) Day Increment-Mobile Vendor

\$150.00 Month to Month-; \$600 prepay 6 months

# SEAWALL VENDING LOCATIONS



**VENDORS' SPECIAL REGULATIONS: ARTICLE I. IN GENERAL** - \*Note: Ord. No. 18788, § 1, adopted April 9, 1985, repealed Art. I, §§ 38-1--38-6, and replaced it with similar provisions. Former 1 § 38-1--38-6 derived from Code 1958, §§ 26-2--26-4, 26-7, and 1966 Supp., §§ 26-5, 26-6. (Ord. No. 18788, § 1, 4-9-1985)

Sec. 38-17. Sidewalk vendors; special regulations. No permit shall be issued to any vendor to operate his business and no vendor shall vend upon any public sidewalk in the city except as follows:

(a) Vendors shall be permitted to operate on the Bayfront Seawall sidewalk, subject to the following restrictions and regulations in addition to other conditions imposed upon vendors by this article.

(1) The maximum size of vending units shall be three (3) feet in width by four (4) feet in length, excluding movable parts and pushbars. Overall size shall not exceed six (6) feet in length nor four (4) feet in width.

(2) Vendors shall confine their vending units and activities on the seawall sidewalk to the area immediately adjacent to the waterside seawall curb (the side of the unit nearest such curb shall be kept within two (2) feet of such curb). Vending is prohibited on or from streets, the bayfront landmasses and connecting sidewalks, the seawall steps, the barge dock and parking areas.

(3) Mobile vending units shall remain mobile except to stop and vend and for reasonable rest periods during which no vending occurs.

(4) No type of vendor service vehicle shall be parked along Shoreline Boulevard next to the seawall except for the time necessary to load or unload inventory or a vending unit.

(5) Vending is prohibited within seventy-five (75) feet of another vendor; within three hundred (300) feet of any permanent contractual concession; within twenty-five (25) feet of any street intersection; within three hundred (300) feet of the designated grounds of an authorized community festival event, and within fifty (50) feet of any building entrance.

(6) No vendor shall cause any obstruction to the smooth flow of pedestrian or vehicular traffic and vendors shall yield the right-of-way to other traffic of any type.

(7) Rental of motorized transport for use on the Bayfront Seawall sidewalk is prohibited.

(8) Motorized vending units are prohibited.

(9) No vendor shall use any type of sound amplification nor shall any vendor shout or make any other loud noises to attract the attention of pedestrians or motorists or otherwise harass or disturb persons. Distribution of commercial handbills, circulars or other advertising paraphernalia is prohibited.

(10) No vendor shall vend to persons in vehicles.

**(b) *Parade vending.***

**(1) Vendors may be permitted along parade routes during and for four (4) hours prior to and one (1) hour after any parade held under authority of a permit issued pursuant to the City Code, subject to the following restrictions and regulations in addition to other conditions imposed upon vendors by this article:**

**a. The police chief shall determine whether the vending would be consistent with the public safety. In protecting public safety, the chief may refuse to grant a permit, or may grant a permit limiting the vending to particular areas, limiting the items to be sold or rented, limiting the time for vending, or imposing other restrictions. In making his determination the chief shall consider, based upon past parade experience and law enforcement experience, the potential for interference with traffic; misuse of items to be sold or rented; physical injury; interference with parade participants, parade watchers, police officers and others; and other effects detrimental to safety.**

**b. Vendors shall comply with all pertinent restrictions and regulations applicable to sidewalk vendors under subsection (a) of this section.**

**c. Parade vendor permits shall be issued for the period specified in this section only and the fee therefor shall be ten dollars (\$10.00) for each vendor and/or vending unit, which fee shall be in lieu of the permit fee established for vendors in section 38-9 of this article.**

**d. Vendors shall be restricted in their location to sidewalks and other public areas, except streets, immediately adjacent to and within six hundred (600) feet of the parade route and to private premises immediately adjacent to and within six hundred (600) feet of parade routes. Such private premises shall be owned by the vendor or used by him with the expressed permission of the owner. Such permission shall be evidenced by written affidavit filed with the permitting officer prior to the issuance of a permit under this subsection.**

**e. Applications for parade vendor permits must be completed and filed at least two (2) days prior to the scheduled parade date.**

**(2) The city may allow parade organizers to administer the parade vending process by separate agreement.**

**(Ord. No. 18788, § 1, 4-9-1985; Ord. No. 21600, § 1, 3-16-1993; Ord. No. 025666, § 1, 3-2-2004)**

**Sec. 38-18. Street vendors; special regulations. No permit shall be issued to any vendor to operate his business and no vendor shall vend upon or from any public street, alley or roadway except subject to the following restrictions and regulations in addition to other conditions imposed upon vendors by this article:**

- (1) Vending units shall be street-approved motor vehicles duly licensed for operation upon public streets and roadways in accordance with the regulations of the Texas Department of Public Safety and Texas Department of Motor Vehicles.
- (2) No vending shall be conducted except upon residential streets as designated in the Corpus Christi Urban Transportation Plan and located in residential zones under the provisions of the Corpus Christi Zoning Ordinance.
- (3) Vending units must remain mobile except to stop and vend. Vending from a moving vehicle is prohibited.
- (4) Vending within five hundred (500) feet of the grounds of any school, public or private, when the school is in session and for one-half hour prior to the start and one-half hour after the close of any session is prohibited.
- (5) Vending within five hundred (500) feet of any hospital is prohibited.
- (6) No vendor or vending unit shall restrict, obstruct or interfere with the access of any person to or from a private driveway or in any way create an obstruction to adequate access to property.
- (7) **Vending shall be conducted only during daylight hours.**
- (8) No vendor shall vend or stop, stand or park his vehicle within seventy-five (75) feet of any street intersection.
- (9) Vending units shall be stopped immediately adjacent (within eighteen (18) inches) to curbs or street edges for conducting business. Double parking is prohibited.
- (10) Vending units shall be equipped with a caution sign that can be extended horizontally from the left side of the vehicle with letters not less than six (6) inches in height spelling out the word CAUTION or SLOW and shall be further equipped with caution signs on the front and back alerting oncoming motorists that children may be crossing near the vehicle. The extendable caution arm must be extended whenever the unit is stopped for vending. All equipment installed in or on any vending vehicle shall be secured so as to prevent movement during transit and detachment in the event of a collision or sudden movement or stop. Loose utensils shall be securely stored whenever the vehicle is moving.
- (11) No vendor shall use any outcry, sound amplification device or other instrument which can be heard for a distance greater than five hundred (500) feet to attract attention for vending nor shall any outcry, sound amplification device or other instrument for attracting attention be used in any place or at any time when vending is prohibited by this section.
- (12) Vending vehicles shall not exceed fifteen (15) miles per hour in residential areas while engaged in seeking customers.
- (13) Vending to persons standing in the streets is prohibited.

(14) Vendors shall yield the right-of-way to all other types of traffic.

(15) Frozen dessert push cart vendors are permitted to operate on public streets in residential areas subject to the requirements of article I, chapter 38 of the Code of Ordinances, including the other requirements specified in this section. In addition, frozen dessert push cart vendors shall operate only between the hours of 10:00 a.m. and sunset. The maximum size of push carts shall be three (3) feet in width by four (4) feet in length, excluding movable parts and pushbars. Overall size shall not exceed six (6) feet in length nor four (4) feet in width. Push carts shall remain mobile except to stop and vend and for reasonable rest periods during which no vending occurs. Distribution of commercial handbills, circulars or other advertising paraphernalia is prohibited. Push cart vendors shall obtain vending permits, health permits, and food handler permits.

(Ord. No. 18788, § 1, 4-9-1985; Ord. No. 22538, § 1, 4-9-1996

INSURANCE REQUIREMENTS

**SECTION I. PEDDLER/VENDOR/ITINERANT MERCHANT'S LIABILITY INSURANCE**

- A. Peddler/Vendor/Itinerant Merchant must not commence work under this permit until all insurance required herein has been obtained and such insurance has been approved by the City. Peddler/Vendor/ Itinerant Merchant must not allow any subcontractor to commence work until all similar insurance required of the subcontractor has been obtained.
  
- B. Peddler/Vendor/Itinerant Merchant must furnish to the City's Risk Manager or designee, two (2) copies of Certificates of Insurance, showing the following minimum coverage by insurance company(s) acceptable to the City's Risk Manager or designee. The City must be named as an additional insured for the General Liability policy is required on all applicable policies.

TYPE OF INSURANCE	MINIMUM INSURANCE COVERAGE
<b>30-Day written notice of cancellation, non-renewal, material change or termination and is required on all certificates</b>	<b>Bodily Injury and Property Damage</b> Per occurrence - Aggregate
Commercial General Liability including: 1. Commercial Form 2. Premises – Operations 3. Products/ Completed Operations Hazard 4. Contractual Liability 5. Food handlers liability (if applicable) 6. Broad Form Property Damage 7. Independent Contractors 8. Personal Injury Advertising Injury	\$100,000 per person / \$300,000 per occurrence for Bodily Injury and \$50,000 per occurrence for Property Damage or \$300,000 COMBINED SINGLE LIMIT
Workers' Compensation	<b>Required if Peddler/ Vendor/ Itinerant Merchant employs any person other than himself / herself:</b> <b>WHICH COMPLIES WITH THE TEXAS WORKERS' COMPENSATION ACT &amp; PARAGRAPH II OF THIS EXHIBIT</b>
Employers' Liability	\$500,000

- C. In the event of accidents of any kind, Peddler/Vendor/ Itinerant Merchant must furnish the Risk Manager with copies of reports of any accidents within 10 days of any accident.

## **SECTION II. ADDITIONAL REQUIREMENTS**

- A. If applicable, as stated in Section I - B. Table, Peddler/ Vendor/Itinerant Merchant must obtain workers' compensation coverage through a licensed insurance company in accordance with Texas law. The contract for coverage must be written on a policy and with endorsements approved by the Texas Department of Insurance. The coverage provided must be in an amount sufficient to assure that all workers' compensation obligations incurred by Peddler/ Vendor/Itinerant Merchant will be promptly met.
- B. Certificate of Insurance:
- The **City of Corpus Christi** must be named as an **additional insured** on the General liability coverage is required on all applicable policies.
  - If your insurance company uses the standard ACORD form, the **cancellation clause** (bottom right) **must be amended** by adding the wording "changed or" between "be and "canceled", and deleting the words, "endeavor to", and deleting the wording after "left". In the alternative, policy endorsement(s) that comply with the required language is acceptable.
  - The **name of the project** must be listed under "Description of Operations".
  - At a minimum, a **30-day written notice** of cancellation, material change, non-renewal, termination is required.

NOTE: The limits and types of coverage are subject to adjustment if upon review of permit application, it is determined that the activity under this permit requires increased levels and types of insurance coverage.

**CITY OF CORPUS CHRISTI  
MARINA DEPARTMENT**

400A N Shoreline, Lawrence St T-head, Corpus Christi, Texas 78401

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**To be completed by City Personnel:**

Vendor Site # \_\_\_\_\_

Location \_\_\_\_\_

Date Permit Issued \_\_\_\_\_ For Period \_\_\_\_\_ to \_\_\_\_\_

Amount Paid \$ \_\_\_\_\_ Receipt #: \_\_\_\_\_ Permit # \_\_\_\_\_

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**APPLICATION FOR PERMIT**

**To be completed by Applicant:**

1. Name of Applicant: \_\_\_\_\_

DBA: \_\_\_\_\_

\_\_\_\_\_ **Sole Proprietor.** Attach a certified copy of the Assumed Name Certificate from the Nueces County Clerk.

\_\_\_\_\_ **Partnership.** If formal partnership, attach a certified copy of partnership agreement from Secretary of the State of Texas. If informal partnership, attach a certified copy of the Assumed Name Certificate from the Nueces County Clerk.

\_\_\_\_\_ **Corporation.**

\_\_\_\_\_ **Foreign/authorized to conduct business in Texas.**  
Must attach a certified copy of the authority from the Texas Secretary of State.

\_\_\_\_\_ **Texas.** Must attach a certified copy of the corporate charter from the Secretary of the State of Texas.

2. What is your business address? \_\_\_\_\_

Home Address: \_\_\_\_\_ Cell#: ( ) \_\_\_\_\_

Alt Phone: ( ) \_\_\_\_\_

3. What employees will be involved in the vending operation? If needed, please attach a separate list.

Name \_\_\_\_\_ Address \_\_\_\_\_  
Phone \_\_\_\_\_ ID Card # Issued \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_  
Phone \_\_\_\_\_ ID Card # Issued \_\_\_\_\_

4. What will you be selling or renting? \_\_\_\_\_

If selling food or beverage, health permits, certificates and inspections required by City Health Code must be met. A copy of the health permit to operate your business must be attached to this application.

5. Site Requested: \_\_\_\_\_

\_\_\_\_\_  
Area/Site Designated Authorized Marina Department Representative

6. Will a vehicle be used in the operation of the business (vending or supply)? If so, provide the following information and attach a copy of your current insurance card.

\_\_\_\_\_  
Make Year/Model License Number

\_\_\_\_\_  
Make Year/Model License Number

7. What type of vending unit will be utilized in the operation of the business?

Type \_\_\_\_\_ Description of Vending Unit \_\_\_\_\_

Photo or Drawing \_\_\_\_\_ Specifications \_\_\_\_\_

\_\_\_\_\_  
**Approved by City Representative**

8. Is your business operation properly insured by a general comprehensive business liability insurance policy? \_\_\_\_\_

Applicant must ensure that:

\_\_\_\_\_ Copy of insurance is attached.

\_\_\_\_\_ City of Corpus Christi is named as additional insured.

\_\_\_\_\_ Insurance coverage includes liability protection of \$100,000 per person, \$300,000 per occurrence for bodily injury, and \$50,000 per occurrence for property damage.

9. Attach a copy of the State Sales Tax Certificate for your business.

I, the undersigned applicant, do hereby certify that I am an authorized agent to act in behalf of said business; that all information contained herein is true and correct; and hereby agree to comply with all provisions pursuant to the Peddler's, Solicitors and Itinerant Vendors Ordinance, Chapter 38, Article I, City Code of Ordinances, and all applicable State and Federal regulations as same may be amended from time to time. I further understand that every individual who conducts business for us is our representative whether acting as employee, agent, independent contractor, franchise or otherwise and as an applicant I shall be responsible for compliance with all provisions of said Chapter 38, Article I, by every such individual representative.

10. The City of Corpus Christi, through its authorized Marina Representative, reserves the right to cancel this Permit after five (5) days written notice to Applicant at the Business Address set out in Section 2 above. The notice shall be deemed received on the next business day after the day the notice was mailed.

\_\_\_\_\_  
Name of Applicant (Printed)

\_\_\_\_\_  
Applicant's Signature