<table>
<thead>
<tr>
<th>Mail</th>
<th>City of Portland</th>
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<tr>
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<td>Bureau of Transportation</td>
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<td>Sidewalk Vending</td>
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<td>1120 SW Fifth Avenue Suite 1331</td>
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<td>Portland OR 97204</td>
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<tr>
<td>Phone</td>
<td>503-823-7002 option 5</td>
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<tr>
<td>Fax</td>
<td>503-279-3969</td>
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<tr>
<td>Email</td>
<td><a href="mailto:sidewalkvending@portlandoregon.gov">sidewalkvending@portlandoregon.gov</a></td>
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SIDEWALK VENDING CART REQUIREMENTS

WHAT IS A SIDEWALK VENDING CART?

City Code defines operating a sidewalk vending cart as selling any approved goods or services from an approved vending cart located within a fixed sidewalk area. Operating a sidewalk vending cart requires a permit from the City of Portland and it is unlawful to sell any goods or services on any public sidewalk within the City without a permit. Each individual sidewalk vending cart requires a separate permit. The permit fee is $75 per calendar year.

Vending cart permits are personal and are not transferable in any manner. Permits are issued by calendar year and expire at midnight, December 31st of the year issued. You are required to renew your permit by Dec 31st each year if you plan to operate your cart in the following year.

Sidewalk vending carts are covered in Section 17.26 of the City Code. Please check the City’s web site for further information at www.portland.gov

VENDING IN OTHER LOCATIONS

The Bureau of Parks and Recreation (503-823-2525) issues vending permits for operating within City parks. If you seek a sidewalk vending permit for a location near a City park, the Bureau of Parks and Recreation may issue a permit for sale of a product that could be in direct competition with your product.

Vending on private property does not require a vending cart permit from the Office of Transportation. However, permits from the County Health Office, Portland Fire Bureau, the Bureau of Licenses, the Bureau of Development Services and/or a Nurseryman’s License may be required as appropriate. Please contact the appropriate authority for specific requirements.

APPROVED VENDING CART ITEMS & SERVICES

There are several pre-approved items for vending: these include food and beverages for immediate consumption, fresh cut flowers, inflated balloons, jewelry, maps, shoe shining, and umbrellas. Requests to have a different item or service considered for approval shall be submitted, in writing, to the City Engineer who shall determine whether the item or service conforms to the criteria listed below. When choosing which item or service you wish to sell, keep in mind that consideration for approval is based on the following criteria. All items or services to be sold shall:

- Be vended from a regulation size vending cart;
- Not lead to or cause congestion or blocking of pedestrian traffic on the sidewalk
- Involve a short transaction period to complete the sale or render the service
- Not cause undue noise or offensive odors
- Be easily carried by pedestrians

If the item or service does not conform, it shall be listed as prohibited for sale by sidewalk vendors. The decision of the City Engineer may be appealed to City Council.
CONTINUING RESPONSIBILITIES

While operating your sidewalk vending cart your responsibilities as the sidewalk vending cart operator include:

- Providing a trash and/or recycling container for refuse.
- Picking up any litter that is deposited by any person on the sidewalk or street within 25 feet of the place of conducting
- Not leaving the vending cart unattended on a sidewalk, nor allowing a vending cart to remain on the sidewalk between midnight and 6:00 a.m.

SPECIAL EVENTS

If you already have a current sidewalk vending permit you may apply for a permit to operate your sidewalk vending cart during the Rose Festival parade or other major special event, as designated by the City Engineer. For an application or more specific information regarding a special event permit, please contact us at 503-823-7002 and select option 5.

Listed below are a few key points to keep in mind when considering a special event permit.

- You must pay the permit fee of $20.00
- You must have the written consent of the property owners adjacent to the operating area
- Application must be made at least five (5) working days prior to the event
- The operating area must be on side streets adjacent to the parade or event
- Temporary locations are valid only for the date and hours specified on the permit
- All conditions of section 17.26 of the City Code remain in effect

REVOCATION OF PERMIT

The City Engineer or Designee may revoke or suspend the vending cart permit or may deny the renewal of said permit if they find:

- The permittee has violated or failed to meet any of the provisions of chapter 17.26 of the Code of the City of Portland
- Any required permit has been suspended, revoked or canceled
- The permittee does not have currently effective insurance that meets permit requirements
SIDEWALK VENDING CART PERMIT APPLICATION
INSTRUCTIONS

1. Submit the following:

   • **Completed application** form (page 4). To ensure a permit has not already been applied for or issued for the same location you are applying, contact Street Systems Management at 503-823-7002 and select option 5.
   • **Letter of consent** from abutting property owner(s) providing approval to operate your sidewalk vending cart within the permit operating area you are requesting. Use the “Letter of Consent” form provided in this packet (page 5).
   • **Site plan** of proposed location (page 6).
   • **Detailed isometric drawings** (example page 8) and/or photos of proposed vending cart. Samples of materials you plan to use in construction of your cart may also be submitted. These will be forwarded to the Bureau of Development Services for design review. **Important**: Obtain cart design approval before constructing or purchasing your cart.
   • **Application fee**. Enclose a $60 check payable to the City of Portland.

2. Submit the following upon completion of design review and site approval:

   • **Certificate of insurance and additional insured endorsement form** (page 9 & 10). Please note that an annual insurance review fee of $15 will be charged.
   • **Business license or business license exemption information**. Contact the Bureau of Licenses at 503-823-5157 for further information.
   • **Nurseryman’s license** (if selling flowers or plants). Obtain your Nurseryman’s License from the State of Oregon, Agriculture Department at 503-986-4635.
   • **Copy of Health Inspection** (if selling food items). Obtain necessary food handler permits and health inspection certificates for your cart from the Multnomah County Health Department at 503-988-3400.
   • **Fire Inspection** documentation. Food carts with cooking or heating equipment, need to obtain an annual propane permit from the City of Portland Fire Marshal’s Office 503-823-3712.

3. Arrange for a site inspection:

   Call 503-823-7002 and select option 5 to set an appointment for an inspection of your vending cart fully set up and ready for business. Upon completion of, and approval during, this final inspection, the permit fee of $75 and insurance review fee of $23.70 are due payable to the City of Portland for your annual permit. Your permit will be issued to you at the end of the final inspection and you are ready to open for business!

**SUBMISSION:**

City of Portland
Sidewalk Vending Carts
1120 SW 5th Ave Suite 1331
Portland, OR 97204

**CONTACT US**

If you have any questions or need further information, please phone **503-823-7002** and select option 5.
APPLICATION FOR SIDEWALK VENDING CART PERMIT

Application is hereby made for a revocable permit to operate a SIDEWALK VENDING CART in accordance with Chapter 17.26 of the Code of the City of Portland.

Cart Owner Name:____________________________________________________

Owner Address:______________________________________________________

City:_________________________________ State:________ ZIP:______________

Contact Phone #:____________________________________________________

Business Name:______________________________________________________

Business License #:_______________ Expiration Date:____________________

Goods / Services Sold:________________________________________________

Location:

Name of north / south street of the intersection:___________________________

Name of east / west street of the intersection:____________________________

Circle (one) the quadrant of the intersection where you plan to vend:

NW  NE  SW  SE

I shall hold the City of Portland, its officers, agents and employees, and the adjacent property owner 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 therefrom, which may result from the granting of this permit.

Applicant Name (Print) ________________________________________________

Applicant Signature ____________________________ Date ______________

□ Letter of consent ___________________________ □ Fire inspection ___________________________
□ Insurance Approval; Expires___________________ □ Length_______Width_______Height_______
□ Business License # __________________________ □ Awning Height_______Inside □ Outside □
□ Application fee Receipt # _____________________ □ Cart Area ______________________________
□ Design Review ______________________________ □ Trash Receptacle _______________________
□ Nurseryman’s License _________________________ □ Total Area _____________________________
□ Health Inspection ___________________________ □ Permit Fee Receipt # ____________________

4 of 10
Sidewalk Vending Cart Permit
Letter of Consent

Date ______________________

To Whom It May Concern:

This letter hereby authorizes _____________________________________________________

Owner of Vending Cart Name

To place a Sidewalk Vending Cart adjacent to my property located at the address __________________________________________________________

This consent shall run concurrent with the permit. If at any time the permit expires or is revoked, this consent shall be void.

The owner and operator of the vending cart is required to comply with all applicable sections of City and County Code, as well as the State Code (for Nurseryman’s permit). Failure to do so will cause the permit for said location to be revoked.

We understand this consent may be revoked in writing with the revocation to become final on December 31st of the same calendar year.

We understand that, pursuant to Section 17.26.080 of the City Code, no monetary compensation, either present or future is involved in the granting of this consent.

The vender agrees to hold harmless the property owner for any claims for damage to property or injury to persons, which may be occasioned by any activity in connection with the issuance of any Sidewalk Vending Permit.

Name – Property Owner __________________________________________________________

Signature – Property Owner ______________________________________________________

Contact Address – Property Owner ________________________________________________

Contact Telephone – Property Owner ______________________________________________

Signature – Owner of Vending Cart ________________________________________________

Address – Owner of Vending Cart _________________________________________________

Telephone – Owner of Vending Cart _______________________________________________
SITE REQUIREMENTS FOR VENDING CARTS

1. Vending carts are only allowed in commercial zones.
2. No food vendor application can be accepted for a permit operating area where a restaurant, fruit stand or coffee shop with direct access to the sidewalk is within 100 feet on the same block face, except with the written consent of the proprietor of the restaurant, fruit stand, or coffee shop.
3. No flower vendor application can be accepted for a permit operating area where a flower shop, with direct access to the sidewalk, is within 100 feet on the same block face, except with the written consent of the proprietor of the flower shop.
4. A permit operating area is the sidewalk from the midpoint of one block face to the midpoint of an adjacent block face (see page 3). One person may not have permits for adjacent permit operating areas.
5. The immediate operating area cannot exceed (24) twenty-four square feet of the sidewalk.
6. The site shall not be within (10) ten feet of the intersection of the sidewalk with any other sidewalk (as diagramed below).
7. The site shall not be within (8) eight feet of the adjacent property line (as diagramed below).
8. The site shall not be within (10) ten feet of the extension of any building entrance or doorway, to the curb line (as diagramed below).
9. The site shall not be within (10) ten feet of any parking space designated as “disabled”, or access ramp.

EXAMPLE SITE PLAN

![Diagram of sidewalk vending site requirements](image)
DESIGN REQUIREMENTS FOR VENDING CARTS

BUREAU OF DEVELOPMENT SERVICES DESIGN REVIEW GUIDELINES

The Bureau of Development Services staff will review the sidewalk vending application to determine if the proposed design will enhance the attractiveness of the pedestrian environment in the commercial zones of the City and whether it is of good composition, materials and colors.

Review will be based on the following design guidelines:

1. Design, materials, and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation.
2. Graphics and sign shall be appropriate to the size of the cart and for the immediate surroundings. Typical sign area approved is up to (4) four square feet total, not including menu boards which are typically temporary and/or not permanently affixed to the cart.
3. Umbrellas or canopies shall have a minimum clearance of (7) seven feet and a maximum height of (9.5) nine feet six inches above the sidewalk.
4. Umbrellas or canopies may not exceed (40) forty square feet in area.
5. Wheels located under the cart are preferred (such as casters). Projecting wheels must have fenders.
6. Hitches attached to the cart must be removable and detached during operation hours.
7. Propane tanks must be attached to (or within) cart and the cart must allow for adequate ventilation and screening of the tank.

Submission for Review: The applicant shall submit the following for review:

1. One (1) isometric drawing (example page 8) 2"=1' in color of at least two views showing all four sides of the proposed vending device and any logos, printing or signs which will be incorporated in the design. (For existing vending devices, 5" x 7" color photos may be substituted for the above-described drawing.)
2. A site plan drawing (2"=1' or ¼ "= 1") showing vending cart location in relation to fixed elements of sidewalk (example page 6). Site diagram to include street names, identify where vending cart will be located, identify fixed elements in sidewalk, include measurements of your site:
   • To sidewalk intersection
   • To adjacent property line
   • To building entrance
   • To disabled parking or access ramp
3. Any additional items (e.g., color and material samples, layouts of sign and graphics, or photographs) which are necessary in order to clearly visualize the proposed design.

All items (drawings, discs, and photos) are non-returnable.

For further information, call the Urban Design Section of the Bureau of Development Services at 503-823-7300.
DESIGN REQUIREMENTS

1. No external power, piping or plumbing is allowed. The cart must be entirely self contained.
2. The length of the mobile device or pushcart cannot exceed (6) six feet.
3. The height of the mobile device or pushcart, excluding canopies, umbrellas, or transparent enclosures, cannot exceed (5) five feet.
4. Umbrellas or canopies shall have a minimum clearance of (7) seven feet and a maximum height of (9.5) nine feet six inches above the sidewalk.
5. Umbrellas or canopies may not exceed (40) forty square feet in area.
6. Design, materials and colors are to be considerate of the immediate surroundings of the proposed location.
7. Graphics and sign shall be appropriate for the immediate surroundings and to the product being sold and shall conspicuously post the price of all items sold.
8. The vending cart shall meet all requirements needed to obtain permits from Multnomah County Health Department and Portland Fire Bureau.

EXAMPLE ISOMETRIC DRAWING
The Do’s

Examples of well-designed sidewalk vending carts.

- umbrella
- high-quality wood materials
- spoke wheels
- canopy
- well-crafted, creative design
- caster wheels
- fenders
- spoke wheels that sit tightly up against cart
- playful graphics
- caster wheels
- canopy
- propane tank contained within cart
- high-quality construction
- spacious cart holds all equipment
- caster wheels

Examples of well-designed sidewalk vending carts.

- umbrella
- high-quality wood materials
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- canopy
- well-crafted, creative design
- caster wheels
- fenders
- spoke wheels that sit tightly up against cart
- playful graphics
- caster wheels
- canopy
- propane tank contained within cart
- high-quality construction
- spacious cart holds all equipment
- caster wheels
The Don’ts

Examples of design features that are discouraged.

- Propane tank not enclosed
- Hitch has not been removed
- Vehicle-type wheels
- Grill is separately attached and not contained within cart
- Tail light has not been removed
- Wash buckets not securely attached to outside of cart
- Accessory equipment on sidewalk
- Accessory equipment on separate shelving unit outside cart
- Propane tank on sidewalk
- Poorly crafted design and low-quality materials
Utilities, Construction & Inspection (UCI) – Insurance & Bonding

Insurance requirements for street and sidewalk use permits: The City of Portland requires a certificate of liability insurance and an additional insured endorsement for Street and Sidewalk Use Permits. The certificate and endorsement must be approved by the City Attorney before a permit can be issued. Please allow 5‐7 business days for processing. Documents that contain missing or incorrect information will require a longer processing period.

Certificate of Liability Insurance: The insurance certificate is intended to protect the city from any liability it may incur as a result of granting the requested permit. The certificate shall contain the following:

- City of Portland – Utilities, Construction & Inspection (UCI) named as the Certificate Holder as follows:
  City of Portland
  Portland Bureau of Transportation
  Attn: UCI
  1120 SW Fifth Ave, Suite 1331
  Portland OR 97204

- Minimum Coverage Requirements: Per Occurrence coverage not less than $1,000,000 (one million dollars) per occurrence. General Aggregate coverage not less than $2,000,000 (two million dollars).

- Notification of Cancellation: The City of Portland requires 30 (thirty) days written notice from the insurance company prior to cancellation of the policy.

- In the “DESCRIPTION OF OPERATIONS...” section of the certificate: List the type of permit requested (Street/Lane/Sidewalk Closure (TSUP), Street Opening, Sewer Connection, Banner, Sidewalk Café, Vending Cart, Community Event, Block Party, etc.). For sidewalk Cafes and Vending Carts, list the premise location(s). If the insured requests permits for multiple locations and dates, indicate “All Operations”. Do not list each permitted location/date, or else a new certificate and endorsement will be required for each permit.

Additional insured endorsement: The City of Portland accepts endorsements referring to permits and state or political subdivisions including CG 20 12 and BP 04 52 or equivalent. All fields on endorsements must be filled out. All pages of an endorsement must be submitted for review.

- Policy Number: If the form has a designated space for the policy number, the policy number must be listed OR a schedule of forms and endorsements must be provided. If there is no space for the policy number on the endorsement, then the endorsement must be listed in the description section of the certificate OR a schedule of forms and endorsements must be provided.

- Schedules: “The City of Portland and its officers, directors, employees, and agents” should be listed in any schedules provided. Alternately, the schedule may read, “Any state or governmental agency or subdivision or political subdivision that issues permits or authorizations to the insured”.

Please note: We do not accept endorsements limiting coverage to work the insured performs for the additional insured. The insured is not performing work FOR the City. They are requesting a permit FROM the City to utilize the public right‐of‐way. Premise‐based endorsements are also not accepted. We issue permits for the public right‐of‐way, not for premises.

Questions and Submissions: Phone: 503‐823‐7142 | Email: insurance@portlandoregon.gov
Website: http://www.portlandoregon.gov/transportation/insurance
THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – STATE OR GOVERNMENTAL AGENCY OR SUBDIVISION OR POLITICAL SUBDIVISION – PERMITS OR AUTHORIZATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

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<tr>
<th>State Or Governmental Agency Or Subdivision Or Political Subdivision:</th>
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<tbody>
<tr>
<td>The City of Portland and its officers, directors, employees, and agents</td>
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</tbody>
</table>

If nothing is listed in the schedule, then a Declarations page adding the The City of Portland and its officers, directors, employees, and agents to the endorsement must be provided.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. **Section II – Who Is An Insured** is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

   However:
   
   a. The insurance afforded to such additional insured only applies to the extent permitted by law; and

   b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. This insurance does not apply to:

   a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or

   b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.
THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - STATE OR POLITICAL SUBDIVISIONS - PERMITS

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS COVERAGE FORM

SCHEDULE*

State Or Political Subdivision:
The City of Portland and its officers, directors, employees, and agents

If nothing is listed in the schedule, then a Declarations page adding the The City of Portland and its officers, directors, employees, and agents to the endorsement must be provided.

*Information required to complete this Schedule, if not shown on this endorsement, will be shown in the Declarations.

The following is added to Paragraph C. Who Is An Insured in Section II - Liability:

4. Any state or political subdivision shown in the Schedule is also an insured, subject to the following provisions:
   a. This insurance applies only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.
   b. This insurance does not apply to:
      (1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality; or
      (2) "Bodily injury" or "property damage" included within the "products-completed operations hazard".