



DENVER
THE MILE HIGH CITY

CITY AND COUNTY OF DENVER

DEPARTMENT OF PUBLIC WORKS
Development Engineering Services

Public Works Permit Operations
2000 W. 3rd Avenue, Room 107
Denver, Colorado 80223-1027
Phone: (303) 446-3759
Fax: (303) 446-3755
www.denvergov.org/pwpermits

Pushcart, Flower Bucket & Other Vending Entrance Requirements

Authority:	Chapter 39, Article I, Section 39-11: Huckstering Prohibited Chapter 49, Article XIV: Temporary Occupancy of Public Right-of-Way <ul style="list-style-type: none"> • Division 1, Sec. 49-461 to 470: Generally • Division 7, Sec. 49-539 to 548: Vending Devices • Division 8, Sec. 49-549 to 549.9: Flower Vending in Central Business District (CBD) • Division 9, Sec. 49-550 to 550.9: Flower Vending Outside of CBD
Purpose of Ordinance:	The regulation and compliance of Pushcart, Flowercart, and other vending on the Public Right-of-Way (ROW).
Document Date:	September 12, 2008
Permit Types:	Pushcart, Flowercart, & Other Vending
Permit Dates:	The term of the Public Property Occupancy Permit shall be twelve (12) months and commence on the date of permit issuance.
Customer Interface:	Most communication between the City and the customer will be done through Public Works Permit Operations (PWPO).
Affiliated Departments & Agencies:	The following departments must be contacted when applying to Public Works Permit Operations (PWPO) for a location: <ul style="list-style-type: none"> ✚ ZONING ADMINISTRATION: 201 West Colfax Ave., 2nd Floor, Denver, CO 80202, 720-865-3000 or 311 ✚ TREASURY DIVISION –TAXPAYER SERVICES: 144 West Colfax Avenue, Rm. 100, Denver, CO 80203, 720-865-7075 or 311. Must apply for a Sales Tax and Occupational Tax License. ✚ COLORADO DEPARTMENT OF REVENUE: 1375 Sherman Street, Denver, CO 80261 303-238-7378. A State Sales Tax License is required. ✚ EXCISE & LICENSES: 201 West Colfax Ave., 2nd Floor, Denver, CO 80202, 720-913-1311 or 311. Apply for Retail Stand-Up License. ✚ ENVIRONMENTAL HEALTH: 201 West Colfax Avenue, 10th Floor, Denver, CO 80202. Contact Dick Hann at 720-865-5382 or 311. You must obtain a Certificate of Inspection Approval for a Retail Stand-Up Mobile Restaurant License. ✚ FIRE DEPARTMENT: 745 West Colfax Ave. 3rd Floor, Denver, CO 80204, 720-913-3474 or 311. Applicant must have cart inspected for license sign off. ✚ 16th STREET MALL VENDING: 511 16TH Street, Suite 200, Denver, CO 80202, 303-534-6161. Contact the Downtown Denver Partnership if you are interested in conducting business on the 16th Street Mall.
Application:	Applicant must completely fill out the Public Property Occupancy Revocable Permit Application. A \$25.00 non-refundable application fee per application submittal is required at time of application submittal. <ul style="list-style-type: none"> ✚ Applicant may select up to three (3) locations to be considered for their Pushcart, Flower Cart or other vending devices per application. ✚ Applications become void 10 business days after permittee receives notification from PWPO of application location(s) approval.

<p>Permit Issuance:</p>	<ul style="list-style-type: none"> ✚ Applicant must have current pictures of their cart with manufacturer dimensions and design specifications. ✚ Applicant must have a valid copy of the Retail Stand-Up License, which is obtained from the Excise & Licenses Department, if food or drink is sold. ✚ Applicant must have a valid copy of the Colorado State & City and County of Denver Sales Tax License for all other sales. ✚ Applicant must provide proof of insurance-see Certificate of Insurance below.
<p>Certificate of Insurance:</p>	<p>Pursuant to the Denver <u>Revised Municipal Code</u>, Applicant needs to submit to Public Works Permit Operations a Certificate of Insurance providing coverage for all pushcarts, flower carts/buckets, &/or street furniture in the ROW. Applicant will maintain coverage for the duration of the Permit. Specific coverage should include, but not be limited to, as stated below. Permits will not be issued without the Certificate of Insurance. Please have your Insurance Agent include the City and County of Denver as an Additional Insured as follows: <i>Additional Insured: The City and County of Denver, its Officers, Officials, and Employees</i>. The City and County of Denver must also be listed as the Certificate Holder and must be stated as follows: <i>City and County of Denver, Public Works Permit Operations, 2000 W. Third Ave., Room 107, Denver, CO 80223</i></p> <ul style="list-style-type: none"> ➤ Applicant must have valid & current Certificate of Insurance with minimum General Liability Limits of: \$100,000 Individual Bodily Injury; \$300,000 Aggregate Bodily Liability and \$50,000 Property Damage OR \$300,000 Combined Liability. <p>NOTE: Permittee will advise the City & County of Denver, Department of Public Works in writing, a minimum of thirty (30) days in advance of any insurance modification or cancellation.</p>
<p>Considerations for application:</p>	<ul style="list-style-type: none"> ✚ Permits shall only be issued in the following Zoned Districts: B-2, B-3, B-4, B-5, B-7, B-8, B-A-2, B-A-3, and B-A-4. (<i>Sec. 49-543.1</i>). Applicant shall confirm prior to submitting Pushcart Permit Application that the proposed permit location conforms to zoning requirements. ✚ The permit is site specific and cannot be transferred to another person or location. The location is owned by the City and County of Denver and cannot be sold or assigned by the Permittee. ✚ The permittee shall not conduct business at the location designated on his/her permit when such location is within an area for which the Manager of Public Works has issued a permit for a street fair, festival, or similar event, under Article XVI, unless the holder of the Special Event Permit furnishes permission in writing. ✚ No more than one pushcart or flower cart selling like products will be allowed on an intersection corner. A second vendor may be allowed, selling unrelated products if space exists and other ordinance requirements are met. All pushcarts, flower carts, or other vendors must be a minimum of 200 feet from any restaurant, or business selling similar products; however, they may be placed across the street if approved by PWPO. ✚ No pushcart, flower cart, or other vending device is allowed on any street or sidewalk within 300' of any park, parkway, Mountain Park, or other recreational facility. ✚ Pushcarts, Flower carts, &/or other vendors must be placed according to the location specified on the permit. The cart vendor and their customers must keep a minimum of 10 feet of clear sidewalk for pedestrians in the CBD and 5 feet of clear sidewalk in the rest of the City and County of Denver. ✚ Other than the permitted vending device, permittee shall not place any other encumbrance on or in the public Right-of-Way in excess of 3 feet in height. ✚ At no time are temporary signs allowed on or in the Public Right-of-Way. ✚ The permittee shall not sell to any person who is standing [or driving] in a street, [alley], highway, or roadway. (<i>Sec. 49-545.8</i>) ✚ A copy of the current permit must be with the cart operator at all times. ✚ No device, stand, box container, or table is allowed, or shall they place any such thing on a sidewalk, roadway, street, or alley except as permitted. (<i>Sec. 49-545.2</i>). ✚ The ordinance does not allow for ownership or transferring of sites. If a vendor requests a change in location they must submit a new application with fee and meet all requirements. The vendor must also submit in writing a statement giving up their current location. ✚ It shall be unlawful for any owner, part owner, shareholder, or person interested directly or indirectly in any permit issued pursuant to this division, to conduct, own, either in whole or in part, or be directly or indirectly interested in more than two (2) permits issued pursuant to this division. (<i>Sec. 49-544.7</i>). <i>For pushcart and vending devices selling food or merchandise, <u>not</u> flower vending nor services.</i> ✚ The Pushcart, Flower cart, or other vending device shall occupy an area no longer than sixteen (16) square feet, and shall not exceed three (3) feet in width, excluding wheels, nor six (6) feet in length, including any handle, nor five (5) feet in height, excluding a canopy, umbrella or transparent enclosure. (<i>Sec. 49-545.1</i>). ✚ The permittee shall not leave their pushcart, flower cart, or other vending device unattended on a public right-of-way or at the location designated on their permit. (<i>Sec. 49-545.12</i>). ✚ PWPO issues pushcart, flower cart, and other vending permits for outside the 16th Street Mall only. The 16th Street Pedestrian and Transit Mall means that portion of 16th Street and an area north and south of 16th Street within fifty (50) feet of 16th Street between the west curb line of Broadway, which is twenty (20) feet east of the west property line of Broadway, and the southeasterly curb line of Wewatta Street, which is sixteen (16) feet west of the east right-of-way line of Wewatta Street. If the requested vending location falls in this area you must contact Downtown Denver Partnership listed on the first page of this entrance requirement.

- ✦ No Pushcart, Flower cart, or other vending is allowed in the following area surrounding Coors Field: 20th Street to Market Street to Park Avenue West to Wynkoop Street, and back to 20th Street. (*Agreement between the City and County Of Denver and the Colorado Rockies Baseball Club, Ltd., April 21, 1995*)
- ✦ Vendors may NOT be in operation between the hours of 12 midnight and 6 a.m.
- ✦ Vendors may NOT be within one thousand feet (1,000') or any public or private, elementary or secondary school.

CONDUCT OF VENDORS, THEIR EMPLOYEES &/OR REPRESENTATIVES:

- ✦ Vendors, their employees &/or representatives, (VER), shall be courteous to the public, efficient and neat in appearance. VER's will not use foul or vulgar language or act in a loud, boisterous, or otherwise improper or unacceptable manner. VER's shall not engage in open, notorious and/or public disputes, disagreements or conflicts tending to deteriorate the quality of the surroundings or that of their competitors &/or businesses.
- ✦ Obscene communications or gestures, intimidation in any form, threats (direct or indirect) of violence or physical harm, fighting, gambling, illegal activity, being under the influence of alcohol or illegal substances, or carrying of weapons or illegal substances is strictly prohibited. Any violation may result in immediate revocation of your Public Property Occupancy Permit.

PERMIT RENEWAL PROCEDURES:

- ✦ Permit is renewable yearly and must be renewed no later than ten (10) business days prior to the expiration date.
- ✦ In the event of non-renewal the location permitted will be held for ten (10) business days. If the permit is not renewed during the ten- (10) day “*grace period*” then the location(s) will be available to the public at the Public Works Permit Operations office.
- ✦ All permits must be renewed by the person (permittee) to whom it was issued.
- ✦ A current Certificate of Insurance must be on file before the permit will be renewed.
- ✦ A copy of the current Retail Stand Up Business License or the Denver Sales Tax License.

PERMIT CANCELLATION:

- ✦ The Public Property Occupancy Permit is a revocable permit and can be revoked without cause at the discretion of the Manager of Public Works or designee.
- ✦ Any location that becomes unsafe or unstable due to construction or safety concerns will be temporarily suspended and a provisional site will be assigned until the original site is again usable.
- ✦ All Pushcarts, Flower carts, and other vending devices will be cancelled ten (10) days after cancellation and/or expiration date of the Certificate of Insurance.
- ✦ Permit must be renewed within 10 days of expiration date, or permit becomes void, and the permittee must begin the application and permitting process over.

PUSHCARTS, FLOWERCARTS, AND OTHER VENDING DEVICES ARE SUBJECT TO INSPECTION AT ANY TIME THEY ARE IN THE PUBLIC RIGHT-OF-WAY BY THE CITY AND COUNTY OF DENVER, ITS OFFICERS, OFFICIALS, AND EMPLOYEES.

Fees:

2008 Fees:

• Pushcart Application Fee (New &/or Location Change)-----	\$ 25.00
• Pushcart (per location)-----	\$ 324.00
• Flower Vendor Application Fee (New &/or Location Change)-----	\$ 25.00
• Flower Vendors inside CBD (per location)-----	\$ 260.00
• Flower Vendors outside CBD (per location)-----	\$ 176.00

Permittee is required to make full payment for each location upon issuance of permit.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder other than those provided in the policy. This certificate does not amend, extend or alter the coverage afforded by the policies described herein.

COMPANIES AFFORDING COVERAGE

INSURED

- COMPANY A
- COMPANY B
- COMPANY C
- COMPANY D

COVERAGES This certificate supersedes and replaces any previously issued certificate. This is to certify that policies of insurance described herein have been issued to the insured named herein for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which the certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, conditions and exclusions of such policies. Limits shown may have been reduced by paid claims.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS								
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> OWNERS & CONTRACTORS PROT <input type="checkbox"/>				GENERAL AGGREGATE LIMITS PRODUCTS - COMMERCIAL \$1,000,000 PERSONAL & AUTO \$1,000,000 EACH OCCURRENCE \$1,000,000 FIRE DAMAGE (Fire) 50,000\$ MED EXP (Med) EXCLUDED\$ COMBINED LIMIT \$ BODILY INJURY (per person) \$ BODILY INJURY (per accident) \$ PROPERTY DAMAGE \$								
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/>				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: \$ EACH ACCIDENT \$ AGGREGATE \$								
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/>				EACH OCCURRENCE \$ AGGREGATE \$								
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$								
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> EXCL <input type="checkbox"/> INCL				<table border="1"> <tr> <td>WC STATUTORY LIMITS</td> <td>OTHER</td> </tr> <tr> <td>EA EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>EA DISEASE-POLICY UNIT</td> <td>\$</td> </tr> <tr> <td>EA DISEASE-EACH EMPLOYEE</td> <td>\$</td> </tr> </table>	WC STATUTORY LIMITS	OTHER	EA EACH ACCIDENT	\$	EA DISEASE-POLICY UNIT	\$	EA DISEASE-EACH EMPLOYEE	\$
WC STATUTORY LIMITS	OTHER												
EA EACH ACCIDENT	\$												
EA DISEASE-POLICY UNIT	\$												
EA DISEASE-EACH EMPLOYEE	\$												
	OTHER												

Sample

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLE/SPECIAL ITEMS (LIMITS MAY BE SUBJECT TO DEDUCTIBLES OR RETENSIONS)

Additional Insured: *The City and County of Denver, its officers, officials, and employees.*

CERTIFICATE HOLDER

**City and County of Denver
 Public Works Permit Operations
 2000 W. Third Avenue, Room 107
 Denver, CO 80223**

CANCELLATION

Should any of the policies described herein be cancelled before the expiration date thereof the insurer affording coverage will mail 30 days written notice to the certificate holder named herein, But failure to mail such notice shall impose no obligation or liability of any kind upon the insurer, its agents or representatives.

Agents Signature



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Pushcart, Flower Bucket & Other Vending in the Right-of-Way Application

Application Date:	PWPO Staff Initials & Date Received:
Owner Name:	
Company Name:	
Full Mailing Address:	
Telephone #:	Alternate Phone #:
E-Mail Address:	
Owner's Signature:	Date:

Application for:

Pushcart Flower Bucket Other _____ Application Fee Amount & Receipt #

List products to be sold:

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Label Streets, Show Traffic Flow Directions, Landmarks, Corner Desired & Addresses of Surrounding Businesses.
Label Each Drawing With The Priority Number

<p>Priority # _____</p>	<p>Priority # _____</p>
<p>Priority # _____</p>	<p style="text-align: center;">COMMENTS</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

AUTHORITY: Article 49-XIV of the Revised Municipal Code

Approved By:	Title:	Date:
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CONSTRUCTION ENGINEERING / PWPO USE ONLY PUSHCART CHECKLIST

DENVER
THE MILE HIGH CITY

DATE:		INSPECTOR:	
ACTUAL SITE ADDRESS:			
CLOSEST APPROXIMATE SITE ADDRESS (Inspector - For Intersections Only):			
PICTURES ON FILE?		DATE PICTURES TAKEN:	
CHOICE(S):	#1 – APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>	#2 – APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>	#3 – APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>
REASON FOR DENIAL(S):	#1		
	#2		
	#3		

RMC # <small>(Revised Municipal Code)</small>	PROVISION	PASS	FAIL
39-11	300' FROM PARK OR RECREATIONAL FACILITY. It shall be unlawful to offer any goods, services or thing for sale within any park, parkway, mountain park or other recreational facility, or on the streets and sidewalks within three hundred (300) feet of the boundary of the same	<input type="checkbox"/>	<input type="checkbox"/>
49-538	OUTSIDE 16TH STREET MALL? For the purposes of the whole of this division, the 16th Street Pedestrian and Transit Mall shall mean the portion of 16th Street and an area north and south of 16th Street within fifty (50) feet of 16th Street between the west curb line of Broadway, which is twenty (20) feet east of the west property line of Broadway, and the southeasterly curb line of Wewatta Street, which is sixteen (16) feet west of the east right-of-way line of Wewatta Street	<input type="checkbox"/>	<input type="checkbox"/>
49-540.5	200' SAME GOODS/SERVICES W/DIRECT ENTRANCE? The location for which application for a permit is made; provided, that such location shall not be within two hundred (200) feet of a private establishment offering comparable goods or services located in a fixed premises with a direct entrance on the sidewalk; except as may be permitted under the provisions of section 49-541. The distance from a comparable establishment shall be measured along a continuous sidewalk but not crossing any street	<input type="checkbox"/>	<input type="checkbox"/>
40-541	REVIEW & INSPECTION		
	Only one (1) vendor at location	<input type="checkbox"/>	<input type="checkbox"/>
	5'-0" minimum sidewalk open for pedestrians (minimum 10'-0" in CBD)	<input type="checkbox"/>	<input type="checkbox"/>
	Not obstructing HCR, hydrant, sight triangle, RTD, etc.	<input type="checkbox"/>	<input type="checkbox"/>
	Not obstructing utilities, truck loading, handicap ramps or parking, etc.	<input type="checkbox"/>	<input type="checkbox"/>
	Not obstructing street furniture, signposts, lamp posts, parking meters, bus shelters benches, telephone booths planters, newsstands or newspaper vending devices, or hotel zones	<input type="checkbox"/>	<input type="checkbox"/>
	MISCELLANEOUS CONCERNS / COMMENTS:		
49-543.2	MORE THAN 1,000' FROM SCHOOLS. Not within one thousand (1,000) feet of the property line of any public or private, elementary or secondary school	<input type="checkbox"/>	<input type="checkbox"/>
49-545.1	DOES NOT EXTEND PAST AREA ALLOWED. The Pushcart, Flowercart, or other vending device shall occupy an area no longer than sixteen (16) square feet, and shall not exceed three (3) feet in width, excluding wheels, nor six (6) feet in length, including any handle, nor five (5) feet in height, excluding a canopy, umbrella or transparent enclosure. (Sec. 49-545.1).	<input type="checkbox"/>	<input type="checkbox"/>
<small>Agreement between the City and County Of Denver and the Colorado Rockies Baseball Club, Ltd. April 21, 1995</small>	OUTSIDE COORS FIELD RESTRICTION. No Pushcart, Flowercart, or other vending is allowed in the following area surrounding Coors Field: 20th Street to Market Street to Park Avenue West to Wynkoop Street, and back to 20 th Street	<input type="checkbox"/>	<input type="checkbox"/>