# 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
  - 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:**
July 27, 2022

**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 Department of Transportation and Infrastructure Permit Operations (DOTI PO).

**Affiliated Departments & Agencies:**
The following departments must be contacted when applying to DOTI PO for a location:

- **ZONING ADMINISTRATION:** 201 West Colfax Ave., 2nd Floor, Denver, CO 80202, 720-865-3000 or ZoningAdministration@denvergov.org
- **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 Food Mobile 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 fill out the Public Property Occupancy Revocable Permit Application completely. A $25.00 non-refundable application fee per application submittal is required at time of application submittal.

- 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 DOTI PO of application location(s) approval.
- Application packet is to be submitted to dotipermitoperations@denvergov.org.
**Permit Issuance:**
- Applicant must have current pictures of their cart with manufacturer dimensions and design specifications.
- Applicant must have a valid copy of the Retail Food Mobile 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 Licenses for all other sales.
- Applicant must provide proof of insurance—see Certificate of Insurance below.

**Certificate of Insurance:**
- Pursuant to the Denver Revised Municipal Code, Applicant must submit to DOTI PO 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 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: Additional Insured: The City and County of Denver, its Officers, Officials, and Employees. The City and County of Denver must also be listed as the Certificate Holder and must be stated as follows: City and County of Denver, DOTI Permit Operations, Denver, CO 80223
- 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.  
**NOTE:** Permittee will advise the City & County of Denver, Department of Transportation & Infrastructure in writing, by email to dotpermitoperations@denvergov.org a minimum of thirty (30) days in advance of any insurance modification or cancellation.

**Considerations for application:**

**LOCATIONS / RESTRICTED AREAS:**
- 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. (Sec. 49-543.1). Applicant shall confirm prior to submitting Pushcart Permit Application that the proposed permit location conforms to Zoning requirements.
- DOTI PO issues pushcart, flower cart, and other vending permits for outside the 16th Street Mall. 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: W. Property Line of 1st St., S. Property Line of the Alley between Market & Larimer, E. Property Line of Park Avenue West and the N. Property Line of Wynkoop extended to Park Ave. W. In addition, all of the sidewalk area along 2nd St. from the extended Wynkoop ROW to the N. Property Line of Chestnut St. is included in the Enhanced Enforcement Area. (Agreement between the City and County Of Denver and the Colorado Rockies Baseball Club, Ltd., April 21, 1995)
- No Pushcart, Flower Cart, or other vending device is allowed within the Denver Union Station (DUS) Boundaries or the Central Platte Valley (CPV) PUD District. (Zoning)
- No Pushcart, Flower Cart, or other vending device is allowed on any street or sidewalk within 300 ft of any Park, Parkway, Mountain Park, or other recreational facility.
- Vendors may NOT be within one thousand feet (1,000 ft) or any public or private, elementary or secondary school.
- All Pushcarts, Flower Carts, or other vendors shall not be within two hundred (200) ft 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.

**PUSHCART SPECIFIC REQUIREMENTS**
- 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. (Sec. 49-544.7). For pushcart and vending devices selling food or merchandise, not flower vending nor services.
- A copy of the current permit must be firmly attached and visible on the pushcart at all times.
- 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 Department of Transportation & Infrastructure 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.
- The permit is site specific and cannot be transferred to another business, person or location. The location is owned by the City and County of Denver and cannot be sold or assigned by the Permittee. 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.
- 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
Fees:

- Pushcart Application Fee (New or Location Change)-------------------------- $ 25.00
- Pushcart (per location)----------------------------------------------------- $ 25.00
- Flower Vendor Application Fee (New or Location Change)---------------------- $ 25.00
- Flower Vendors inside CBD (per location)------------------------------------- $ 270.00
- Flower Vendors outside CBD (per location)------------------------------------ $ 182.00

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

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### INSURED

**MUST HAVE NAME OF INDIVIDUAL, COMPANY & ADDRESS**

### 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.

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<th>CO</th>
<th>TYPE OF INSURANCE</th>
<th>POLICY NUMBER</th>
<th>POLICY EFFECTIVE DATE (MM/DD/YY)</th>
<th>POLICY EXPIRATION DATE (MM/DD/YY)</th>
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#### GENERAL LIABILITY
- **COMMERCIAL GENERAL LIABILITY**
- **CLAIMS MADE**
- **OWNERS & CONTRACTORS' LIAB**

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#### AUTOMOBILE LIABILITY
- **ANY AUTO**
- **ALL OWNED AUTOS**
- **SCHEDULED AUTOS**
- **Hired Autos**
- **Non-Owned Autos**

#### GARAGE LIABILITY
- **ANY AUTO**

#### EXCESS LIABILITY
- **OTHER THAN UMBRELLA FORM**

#### WORKERS COMPENSATION AND EMPLOYERS LIABILITY
- **THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE:**

#### OTHER

**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**

DOTI Permit Operations

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

<table>
<thead>
<tr>
<th>Application Date:</th>
<th>DOTI PO Staff Initials &amp; Date Received:</th>
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<tbody>
<tr>
<td>Owner Name:</td>
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<tr>
<td>Company Name:</td>
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<td>Full Mailing Address:</td>
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<tr>
<td>Telephone #:</td>
<td>Alternate Phone #:</td>
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<tr>
<td>E-Mail Address:</td>
<td>SIZE OF CART: L, W, H:</td>
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<tr>
<td>Owner's Signature:</td>
<td>Date:</td>
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</tbody>
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**Application for:**
- [ ] Pushcart
- [ ] Flower Bucket
- [ ] Other

Application Fee Amount & Receipt #

List products to be sold:


Label Each Drawing With The Priority Number

For downtown UNION STATION is North

![Diagram of direction labels]

For downtown UNION STATION is North

![Diagram of direction labels]

**COMMENTS:**

- [ ]
- [ ]
- [ ]
- [ ]

**PRIORITY# _____**

**AUTHORITY:** Article 49-XIV of the Revised Municipal Code

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

**DATE:**

**INSPECTOR:**

**ACTUAL SITE ADDRESS:**

**CLOSEST APPROXIMATE SITE ADDRESS (Inspector - For Intersections Only):**

**PICTURES ON FILE?**

<table>
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<tr>
<th>CHOICE(S):</th>
<th>#1 – APPROVED</th>
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**REASON FOR DENIAL(S):**  

| #1 | #2 | #3 |

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<th>RMC #</th>
<th>PROVISION</th>
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<td>39-11</td>
<td>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</td>
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<td>49-538</td>
<td>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</td>
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<tr>
<td>49-540.5</td>
<td>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</td>
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<td>40-541</td>
<td>REVIEW &amp; INSPECTION</td>
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- Only one (1) vendor at location
- 5’-0” minimum sidewalk open for pedestrians (minimum 10'-0” in CBD)
- Not obstructing HCR, hydrant, sight triangle, RTD, etc.
- Not obstructing utilities, truck loading, handicap ramps or parking, etc.
- Not obstructing street furniture, signposts, lamp posts, parking meters, bus shelters benches, telephone booths, planters, newsstands or newspaper vending devices, or hotel zones

**MISCELLANEOUS CONCERNS / COMMENTS:**

| SIZE OF CART – NOT MORE THAN 16 SQUARE FEET (length x width) |

**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.

**49-545.1** DOES NOT EXTEND PAST AREA ALLOWED. The Pushcart, Flower Cart, or other vending device shall occupy an area no larger than sixteen (16) square feet (length x width), and shall not exceed three (3) feet in maximum width, excluding wheels, nor six (6) feet in maximum length, including any handle, nor five (5) feet in height, excluding a canopy, umbrella or transparent enclosure. (Sec. 49-545.1).

Agreement between the City and County Of Denver and the Colorado Rockies Baseball Club, Ltd. April 21, 1995

OUTSIDE COORS FIELD RESTRICTION. No Pushcart, Flower Cart, or other vending is allowed in the following area surrounding Coors Field: W. Property Line of 19th St., S. Property Line of the Alley between Market & Larimer, E. Property Line of Park Avenue West and the N. Property Line of Wynkoop extended to Park Ave West. In addition, all of the sidewalk area along 20th St. from the extended Wynkoop ROW to the N. Property Line of Chestnut St. is included in the Enhanced Enforcement Area.

**DENVER UNION STATION RESTRICTION:** No pushcarts will be allowed in the Denver Union Station area per Zoning requirements.

**CENTRAL PLATTE VALLEY PUD:** No pushcarts will be allowed in the Central Platte Valley mixed use PUD district per Zoning requirements.