

ORDINANCE NO. 703, Amends Town Code Chapter 13.1, Article III, Section 13.1-43 (Application for vendor's permits) in relation to increasing the fee amount of vendor permit fees.

NOW, THEREFORE, BE IT ORDAINED by the Colonial Beach Town Council at its regular monthly meeting on the 29th day of January, 2020, that Town Code Chapter 13.1, Article III, Section 13.1-43 (Application for vendor's permits) shall be amended as follows:

“Sec. 13.1-43. - Application for vendor's permit.

(a) A vendor's s permit shall be valid from the time of issuance until the end of that calendar year. Applications for a vendor's permit shall be accepted beginning January 2 of each calendar year. The application for vendors who do not require health department certification for food items shall pay an annual fee of one hundred dollars (\$100.00). Vendors who do require health department certification for food items shall pay an annual fee of seven-hundred fifty dollars (\$750.00). In the event a vendor does not utilize their space for three (3) consecutive weekends, the applicant may be deemed to have forfeited his permit based on the determination of the town manager. All fees shall be paid in full prior to the issuance of a vendor's permit.

(b) Vendor permits shall be conditioned upon a list of available dates, which may exclude special events and holidays. These dates shall be uniformly applied to all vendor permits. One-time vending locations during the celebration of July 4th, Labor Day, or other holidays as designated by the town manager shall require a fee of two hundred fifty dollars (\$250.00), and shall be based upon space availability. The town manager may deny an application based on the need for a variety of products and wares, and to encourage the best use of town property.

(c) The use of loudspeakers, public address systems, amplified radios or other sound devices to attract the attention of the public shall be prohibited.

(d) The vendor shall be responsible for picking up, removing and disposing of all trash or refuse attributable to his vending.

(e) The vendor shall file with the town proof of liability insurance providing coverage for all claims for damage to property and bodily injury, including death, which may arise from the vending operation within the town with a combined single limit of liability of not less than fifty thousand dollars (\$50,000.00) per occurrence. Such policy shall be issued by an insurance company licensed to do business in the Commonwealth of Virginia. Said policy must contain an endorsement naming the town as an additional insured and providing the town with at least thirty (30) days prior written notice before any cancellation or termination.

(f) The vendor shall comply with all applicable health department regulations.

(g) The vendor shall be responsible for the provision of, and all charges resulting from, the need for and use of utilities, including but not limited to, electricity, water and sewer, trash disposal and telephonic services. The town manager may negotiate an agreement for such services provided that all costs and liabilities are covered.

(h) Vendors shall display all applicable permits and licenses at all times, while vending on boardwalk property.

(i) Vendor permits are not transferable and vendor spaces shall not be sublet to any other party under any circumstance.

This Ordinance shall take effect upon adoption.

THIS IS TO CERTIFY THIS IS A TRUE COPY OF AN ORIGINAL ORDINANCE, adopted by the Town Council at a Meeting of Council held Wednesday, January 20, 2020 at the Colonial Beach Town Center, with a quorum of Council being present.

Kathleen Flanagan, Town Clerk

Upon motion made by Mr. Alger and seconded by Mr. Leamon, Ordinance No. 703, as written, passed with a unanimous vote of council members present.

	<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>
<i>Blunt</i>	X		<i>Leamon</i>	X	
<i>Alger</i>	X		<i>Roberson</i>	X	
<i>Cirbee</i>	<i>Absent</i>		<i>Schick</i>	X	
<i>Eye</i>	X				