

VENDING CART POLICY
ADOPTED 7/17/90

- I. PURPOSE.** The purpose of these regulations is to provide a controlled means of allowing vending carts in the Town of Conway. Vending carts offer products and services to residents and visitors, but their uncontrolled proliferation could cause safety problems and could detract from the aesthetics and character of the Town.
- II. DEFINITIONS.** The following definitions shall apply:

 - A. Signage: any form of commercial message designed to attract attention, advertise, etc.
 - B. Vending Cart: a non-motorized, wheeled cart, designed for pushing as the sole form of locomotion, and designed with the capacity to store food/beverage products and used for retailing such goods. If the primary product sold is not food/beverage, then the cart shall not be considered a vending cart and shall be required to obtain Site Plan Approval from the Town.
- III. APPLICABILITY.** Every vending cart operating in the Town of Conway shall be responsible for obtaining a permit pursuant to this chapter, and shall be responsible for complying with these regulations and any additional terms of the permit.
- IV. LOCATION.** Vending carts are allowed only in locations which meet each of the following criteria:

 - A. Vending carts shall be allowed only in the Business District; and
 - B. Vending carts shall not be located in areas subject to vehicular traffic (i.e. parking lots, roads, driveway, etc.); and
 - C. Vending carts shall be permitted only on private property, with written authorization of the landowner provided at the time of application; and
 - D. Vending carts shall comply with the following minimum setbacks from property borders:

1. Village Commercial District	2. Highway Commercial District
a. 0' front setback	a. 25' front setback
b. 0' side setback	b. 10' side setback
- v. DENSITY.** One cart per lot shall be the maximum allowed, unless the lot has 300 or more feet of road frontage, in which case two vending carts shall be the maximum allowed.
- VI. DURATION.** Permits shall specify starting and ending dates, and the maximum duration shall not exceed 6 months.
- VII. SIGNAGE.** Signage shall be restricted to message and communication instruments which are a physical part of the cart. No separate signs are permitted.
- VIII. STATE APPROVAL.** Vending cart operators shall have in their possession a valid vending permit from the New Hampshire Department of Health.
- IX. PERMITTING.** The operator shall secure a Vending Cart Permit from the Board of Selectmen or their designated agent prior to commencement of operation. The operator shall complete the application form, which must be signed by both the operator and landowner. A fee of \$50.00 shall be paid at the time the application is submitted to the Town. Upon approval, the Board of Selectmen or their designated agent shall issue a permit, which shall be attached in a visible location on the vending cart.

Revised: 11/15/2016

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TOWN OF CONWAY
APPLICATION FOR A VENDING CART

Fee: \$50.00

VENDING CART OWNER/OPERATOR:

NAME: _____

MAILING ADDRESS: _____

DAYTIME PHONE: _____

EMAIL ADDRESS: _____

PROPOSED PRODUCT: _____

OWNER OF PROPERTY:

NAME: _____

MAILING ADDRESS: _____

DAYTIME PHONE: _____

PROPOSED LOCATION: _____

PID: _____ LENGTH OF ROAD FRONTAGE (IN FEET): _____

On the back of this form, please draw a sketch of the proposed vending cart location and set-up. Include traffic lanes and pedestrian access.

I hereby certify that, to the best of my knowledge, all information presented in this application is correct, and that this proposal complies with all relevant Town regulations. Further, if the application is approved, I realize that any deviation or change from what is described here will require a re-evaluation by the Town.

SIGNATURES:

Cart owner/operator Date

Property Owner Date

OFFICE USE ONLY

Fee Submitted with Application: \$ _____ CASH: _____ CK#: _____
File Number: _____ Name: _____
Date of Decision: _____
Approved by: _____