CITY OF BREVARD
VENDORS ON CITY PROPERTY POLICY

1. Purpose

The City of Brevard allows vendors with non-motorized pushcarts that are designed and equipped to sell food, beverages, or other goods directly to consumers at certain locations on public property.

The purpose of this policy is to regulate the operation of non-motorized pushcarts at designated locations on city-owned property to promote local entrepreneurship, enhance public space use, and ensure safety, accessibility, and cleanliness in public areas.

Note: This does not apply to vendors included as part of a permitted special event on public rights-of-way or a permitted temporary use on private property.

---

2. Locations

Vendors with non-motorized push carts are only allowed at the following locations:

- Clemson Plaza (1)
- Franklin Pool (1)
- Dog Park (1)
- City Sports Complex (1 – Soccer Field, 1 – Skate Park)

---

3. Reservation Requirements

When requesting a reservation, the applicant is required to provide the following:

- Completed application form
- Detailed cart design and dimensions
- Proof of insurance (see Section 7)
- Applicable business licenses and sales tax registration
- Health Department permit (if vending food or beverages)
- Payment of applicable fees
- Any other information required by the administrator

Mobile vendor reservations are limited to a period not to exceed 30 consecutive days at one location. After the reservation expires, the vendor shall not be allowed to reserve the same space for another 30 days.

---

3. Operating Requirements

- The non-motorized mobile vending cart (also known as a pushcart) cannot be connected to power. Any food preparation, if applicable, must take off-site.
- The dimensions of any outdoor mobile vending cart may not exceed the following:
    - 5 square feet in area

DRAFT

    - A maximum length or width of 10 feet.
    - A maximum height of 8 feet, including any umbrellas or protective coverings attached to the cart.
- No temporary structures, tents, tables, etc. are permitted with a temporary mobile vendor. Umbrellas or protective coverings may be permitted if attached to the cart.
- Mobile vendors may only operate during park hours. Vendors in Clemson Plaza may only operate between 9:00 AM to 10:00 PM. The vending cart and all associated equipment must be removed at the end of each day.
- No audio amplification is allowed as part of the outdoor mobile vending operations.
- The outdoor mobile vending cart must be located so the cart is:
    - At least 5 feet from the edge of any driveway, traffic lane, handicapped ramp, building entrance, exit or emergency exit;
    - At least 15 feet from any fire hydrant; and
    - Does not impede, endanger or interfere with pedestrian or vehicular traffic.
- The mobile vending cart operator or their designee must be present at all times, except in cases of an emergency.
- Each mobile vendor shall supply at least one waste receptacle which must be removed at the end of each day. All waste receptacles must be emptied at the end of each day and as necessary during the day. City trash receptacles shall not be used for the vendor's waste.
- Vendors must maintain professional behavior. No harassment of passersby or aggressive solicitation will be tolerated.

---

4. Assumption of Liability

For and in consideration of the use of any Vendor Location, the Responsible Party/Organization agrees to indemnify and hold harmless the City of Brevard, a local government entity, from and against any and all loss, damage, claim, demand, liability, or expense by reason of any damage or injury to property or person which may be claimed to have arisen as a result of or in connection with my/our organization's occupancy or use of said premises. Furthermore, I and/or our organization hereby agree to reimburse the City of Brevard for any and all costs to repair any and all damage that may be caused directly or indirectly to the facility during the time period of occupancy and/or use of said premises.

Failure to follow the rules and regulations as described in this Vendor Use Policy and Rental Agreement will result in forfeiture of deposit. Applicant will be responsible for all costs associated with damage incurred to the facility and grounds in excess of the security deposit.

---

5. Prohibited Activities

- Use of motorized equipment
- Sale of alcohol, tobacco, cannabis, hemp products, or controlled substances
- Sale of counterfeit goods or prohibited items
- Operation in non-designated areas or during prohibited hours

---

DRAFT

6. Cleanliness & Waste Disposal

Vendors are responsible for:

- Keeping their area clean during and after operation
- Proper disposal of trash and food waste
- Not dumping waste in public trash bins beyond reasonable use

Failure to maintain cleanliness may result in fines or permit revocation.

---

7. Insurance Requirements

Vendors must carry the following insurance:

- **General Liability Insurance**: Minimum of $1,000,000 per occurrence
- City of Brevard must be named as an additional insured
- Proof of insurance must be submitted with the application

---

8. Enforcement & Penalties

Violations of this policy may result in:

- Written warnings
- Fines up to $500 per violation
- Suspension or revocation of reservation
- Confiscation of cart if operating without a valid reservation

DRAFT