CITY OF
Marble Falls
TEXAS

PEDDLER, SOLICITOR AND VENDOR PERMIT APPLICATION REQUIREMENTS

The following is a list of documents required to be submitted to the City Secretary for consideration of a permit.

- ✓ COMPLETED APPLICATION
- ✓ AGREEMENT TO GRANT PERMISSION FOR USE OF PRIVATE PROPERTY FORM
- ✓ NOTICE OF PEDDLER/SOLICITOR/VENDOR ORDINANCE REGULATIONS - Signed by Applicant
- ✓ SITE PLAN OF SUBJECT PROPERTY. Site plan must indicate where the vendor will be located in relation to property lines, adjacent right-of-way, adjacent buildings, and the location of two 9x18 foot onsite parking spaces with a 20-foot backup lane. Permit will not be issued if it results in a reduction in the number of required parking spaces serving an existing business. Any device used for the display or storage of articles offered for sale by a peddler/solicitor/vendor must be located at least ten (10) feet away from all other property lines adjacent to a street.
- ✓ CURRENT COPY OF VEHICLE'S PROOF OF LIABILITY INSURANCE if motor vehicle will be used in soliciting/peddling/vending.
- ✓ CURRENT COPY OF STATE OF TEXAS SALES AND USE TAX PERMIT, including written documentation from the State Comptroller that all sales tax that may be due and owing by the vendor has been paid in full.
  The following are exempt from having to present a Sales and Use Tax Permit:
  (1) Any peddler or vendor engaged in interstate commerce.
  (2) Farmers who sell agricultural products that were raised or grown by them.
  (3) Nonprofit organizations.
  (4) Any other business or activity exempt by the Texas State Comptroller from collecting state sales tax.
- ✓ CURRENT COPY OF MOBILE FOOD VENDOR LICENSE OR ROADSIDE FOOD VENDOR LICENSE issued by the State of Texas Department of Health Services for vendors engaged in the sale or distribution of food or beverages.
  The following are exempt from having to present a State of Texas Mobile Food Vendor License or Roadside Food Vendor License:
  (1) Farmers who sell agricultural products that were raised or grown by them.
  (2) Nonprofit organizations.
- ✓ PERMIT FEES (valid for the calendar year in which the permit is issued):
  One person - $50.00 Two (2) or more persons - $100.00

Please note that a copy of the application for permit will be referred to the Chief of Police who will undertake an investigation of the applicant's record and background such as shall be reasonably necessary to protect the public. An application for permit may be reasonably denied if applicant is currently wanted on warrant for arrest, or if the applicant has been convicted of a felony involving theft, fraud, bribery, or perjury.

Determination shall be made within five (5) working days of receipt of this application. Incomplete applications will not be accepted.

RETURN COMPLETED APPLICATIONS TO:
Christina McDonald, City Secretary • City of Marble Falls
800 Third Street • Marble Falls, TX 78654
Phone: 830/693-3615 • Fax: 830-693-6737 • cmcdonald@ci.marble-falls.tx.us

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800 Third Street • Marble Falls, TX 78654
Phone: (830) 693-3615 • Fax: (830) 693-6737
E-mail: cmcdonald@ci.marble-falls.tx.us

PEDDLER/SOLICITOR/VENDOR PERMIT APPLICATION

Date_____

COMPANY/ORGANIZATION

Company/Organization Name: _____
Address: _____
Telephone Number: _____ Fax Number: _____
Complete list of goods to be sold and/or services delivered: _____
_____
_____

APPLICANT

Applicants Name: _____
Address: _____
_____
Hm. Phone: _____ Wk. Phone: _____ Cell Phone: _____
Date of Birth: _____
Driver's License Number: _____ State: _____ OR
Social Security Number: _____, and Official Government Issued Picture
Identification Card Number:_____

Have you ever been convicted of a felony involving theft, fraud, bribery, or perjury? ☐Yes ☐ No

If answer is yes, please give full statement as to the place of conviction and the crime for which you were convicted
_____
_____

I swear or affirm that the above statements are true and correct.

_____
Applicant's Signature

VEHICLES TO BE USED IN SOLICITING

Vehicle #1:
Year _____ Make/Model _____ License Plate No. _____ State_____

Vehicle #2:
Year _____ Make/Model _____ License Plate No. _____ State _____

APPLICANT'S ASSOCIATES

ASSOCIATE #1 Name: _____
Address: _____
_____
Hm. Phone: _____ **Wk. Phone:** _____ **Cell Phone:** _____
Date of Birth: _____
Driver's License Number: _____ **State:** _____ **OR**
Social Security Number: _____, **and Official Government Issued Picture Identification Card Number:** _____

I swear or affirm that the above statements are true and correct.

_____
Applicant's Signature

ASSOCIATE #2 Name: _____
Address: _____
_____
Hm. Phone: _____ **Wk. Phone:** _____ **Cell Phone:** _____
Date of Birth: _____
Driver's License Number: _____ **State:** _____ **OR**
Social Security Number: _____, **and Official Government Issued Picture Identification Card Number:** _____

I swear or affirm that the above statements are true and correct.

_____
Applicant's Signature

ATTACHMENTS: (Incomplete applications will not be considered)
- ❑ **Agreement to Grant Permission for use of Private Property Form**
- ❑ **Notice of Peddler/Solicitor/Vendor Ordinance Regulations**
- ❑ **Site Plan of Subject Property**
- ❑ **Current copy of Vehicle's Proof of Liability Insurance**
- ❑ **Current copy of State of Texas Sales and Use Tax Permit**
- ❑ **Current Copy of Mobile Food Vendor License or Roadside Food Vendor License**

FOR CITY USE ONLY:
Date Received: _____
Application Denied: _____
Application Approved: _____
Comments: _____
Permit #(s): _____ **Date Issued:** _____ **Fee:** _____ **Pd:** ☐ Ck ☐ Cash

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AGREEMENT TO GRANT PERMISSION FOR USE OF PRIVATE PROPERTY
FOR
SOLICITING, PEDDLING AND VENDING ACTIVITIES

I, _____ (printed name), am the owner of property located at _____ (address), Marble Falls, Texas.

As property owner, I understand that the solicitor/peddler/vendor has applied to the City of Marble Falls for a permit to conduct soliciting/peddling/vending activities on the above referenced property, and that my written permission is required for the City of Marble Falls to issue the permit to the applicant as per City Ordinance, Chapter 16, Section 16-10.

I have granted permission for _____ (name of permit applicant [solicitor/peddler/vendor]) to conduct soliciting/peddling/vending activities on my property.

_____ _____
Signature of Property Owner Date

_____
Printed Name of Property Owner

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NOTICE OF PEDDLER/SOLICITOR/VENDOR ORDINANCE REGULATIONS

(To be signed and attached to application)

PERMIT ~ It shall be unlawful for any peddler, solicitor or vendor to engage in the business of selling, displaying, offering for sale of any food, beverages, goods, services, or merchandise within the City of Marble Falls without first obtaining a permit from the City Secretary. Peddler, solicitors and vendors and their associates will be issued a permit ID card by the City Secretary showing the individual's name, the address wherein the vending business is to be conducted, the individual's driver's license number and the effective period of the permit and shall display the permit ID card on their person at all times.

PERMITTED HOURS OF OPERATION ~ Vendors shall be allowed to engage in the business of vending only between the hours of 7:00 am and 7:00 pm or as approved by the City Manager or his/her designee. All stands and other vending operations must be removed during non-operating hours.

SIGNAGE ~ Peddler/Solicitors/Vendors shall be allowed a single temporary detached sign to advertise the business, subject to the following standards:

- A peddler/solicitor/vendor may have a maximum of two signs upon the vehicle or peddler/solicitor/vendor structure. A third sign is allowed upon the vehicle/structure, however the third sign shall constitute the allowed single detached sign. If two signs or less are utilized on the vehicle structure, then the peddler/solicitor/vendor shall be allowed the single temporary detached sign subject to standards below.
- The sign must remain temporary and no permanent installation shall be allowed unless permitted under the City of Marble Falls Sign Ordinance. The sign should be anchored or stabilized to prevent wind damage.
- Height of the sign shall not exceed six feet from the surface of the ground.
- Overall sign dimensions shall not exceed 24 square feet. Sign may be dual sided.
- Sign must be a minimum of 5 feet from the property line or curb, whichever is greater.
- Signs may not:
    - block a sidewalk or other pedestrian path.
    - impede access to/from a mail box.
    - block a driveway or be located in the turning radius of a driveway
    - be set up in an area where the visual triangle of a driveway would affected
    - be within 10 feet of a fire hydrant.

- All Peddler/Solicitor/Vendor signs may not be electronic or have any flashing component(s) upon the sign surface. Battery operated internally lighted signs are allowed.
- All signs must be constructed of weatherproof materials and shall not be constructed of any of the following: Paper, canvas, cloth, cardboard, Styrofoam, or sheet metal.

STANDS ~ Vendor stands and/or motor vehicles shall not:

- Exceed 25 feet in total length, 10 feet in width or 13 feet in height;
- Impede access to the entrance or driveway of an adjacent building.

HANDICAPPED AREAS ~ No vendor shall conduct business within 20 feet of any handicapped parking space or access ramp.

PROHIBITED AREAS ~ A vending permit issued pursuant to this ordinance is not valid in public ways or in public places of the City of Marble Falls. Vendor stands and motor vehicles are prohibited within 20 feet of a fire hydrant, fire escape, loading zone or driveway of a fire station, police station or hospital.

REMOVAL OF TRASH ~ All trash or debris accumulating within 50 feet of any vending stand shall be collected by the vendor and deposited in an authorized trash container. All vendors selling food or beverages must provide at least one trash receptacle adjacent to or as a part of their stand.

NOISE ~ No vendor may sound any device, which produces a loud and raucous noise, or use or operate any loudspeaker, public address system, radio sound amplifier, or similar device to attract public attention.

QUARTERLY SALES AND USE TAX REPORTS ~All vendors shall provide a copy of their quarterly report of sales and use tax receipts to the City Secretary within 30 days of completing such reports.

MOTOR VEHICLES ~ No vendor vending from a motor vehicle shall:

- Stop, stand or park within 20 feet of any intersection;
- Conduct business in such a way as would increase traffic congestion or delay, constitute a hazard to life or property, interfere with an abutting property owner or obstruct access to emergency vehicles.

Peddling, soliciting, or vending at any residence or building which has posted a "No Peddlers" or "No Solicitors" sign is prohibited.

ANY PERMIT ISSUED UNDER THIS ORDINANCE MAY BE SUSPENDED OR REVOKED FOR ANY OF THE FOLLOWING REASONS:

- Fraud or misrepresentation in the application.
- Fraud or misrepresentation in the course of conducting the business of vending.
- Conducting the business of vending in any way contrary to the provisions of this ordinance.
- Conducting the business of vending in such a manner as to create a public nuisance or constitute a danger to the public health, safety or welfare.
- Conviction of any felony offense or any misdemeanor offense involving moral turpitude while holding a peddler/solicitor/vendor permit from the City of Marble Falls.
- Suspension or cancellation of any license issued by the Texas Department of Health Services.
- Arrears (90 days or more) of sales and use tax due the State Comptroller.
- Failure to submit quarterly sales tax report to the City Secretary pursuant to Sec. 16-11(7) above.
- Violation of any city ordinance or law of the state in connection with any soliciting or selling by the peddler/solicitor/vendor.

I hereby understand and agree to abide by the above rules and regulations.

_____ _____

Applicant Date