

Memorandum



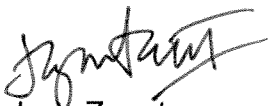
DATE November 10, 2011

TO Honorable Members of the Quality of Life Committee: Angela Hunt (Chair),
Sandy Greyson (Vice Chair), Monica Alonzo, Dwaine Caraway, Carolyn R. Davis

SUBJECT Downtown Vending Briefing

On Monday, November 14, 2011, you will be briefed on Downtown Vending.
The material is attached for your review.

If you have questions or need additional information, please let me know.



Joey Zapata
Interim Assistant City Manager

Attachments

cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Rosa A. Rios, Acting City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge Municipal Court
A.C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Forest E. Turner, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Office
Helena Stevens-Thompson, Assistant to the City Manager



Dallas Code Compliance, what it all means
COMMUNITY



Downtown Vending

Quality of Life Committee

November 14, 2011

Purpose

- ▶ Review proposed amendments to street vending regulations designed to foster vibrant streets and public spaces

Background

- ▶ Street vendors are regulated in Chapter 50, Article XII of the Dallas City Code
 - Protects public health, safety, and welfare through regulation of vendors operating on public or private property in Dallas and selling items such as:
 - Food/Drinks
 - Flowers and Plants
 - Souvenirs/Trinkets
 - Handcrafted Goods
- ▶ Street vending contributes to creating vibrant streets and public spaces
 - Provisions concerning street vendors have not undergone substantive revisions for over 20 years

Background

- ▶ Downtown stakeholders offered a series of recommendations to expand street vending
 - Downtown Dallas Inc.
 - Dallas Arts District
 - West End Association
 - DART
- ▶ Staff proposes initial changes designed to:
 - Foster more vending in the CBD
 - Enhance the quality of vendors
- ▶ Additional issues, such as entertainment licenses, will be considered in February 2012

Fostering More Vending in CBD

- ▶ An annual **CBD Concession License** is required of all vendors to sell in the CBD, on both private and public property
- ▶ To encourage active vending in the CBD:
 - Establish deadlines for application renewals and updates
 - Revoke licenses for failure to comply
- ▶ Concession licenses are not transferable
 - Clarify code to prohibit sale, sublease or assignment to others.

Fostering More Vending in CBD

- ▶ A CBD Location Permit is required only if vendors want to sell on public property in the CBD
- ▶ To encourage active vending in CBD:
 - Require minimum hours of operation: 15 total hours over the span of at least 4 days per week
 - Use a lottery system when multiple vendors apply for a location
- ▶ Remove restriction on the number of years a vendor can operate at a specific site

Fostering More Vending in CBD

- ▶ Develop inter-local agreement with DART to determine vending locations in the Transit Mall
 - City will retain all enforcement and regulatory functions for vendors in this area
 - DART would be responsible for marketing the Transit Mall

Fostering More Vending in CBD

- ▶ Expand hours for vending operations to 6 a.m. – Midnight
 - Existing code allows vending from 6 a.m. to 8 p.m.
- ▶ Remove restrictions on vending near schools in CBD
- ▶ Allow selling potted plants, vegetables or fruits in the CBD outside of Farmers Market
 - Requires amendment to Chapter 29 of the City Code

Enhancing Vendor Quality

- ▶ Strengthen regulations against aggressive selling by requiring sale of goods within five feet of the cart
- ▶ Establish fees and requirements for issuing photo identification badges for all concession licensees and their workers
- ▶ Require that cost of merchandise for sale be legibly marked and visible to customers

Enhancing Vendor Quality

- ▶ Require that the city telephone number for complaints against vendors be legibly marked on carts
- ▶ Establish a minimum dress code for vendors
- ▶ Prohibit smoking while operating a cart
- ▶ Prohibit use of public trash receptacles by vendors
- ▶ Increase minimum fines to \$100 for the first offense and \$200 for an additional offense in a 12-month period

Next Steps

- ▶ Prepare draft ordinance
- ▶ Review and consult with stakeholders
- ▶ Schedule ordinance for consideration on City Council agenda
- ▶ Additional issues, such as entertainment licenses, will be considered in February 2012