



TOWN OF GARLAND MOBILE VENDING ORDINANCE

ARTICLE I. PURPOSE

This ordinance aims to regulate mobile vendors to protect the public's health, safety, and welfare.

ARTICLE II. DEFINITIONS

Mobile Vendor: Any person engaged in selling, or offering for sale food, beverages, or merchandise from a mobile vending unit, on the streets or sidewalks of the Town or Town property.

Mobile Vending Unit: A movable cart, trailer or vehicle, or other device designed to be portable and not permanently attached to the ground.

Vendor Permit: Permit received from the Town Clerk upon satisfaction of Vendor Permit Checklist.

Vendor Permit Checklist: Checklist outlining the documentation and other steps needed to be in place to issue a Vendor Permit.

ARTICLE III. PROCESS

Section 1. Permit Required

- A. It shall be unlawful for any mobile vendor to sell, display, or offer any food, beverages, goods, or merchandise within the Town without obtaining a mobile vendor permit.
- B. Exemptions: The provisions do not apply to caterers transporting food or beverages to a residence or business.
- C. Applications for all mobile vendor permits shall be made in writing to the Town Clerk and shall contain the following information:
 1. The name, mailing address, and phone number of the applicant; and the name, mailing address, and phone number of the owners of the mobile vending unit to be used, other than the applicant.
 2. A specific description of vending operation, including the type of food, beverage, or merchandise to be sold, the hours of operation, and the method of refuse disposal.
 3. A description and/or photograph of the mobile vending unit and other accessory items (coolers, umbrellas, signs, etc.) to be used as a part of the vending operation.
 4. The specific location(s) where the mobile vendor intends to conduct business. Applicants operating without a fixed location and who are operating as a travel vendor will be required to submit a statement outlining their proposed route.



5. Any additional information that may be needed by the Town Clerk in issuing the permit, including but not limited to copies of the required State licenses and approvals and proof of the applicant's general liability insurance in an amount of not less than \$500,000. Mobile Food Vendors must show proof of general liability insurance at an amount of not less than \$1,000,000. Copies of these items will be filed with the Town Clerk.
- D. Fees for permits will be set by the select board. There will be no use of town property without approval by the select board.
- E. The Town Clerk shall grant a permit unless they find that the issuance of the permit will be detrimental to the public health, safety, or welfare or violate municipal ordinances, rules, regulations, articles, or bylaws.

Section 2. Inspections

Mobile vendors shall be subject to periodic inspections by the Local Health Officer or Code Enforcement Officer to ensure compliance with health regulations, zoning or safety regulations, and license conditions. The Town Clerk may revoke the mobile vendor permit of any permit holder in the municipality who refuses to allow any such officer, official, or employee to inspect or take sufficient samples for analysis or who interferes with such officer, official, or employee while in the performance of their duties.

Section 3. Suspension or Revocation of a Permit

The Town Clerk may suspend or revoke any mobile vendor permit which has been issued under this ordinance on the grounds that the permit or permittee constitutes a detriment to the public health, safety, or welfare, violates the terms of the license, or this ordinance or any other municipal or state law, ordinance, rules or regulations, or for misrepresentation on information in the application.

Section 4. Permit

Any permittee requesting a mobile vendor permit from the Town Clerk shall be notified in writing of their decision no later than thirty (30) days from the date the request was received. If an applicant is denied a permit, the applicant shall be provided with the reason for the denial in writing. The applicant may not reapply for a permit within thirty (30) days after an application is denied. A decision of the Town Clerk on a permit application must be appealed to the Board of Appeals within 30 days of the date of the Clerk's written decision.

ARTICLE IV. PERFORMANCE STANDARDS

Section 1. Permitted Merchandise

Sales of items from a mobile vendor is limited to the following:

- A. Food and non-alcoholic beverages.
- B. Flowers or seasonal items such as Christmas trees and wreaths.
- C. Souvenirs or handcrafted items or items directly related to the mobile vendor, such as t-shirts or coffee cups with the vendor's logo.



- D. Other items as approved by the Select Board.

Section 2. Location

- A. Mobile vendors will not be situated or so located in a way that will obstruct the free passage of EMS services, pedestrians or vehicles, or an entrance or exit at any time. Vendors are responsible for ensuring and enforcing this.
- B. Mobile vending units may not be parked overnight on town roads or in town parking lots unless with the specific permission of the Town Clerk. The Town is not responsible for any damage to the unit (s) and shall be held harmless.

Section 3. Size

- A. A mobile vending unit shall not exceed twenty (20) feet in length.

Section 4. Sound

- A. Generators, or other equipment if used, shall not produce sound more than 80 decibels at a distance of six (6) feet from any point of the exterior of the mobile vending unit.

Section 5. Maintenance

- A. The area around the vendor shall be kept clean and free of litter, garbage, and debris within a radius of 25 feet from the vending unit.
- B. At least one trash receptacle must be provided by the vendor and removed at the end of each day.

Section 6. Hours of Operation

- A. A mobile vendor may only operate between the times of 7:00 am and 10:00 pm
- B. After sunset, auxiliary lighting with a minimum of 1000 lumens are required.
- C. Hours of operation may be adjusted at the discretion of the Town Clerk.

Section 7. Signs

Signs shall not obstruct visibility of vehicle or pedestrian traffic nor be detrimental to public safety or welfare.

ARTICLE IV. PENALTY, SEPARABILITY & EFFECTIVE DATE

Section 1. Penalty



Whoever violates any of the provisions of this ordinance shall be punished by a fine of not more than \$500.00 for the first offense and up to \$1,000 for each subsequent violation, to be recovered on complaint, to the use of the Town of Garland. Additionally, a permittee with more than one offense will lose their permit for a period of one (1) year.

Failure to report a loss of any state-issued business license and/or liability insurance will result in the above-listed fines and loss of permit for one (1) year.

Section 2. Separability

The invalidity of any provision of this ordinance shall not invalidate any other part.

Section 3. Effective Date.

This ordinance shall become effective when adopted by a majority vote at the Town Meeting.

Enacted: _____

Garland Select Board

Regina M. Fick
Regina Fick, Select Board Chair

2/26/2025
Date

Nova Watson
Nova Watson, 2nd Seat

Teresa Scott
Teresa Scott, 3rd Seat

Public Hearing held on: December 17, 2024

Attest: A true copy of an ordinance entitled "TOWN OF GARLAND MOBILE VENDING ORDINANCE", as certified to me by the municipal officers of Garland on the 26 day of February, 2025.

Signature: Lesley A Maynard
Lesley A Maynard, Town Clerk of Garland

And I have this day 27 of February, 2025, posted one copy of an ordinance entitled "Town of Garland Mobile Vending Ordinance", attested by the municipal clerk, with the warrant(s) at the same place(s).

Signature: Ami Kertz



Town of Garland
Mobile Vendor Application

Name of Business:	
Business Contact:	
Phone:	Email:
Mailing Address:	

Description of Vending Operation

*specify the type of food, beverage, or merchandise vendor will be selling

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Description of Mobile Vending Unit (attach photos if available)

*size of mobile unit (cannot exceed 20 feet in length)

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Specifications
Items around Mobile Vending Unit

	Yes	No
Will you be using a generator at your vending station? *shall not exceed 80 decibels at a distance of six feet*		
Do you have additional items you will have at your vending station?		
*Coolers – max of 2		
*Tables – max of 2 tables to seat 4 people each		
*Trash receptacle (REQUIRED)		
*Sandwich Board Sign – may not exceed eight square feet		
*Auxiliary Lighting for after dark hours – minimum 1000 lumens		

Items on Mobile Vending Unit

	Yes	No
Sign attached to vending station – may not exceed eight square feet		
Menu Sign – may not exceed four square feet		

Location of Mobile Vending Unit

* Additional information regarding hours of operation, placement of mobile vending unit, and other specific rules may be found in the Town of Garland Mobile Vendor Ordinance, available at the Garland Town Office.

Applicant Signature: _____ Date: _____

For Use by Garland Town Office Only

Approved On: _____ by _____

Permit Fee: _____ Permit Donation: _____

Denied On: _____ by _____

Applicants may reapply on _____ (30 days from denial)

Reason for Denial: _____