



STREET VENDOR RULES AND REGULATIONS

125 N. Court Street Fayetteville, WV 25840

(304) 574-0101 / Fax (304) 574-3765

www.fayettevillewv.gov

Effective August 5, 2021 **Town Code 780.01**: A Food or Beverage Vendor is any person, partnership, or corporation, that engages in or conducts, either as principal or agent, a business selling food, confectionery or drink upon any street, sidewalk or public park, including food trucks, food trailers, or any other conveyance used for one of the aforesaid purposes. **780.02** Licensing, operation without license unlawful, failure to display license unlawful **780.02 (a)** All Food and Beverage Vendors are required to obtain a business license from the Town Treasurer before engaging in business within the Town of Fayetteville.

1. No Food and Beverage Vendor shall sell or offer for sale any food, confection, or drink except in designated areas as prescribed by the Town Superintendent in the Permit.
2. No Food and Beverage Vendor shall in any way block, obstruct or restrict the free passage of pedestrians or vehicles in the lawful use of the sidewalks, streets or public places or ingress or egress to the abutting property.
3. No Food or Beverage Vendor shall vend onto the sidewalk or open space which is not within the street.
4. The Food or Beverage Vendor shall be responsible for removing all manner of trash or debris associated with its sales within the area where those sales take place.
5. The Food or Beverage Vendor shall at all times exercise reasonable care their business operation shall not create a safety or health hazard to customers or other persons using the public street, sidewalks or public places, or to persons on or in abutting property.
6. The hours of operation shall be from 6:00 AM-11PM.
7. Any audio by the Vendor shall be in such a manner of volume to be controlled so as not to annoy or disturb the quiet comfort and repose of store owners, employees, patrons or residents and shall be subject to other provisions of the Codified laws of the Town.
8. No Food or Beverage Vendor shall occupy more than two designated parking spaces. South Court Street is restricted from use.
9. Any Food or Beverage Vendor operating during a fair, festival or other Town sanctioned event in the Town where other vendors are participating must obtain the same type of permit and pay any fees required of the vendors for the fair, festival or Town sanctioned event and the license issued pursuant to the provisions of this Article shall not exempt such vendor from compliance with any special rules or regulations for the festival or public event.

The Town Superintendent or their designee may conduct site checks to determine if vendors are in compliance with the above rules and regulations. The violation of any provision contained in this Article shall be punishable in the Municipal Court of the Town for such violation with a fine Not to exceed \$500 for each violation thereof.



STREET VENDOR APPLICATION

125 N. Court Street Fayetteville, WV 25840
(304) 574-0101 / Fax (304) 574-3765
www.fayettevillewv.gov

OFFICIAL USE ONLY

Fiscal Year _____
License No. _____
New _____ Renewal _____
Date Issued _____

FULL NAME OF BUSINESS: _____

CORPORATION NAME: (if applicable) _____

BUSINESS MAILING ADDRESS: _____

BUSINESS PHONE #: _____ OWNER/OPERATOR'S PHONE #: _____

STREET VENDOR CLASSIFICATION:

- **A.** (all food products that do not require cooking, such as whole fruits, vegetables and non-perishable food items that are pre-packaged by the manufacturer)
- **B.** (all food products that require cooking, heating or a health permit)

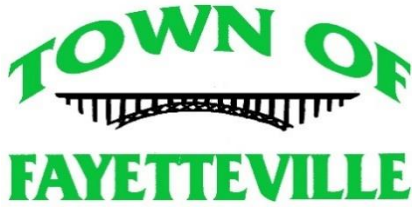
Each of the following requirements for street vendors must be provided at the time of application:

- **\$75 APPLICATION FEE (NOTICE: Your license will expire June 30th of each year)**
- **CURRENT TOWN OF FAYETTEVILLE BUSINESS LICENSE**

For Classification B only:

- **HEALTH DEPARTMENT PERMIT** (valid certification issued by the Fayette County Health Department)

No person licensed as a street vendor shall demonstrate, sell, offer for sale or barter goods, wares, merchandise, food, confection or drink upon any street or sidewalk or any other Town owned property within the Town except in accordance with the rules and regulations.



STREET VENDOR SITE CHECK FORM

125 N. Court Street Fayetteville, WV 25840
(304) 574-0101 / Fax (304) 574-3765
www.fayettevillewv.gov

OFFICIAL USE ONLY
Business License No. _____
Vendor License No. _____
Citation No. _____
within last 90 Days

INSPECTION DATE: _____ TIME: _____ LOCATION: _____

FULL NAME OF BUSINESS: _____

CORPORATION NAME: (if applicable) _____

BUSINESS MAILING ADDRESS: _____

BUSINESS PHONE #: _____ OWNER/OPERATOR'S PHONE #: _____

STREET VENDOR CLASSIFICATION:

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- **B.** (all food products that require cooking, heating or a health permit)

Violations exist in the following areas (see rules and regulations for reference):

- **VALID LICENSES AND PERMITS**
- **OUTSIDE APPROVED VENDING LOCATION**
- **OBSTRUCTION OF PEDESTRIAN OR VEHICLE PASSAGE**
- **OPERATING OUTSIDE PERMITTED TIMES**
- **FAILURE TO MAINTAIN LITTER AND/OR HAZARD FREE AREA**
- **OPERATE WITHIN A FAIR, FESTIVAL OR OTHER TOWN SANCTIONED EVENT**
- **EXCESSIVE OR OFFENSIVE NOISE**

DETAILS OF VIOLATION(S) INDICATED ABOVE:

Per **Town Ordinances 1317.03/1331.02 (b), adopted 8-5-2021**, you have to correct the violation cited above. In the event there are violations of any rules or regulations prescribed and the violation remains uncorrected or there are more than three (3) violations of the same rule, the Town Superintendent may revoke the license of the vendor. The vendor may appeal the revocation to the Town Council by filing a written objection within five (5) days of the revocation with the Town Recorder. Within twenty (20) days of the filing of the objection, Town Council shall convene at a Special Council meeting for the sole purpose of conducting a hearing to determine if the revocation was appropriate or not. The violation of any provision contained in the Article, shall be punishable in the Municipal Court of the Town for such violation with a fine not to exceed \$500 for each violation.

Town Superintendent