

TOWN OF TAOS

ITINERANT VENDOR PERMIT

APPLICATION PACKET

PLANNING, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT



ITINERANT PERMIT APPLICATION

Planning, Community and Economic Development Department
 400 Camino de la Placita
 Taos, NM 87571
 Phone (575-751-2016
 Fax (505) 751-2026



CASE NO IV20 _____ - _____

PROPERTY OWNER INFORMATION

Name			
Mailing Address			
City ST ZIP Code			
Telephone Number		Cell Phone	
E-Mail Address			

PROPERTY INFORMATION

Subject Property Address			
Acreage of Subject Property		Zone	
Number of Parking Spaces			
Access Road			

ITINERANT VENDOR INFORMATION

Itinerant Vendor Business Name			
Itinerant Vendor Business Owner Name			
Mailing Address			
City ST ZIP Code			
Telephone Number		Cell Phone	
E-Mail Address			
New Mexico CRS Number (Hard copy of CRS # must be attached)			
Length of Time Proposed (Not to exceed 90 days)	From: _____ To: _____	Days and hours of operation	
Description of Itinerant Vendor Business			

VEHICLE INFORMATION

Make		Model		Year	
License Plate #		State		Vehicle Identification #	

APPLICANCE/EQUIPMENT INFORMATION (Food Vendors only)

Will propane be used? (Circle one) YES NO

Make		Model		Serial #	
Description					
Make		Model		Serial #	
Description					
Make		Model		Serial #	
Description					

ITINERANT VENDOR PERMIT APPLICATION SUBMITTAL CHECK LIST

The following submittals are required in order to be considered for an Itinerant Vendor Business Permit. Please complete and submit this completed application along with the required documentation as outlined in Section 5.12, Article II Vendors, Peddlers and Solicitors of the Town of Taos Municipal Code. Complete application packets shall be submitted to the Planning, Community and Economic Development Department. Incomplete, inadequate or late submittals will result in delay or rejection of the request for an Itinerant Vendor Permit. Please contact staff with questions regarding the submittals required herein.

***NOTE: ALL DRAWINGS MUST BE DRAWN TO SCALE**

- Completed Itinerant Vendor Permit Application
- Itinerant Vendor Permit Application fee - \$35.00
- Fire Inspection fee - \$25.00
- Written lease or written permission of the owner of the property from which sales are to be made to be dated not more than sixty (60) days prior to the date of the application.
- Proof of property ownership – (Copy of registered deed)
- Vicinity Map
- Site Plan (minimum size 24” by 36”, minimum scale 1” = 20’). Site plan shall depict all existing and proposed structures, setbacks, parking area, right-of-way and other applicable strict/standard requirements
- Submit a narrative explaining the type and quality of the goods, wares or merchandise to be sold or offered for sale by applicant in the town, and the cost of such goods, wares and merchandise
- Food Certificate from the New Mexico Environment Department (Food Vendor)
- Approved Fire Inspection from the Town of Taos Fire Marshal (Food Vendor)
- All food vendors using propane must receive an inspection from the New Mexico LP Bureau and must adhere to the New Mexico Regulations and Licensing Department LP Gas Bureau Rules and Regulations for LP Gas (attached) before any new or renewal Itinerant Vendor Permit is issued. Must submit inspection approval with application
- If any propane appliance or equipment is replaced a new inspection from the New Mexico LP Bureau must be completed and the new appliance or equipment information must be submitted to

the Planning, Community and Economic Development Department along with the new inspection approval

- All food vendors that offer food for sale shall be required to have an approved grease trap or proof that the grease is being disposed in an approved grease trap
- All vendors shall be required to dispose of garbage at an approved sanitary container, dumpster, etc.
- Submit a narrative explaining how the Itinerant Vendor Permit applied for will meet the requirements of Article II of Section 5.12 Itinerant Vendors, Peddlers and Solicitors. (The Itinerant Vendor Permit will not create a danger to the public health, safety or welfare, nor cause an extraordinary expense, nor create a nuisance.)
- Submit a brief description of the sign(s) to be used for advertising done or proposed to be done in order to attract customers which shall comply with the sign ordinance. No more than two (2) signs, totaling no more than twelve (12) square feet. A-Frame signs are permitted.

Agreement and Signature

I, the undersigned, understand that any discussions and/or other communications between any authorized representative for this application and any/all Town of Taos Staff members regarding this application do not constitute the entire review of this application and that additional and/or alternate conditions and/or requirements above and beyond those that may have been discussed may be required. I also realize that failure to include applicable application material(s) may result in the rejection of my application or delays in the approval process. I also certify that the signature(s) affixed to this application are those for the property owner and authorized agent. If I am the agent, I am including an owner's affidavit.

Property Owner Name (printed)			
Signature		Date	
Business Owner Name (Printed)			
Signature		Date	
Agent Name (Printed)			
Signature		Date	

TOWN OF TAOS USE ONLY	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Code Administrator Signature _____	Date _____

Attached:

Section 5.12 Article II Itinerant Vendors, Peddlers and Solicitors

Fire Inspection Fee Schedule

NM Regulations and Licensing Department L.P. Gas Bureau Rules and Regulations

Article II. Itinerant Vendors, Peddlers and Solicitors

5.12.070: PERMITS REQUIRED:

It shall be unlawful for any person to engage in business as an "itinerant vendor", as defined in this chapter, within the town limits without first obtaining a business permit pursuant to [chapter 5.04](#) of this title and an itinerant vendor permit as herein set forth. (Ord. 16-09, 2016)

5.12.080: AGENTS OF CORPORATIONS REQUIRED TO OBTAIN PERMITS:

In the event any firm, or corporation engaged in or selling as an itinerant vendor is represented by more than one person, agent, or employee engaged in such activity within the town, each of such persons so engaged shall apply for and obtain an itinerant vendor permit as herein provided. (Ord. 16-09, 2016)

5.12.090: APPLICATION; REQUIRED INFORMATION; FEE:

Applicants for itinerant vendor permits under this article must file with the planning department an application in writing, in duplicate, on a form to be furnished by the planning department, which shall give the following information:

- A. Name, address and telephone number of the applicant;
- B. Name, address and telephone number of the owner and/or legal representative of the owner of the property under consideration for itinerant vending;
- C. State taxpayer identification number;
- D. The length of time for which the right to do business is desired;
- E. A description of any vehicle to be used under the itinerant vendor permit, including type, color, and license number or other means of identification;
- F. Either a written lease or written permission of the owner of the property from which sales are to be made to be dated not more than sixty (60) days prior to the date of the application;
- G. A statement of the nature, type and quality of the goods, wares or merchandise to be sold or offered for sale by applicant in the town, and the cost of such goods, wares and merchandise;
- H. A brief description of the sign(s) to be used for advertising done or proposed to be done in order to attract customers which shall comply with the sign ordinance. No more than two (2) signs, totaling no more than twelve (12) square feet. A-frame signs are permitted.
- I. If an applicant is granted a permit, the applicant shall pay a user fee to the town according to the following scale:

- 1. Itinerant vendor: Thirty five dollars (\$35.00) for a ninety (90) day period.
- 2. Solicitor: No fee required.

3. Peddler: No fee required.

J. The permit shall be prominently displayed and available for public inspection at all times. Applicants may apply for subsequent permits by paying the required thirty five dollar (\$35.00) permit fee.

K. If the itinerant vendor ceases the business activity for more than seven (7) days before the expiration of the permit, the permit will be deemed revoked and the permittee will be required to reapply for a permit if the permittee desires to recommence the business activity. (Ord. 16-09, 2016)

5.12.100: OTHER REQUIREMENTS, LIMITATIONS AND RESTRICTIONS:

A. Prohibited are sales from RVs, tents, and large canopies.

B. Fireworks vendors may use a tent to house fireworks as allowed by state fire code.

C. Sales are allowed in all nonresidential zones outside of the historic overlay zone, excluding the ARO zone.

D. Itinerant vendors may have a small canopy not greater than ten feet by ten feet (10' x 10'), or an umbrella to afford shade over tables or racks.

E. Itinerant vendors shall keep tables and displayed items restricted to an area ten feet by twenty feet (10' x 20') in size, not including the area taken up by vehicle or trailer. Christmas tree vendors may exceed a ten foot by twenty foot (10' x 20') area. No aerial display of merchandise higher than ten feet (10') is permitted.

F. Only one itinerant vendor shall be allowed per property.

G. Itinerant vendor and peddler locations will be reviewed for parking requirements, and traffic and pedestrian safety issues that vending on said location may cause, as determined by a code official.

H. Itinerant vendor permits shall be void at the conclusion of each ninety (90) day permitting period. At this time, vendors wishing to recommence temporary business may reapply for a new itinerant vendor permit. (Ord. 16-09, 2016)

5.12.110: PEDDLING AND SOLICITING ON PUBLIC STREETS AND HIGHWAYS PROHIBITED; EXEMPTIONS:

It shall be illegal for any peddler, solicitor, or itinerant vendor to peddle, sell, offer for sale, advertise or display any article on town owned property, streets, highways or other public thoroughfares except as provided in section [5.12.150](#) of this chapter. Vendors selling on the town plaza during the annual Taos Fiestas with the approval of the fiesta council are exempt from this section. (Ord. 16-09, 2016)

5.12.120: PEDDLING AND SOLICITING ON PRIVATE PROPERTY WHICH HINDERS THE FLOW OF VEHICULAR OR PEDESTRIAN TRAFFIC PROHIBITED:

It shall be illegal for any peddler, solicitor, or itinerant vendor of merchandise to peddle, sell, solicit orders, offer for sale, advertise or display any article on private property in such a manner as to hinder the flow of vehicular traffic on public streets or hinder the flow of pedestrian traffic on public walkways, sidewalks, streets, or other public thoroughfares. (Ord. 16-09, 2016)

5.12.130: EXEMPTIONS; INSPECTION:

The provisions of this article do not apply to:

- A. Car washes, Christmas tree sales or other activities held on private property by charitable, educational, youth or civic nonprofit organizations for fundraising purposes provided they have written authorization from the property owner.
- B. School sponsored activities or fundraising events on school property.
- C. Church activities or church sponsored events on church property.
- D. The farmers' market in a location authorized by the town of Taos or the Taos County commission.
- E. Authorized activities on public property approved by the town or the county.
- F. Newspaper vendors.
- G. Vendors who were in business on the effective date hereof and continuously for ninety (90) days or more prior thereto. Such vendors may be permitted to continue business under a normal business license, at the discretion of the code administrator. Such vendors are subject to inspection by the town to verify that no health, safety or welfare violations or concerns exist.
- H. These exceptions are subject to discretion of the code administrator in regards to exact location, traffic and safety issues. (Ord. 16-09, 2016)

Fire Prevention Fee Schedule

Business or Building CO Inspections

Facility	Fee
Home Occupancy Business	No Fee
Itinerant Vendor	\$25.00
Businesses 3,000 sq. ft. or less	\$75.00
Businesses 3,001 -6,000 sq. ft.	\$150.00
Businesses 6,001-9,000 sq. ft.	\$200.00
Businesses 9,001-12,000 sq. ft.	\$250.00
Businesses 12,001 sq. ft. or more	\$300.00
1,000+ sq. ft. membrane structures (tents)	\$50.00
Open Burning Permit	Free

Annual Fire Inspection Fees

Business Space Type	Fee
Space of 1,500 sq. ft. or less	\$20.00
Space of 1,501 to 3,000 sq. ft.	\$40.00
Space of 3,001 to 6,000 sq. ft.	\$75.00
Space of 6,001 to 9,000 sq. ft.	\$100.00
Space of 9,001 sq. ft. or more	\$150.00
Re-inspection	No fee- standard violation fines begin at this point

Plan Review Fees

Commercial Plan Review	\$.035/ square foot
Residential Fire Sprinkler Plans	\$50.00
Commercial Fire Sprinkler Plans	\$50.00 + \$1.00 per device over 50
Commercial Fire Sprinkler Modification Plans	\$50.00
Commercial Fire Alarm System Plans	\$50.00 + \$1.00 per device over 50
Commercial Hood Fire Suppression System Plans	\$50.00
Fire Evacuation Plans	\$25.00