



Development Services
401 Franklin Ave.
Waco, TX 76701
254-750-5647 - Judy Quaas

OPEN AIR VENDING APPLICATION

New ☐ Renewal ☐

Vendor Business Name: _____

Vending Location: _____

Commissary location: _____

Private ☐ Public ☐ 3 Day Temporary ☐ Non-Profit ☐ (requires EIN & IRS letter)

Applicant Name: _____

Applicant Mailing Address (including zip code) _____

Relationship to business: _____

Cell phone #: _____ Business phone #: _____

Applicant email address: _____

Description and type of products to be sold: _____

*Note: Food items (other than pre-packaged foods) will require a Health Department permit.
A copy will be required to be attached to this application.*

Will the vending facility require electricity? Yes ☐ No ☐ If yes, how is power supplied?
Power pole, not connected to building ☐ Receptacle attached to building ☐ Generator ☐

Note: A licensed electrician must install any required wiring or circuits needed to provide electricity to this facility. All electrical installations must be permitted and inspected before the vending permit will be issued.

Property Owner SIGNATURE REQUIRED below. Application will not be processed without it.

Property owner name: _____

Property owner signature: _____

Property owner address: _____

Vendor Requirements

1. The Vendor must provide evidence that you either own or have written permission from the property owner to use the property where the open air vending will take place.
2. If there are residences, public or private schools, parks or property owned by a governmental entity within 200 feet of the vending site, then the applicant shall submit a written statement, along with this permit application, from the owner(s) of the residence or other properties listed above stating that those owners have no objections to the placement of such vendor.
3. The applicant shall provide a detailed site plan of the vending facility (the base unit, canopies, and displays) Signs will be restricted to the vending unit only. All signs are subject to approval by city staff. Sign size shall be limited to 25% of each vertical face of the unit, up to a maximum of 10 sq. feet per face. Signs shall be professionally rendered and shall be subject to review and approval of city staff.
4. A permitted and inspected temporary electrical pole and disconnect may be installed and power provided via cord and plug to the vending unit if electricity is required or a generator may be used. The vendor will be responsible for the **proper** and **legal** disposal of all liquid and solid waste.
5. Any structures (canopies, awnings, enclosures, etc.) that are built for any reason around the vending site must first be approved by the Inspection Services Department. Please call 254-750-5647 or 254-750-5649 for more information. Any changes to the vending unit or vending site, without prior approval from the City of Waco Inspection Services Department will void the open air vending permit.
6. All open air vending permits will expire after 1 year. If the vending operation will last longer than 1 year the vendor must renew their license with the City of Waco. All applicable fees and eligibility requirements will apply each time a permit is applied for.
7. The open air vending permit will only be valid for the applicant and vending address listed on this application. PERMITS ARE NOT TRANSFERRABLE.
8. All provisions of the Open Air Vending ordinance must be followed. Any other City ordinances, State or Federal laws which may apply to this vending facility, must also be followed. A copy of this ordinance will be provided with each application. The ordinance may also be found on the City of Waco website at waco-texas.com under Codes and Ordinances. Type "open air vending" in the search bar and then click on Division 2. Open Air Vending.

By Signing this application you are agreeing to the items listed above and to follow all provisions of the City of Waco, TX Open Air Vending ordinance and all other applicable laws. A Copy of the vending ordinance will be provided with your application. Please allow a minimum of two (2) business days for this application to be processed.

Applicant Signature _____ Date _____

Checklist for Open Air Vending License

The following documents must be submitted to consider the application complete.

- All documents included in the application and listed on this checklist. The application needs to be filled out completely, please do not leave blank spaces. An email is **required** and will be the primary source of communication with staff.
- Vending business owner's signature on all required application pages
- If selling food (other than pre-packaged), copy of McLennan County Health Dept. permits. Call 254-750-5450 to set up an appointment with them or ask questions.
- If within 200 ft. of property line of residence, public or private school, park or property owned by governmental entity, applicant shall submit written statement of no objection of the placement of such vendor or have the individual print and sign the respective 200 ft signature sheet attached.
- If within 100 ft. of the property line of a business that provides the same or similar goods or service, written consent from proprietor of place of business required.
- Basic site plan sketch – This must show the entire property and the location of the vending unit relative to the property boundaries, accesses, parking, fire lane(s) and any structures. This sketch should be drawn to scale, have labeled "North Arrow" and contain the property address. Show vehicle circulation and pedestrian circulation plans, patron service areas, vehicle egress (exit) and ingress (entrance) plans, descriptions and specifications necessary to adequately describe the vending facility and the goods or service, designated trash receptacle for units selling food. (not a business dumpster)
- Photos of vending facility (8x10) showing all four sides with measurements that provide the height, width, and length of the facility.
- **Public (City property) Open Air Vending Only** – All items listed on first page of checklist AND must provide a Declaration page of insurance policy. Except where a business sells its own products located immediately adjacent to their permanent business, the vendor must obtain & retain a minimum of \$500,000 public liability and property damage insurance coverage, naming the city, its employees, officers, and officials as an additional insured.

Application not required for:

- Transient Food Vendors - License not required by Development Services— A food vendor that sells food products, from a push cart or out of a mobile vending unit that is pulled or portable under it's own power, for sale to the general public from an informal location, other than a public street or thoroughfare, for a period of not more than 60 consecutive minutes at any one location. Example: Transient Food Vendors may not stop for more than 60 consecutive minutes at any one location to sell or serve food.
- Vendors operating as part of an approved flea market, city-sanctioned event, or at the location of a higher learning educational institution are excluded and do not require licenses from Development Services

Important Additional Information

- Unless applying for the temporary license (3 days), these licenses are good for 1 year from date of issuance.
- The fee will be \$200 for an annual license and \$75 for the inspection.
- Licenses will not be issued until the application is approved, site inspection has passed, and fees have been paid.
- Please allow 1-2 weeks from the receipt of a complete application to complete the process.
- Applications that are missing documents will be withdrawn, and the applicant will need to resubmit.
- Off-street parking requirements shall be one space for each 800 square feet of gross site area. Vending facility cannot be placed over existing parking spaces unless there are ample amounts of additional spaces and the parking requirements of the lot are being met. C-4 downtown zoning is exempt from this parking requirement.
- Inspections that have failed will need to have corrections made within 30 days or the application will be withdrawn.
- **Vending shall not occur** at the location for which a license has not yet been issued or renewed.
- If an existing license is up for renewal, a complete application will need to be submitted 1 month prior to the expiration date. This will allow time for the renewal application approval, inspection, payment, and licensing process.

Within 200' written statement of no objection

City of Waco Ordinance Section 13-406 (c)(d)

If a public or private open air vendor is to locate it's vending facility within 200 feet of the property line of a:

- residence
- public or private school
- park
- property of a governmental body
- institution

then the applicant shall submit a written statement or signature along with application with approval stating that the entities have no objections of the placement of such vendor.

Date: _____

My name is _____ and this letter is asking for permission to open an open air vending facility at

_____.

Your permission is required as your place of residence is within 200 feet of this site. Thank you for your help.

Location	Signature	Date
1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____

Within 100' written consent from proprietor of place of business

Date: _____

I, _____, an authorized agent of _____
located at _____, hereby authorize _____
business to open an open air vending facility on our property.

Printed name: _____ Signature: _____

Site Plan/Basic Sketch

Can be hand drawn or use online map of the property and mark all required details.

Please show the entire parcel.

Draw, copy or paste your site plan and/or photo here

Photos of the vending facility

Be sure to show all four sides and mark with dimensions

Copy and/or paste your vending unit photos w/ dimensions here