



City of Rockford Public Works Department
6th floor, City Hall, 425 E. State Street, Rockford, IL 61104

2019 VENDING LICENSE APPLICATION -CARTS, KIOSKS, FOOD TRUCK/TRAILER

THIS APPLICATION MUST BE ACCOMPANIED BY THE LICENSE FEE.

Applicant Name/Position: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Phone #: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Business Name: \_\_\_\_\_ Tax ID: \_\_\_\_\_

Business Address: \_\_\_\_\_

Type of Business/Organization: \_\_\_\_\_ Individual \_\_\_\_\_ Partnership \_\_\_\_\_ D.B.A. \_\_\_\_\_ Corporation

If Corporation, Registered Agent and Address: \_\_\_\_\_

Retail Tax #: \_\_\_\_\_ Cart/Booth/Truck/Trailer Size: \_\_\_\_\_

Type of Permit: \_\_\_\_\_ Fixed \_\_\_\_\_ Ambulatory-Date(s) of Sale: \_\_\_\_\_

Table with 4 columns: Location, Date, Is Power Needed, Total Fees. It contains four empty rows for data entry.

Brief Description of Goods or Services for Sale: \_\_\_\_\_

Electrical Service Required? \_\_\_\_\_ Yes \_\_\_\_\_ No

Available on Water St. at Market St. and Church St at W State St or Lot 5.

Fee is additional \$10.00 per 4-day period \_\_\_\_\_ or \$30.00 per month \_\_\_\_\_

Certificate of Insurance for \$3,000,000.00 listing the City of Rockford as the additional insured attached and Health Department Certification attached \_\_\_\_\_

Fee Attached: \$125.00 per Month X \_\_\_\_\_ months = \$ \_\_\_\_\_

\$35.00 for 1 day \$ \_\_\_\_\_ OR \$80.00 for 4 days \$ \_\_\_\_\_

In consideration of the issuance of a permit for the use or structure indicated above, the applicant (s) agree(s) as follows:

1. The structure or use herein permitted is restricted to the location(s) above described.
2. The permit is limited specifically to the use of structure described in this application, and to the applicant listed. The use of tables and chairs around the cart or kiosk is prohibited.
3. That this permit is issued pursuant to, and the applicant(s) shall comply with and be bound by the Festival Zone Vending ordinance now in effect or may hereafter be amended.
4. That the permit may be revoked pursuant to Section 26-34.2 of the Code for violation of Chapter 26 of the Code of Ordinances or for violation of permit conditions.
5. That the applicant will remove any structure or cart from the Festival Zone area at the close of the day. That in the event said removal is not accomplished within said time, the City is hereby authorized to remove same and charge or assess the cost to the applicant.
6. Applicant shall maintain the area within and in proximity to this cart, structure or location in a neat, clean and hazard-free condition. The permit area shall be restored to its condition prior to the issuance of the permit.
7. Applicant shall post and maintain any and all permits delivered for use in a conspicuous place.
8. Electrical service will not be provided by the City of Rockford, except at designated locations on Water St. and N. Church and W. State St or Lot 5 for state fee.
9. There will be no dumping of grease, ash, oil, or any substances on the pavement, in the gutter area or storm inlets.
10. If vending on the paved area in the 100 blocks of North and South Main Streets, grease/fire retardant mats must be placed under cart/kiosk.
11. If at any time the City determines these guidelines have been violated, we reserve the right to revoke the permit immediately.
12. The applicant(s) has/have read and understand all of the terms and conditions set forth in this application.

I, the undersigned, thoroughly understand that this is solely an application to operate a business, and is not permission to operate a business until all applicable ordinances of the City of Rockford including, but not limited to, Building, Zoning and Fire regulations, have been fully complied with, and this application is properly signed by the departments listed below, and an official license is issued by the Comptroller.

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

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**AGREEMENT**

The undersigned as a duly authorized agent for the business to whom said permit is being granted, agrees, both for himself and on behalf of said business, to indemnify, defend and otherwise hold harmless the City of Rockford and its employees, by any and all persons for any injury or claim arising out of the creation, existence or operation of or any activity in any way related to the creation, existence, or operation of the business for which said permit is issued.

The undersigned further agrees both for himself and the business to whom said permit is issued, to indemnify, defend and otherwise hold harmless the City of Rockford and its employees, against any and all claims, damages and liabilities which may be asserted against the City of any of its employees, by and all persons in connection with any claim or injury arising from the condition of any public property which composes or is adjacent to any public property which composes part or all of the area, to be used or otherwise occupied, for the purpose of operating a business pursuant to said permit.

Business: \_\_\_\_\_

By: \_\_\_\_\_

**ALL ATTACHMENTS AND INFORMATION TO BE NOTARIZED**

State of Illinois

County of Winnebago

\_\_\_\_\_, is a legal resident of \_\_\_\_\_ County of \_\_\_\_\_, State of \_\_\_\_\_ being sworn before me, and that all statements are true to the best of my knowledge and belief.

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_, County of \_\_\_\_\_, and State of \_\_\_\_\_.

Notary Public \_\_\_\_\_

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**FOR OFFICE USE ONLY:**

Date application received: \_\_\_\_\_ Received by: \_\_\_\_\_

**Zoning:** Approved/Disapproved by: \_\_\_\_\_ Date: \_\_\_\_\_

**Building:** Approved/Disapproved by: \_\_\_\_\_ Date: \_\_\_\_\_

**Fire:** Approved/Disapproved by: \_\_\_\_\_ Date: \_\_\_\_\_

**Public Works:** Approved/Disapproved by: \_\_\_\_\_ Date: \_\_\_\_\_

**Finance: Final Action:** (check one)

\_\_\_\_ Approved and issued on \_\_\_\_\_ by: \_\_\_\_\_ License # \_\_\_\_\_

\_\_\_\_ Returned as incomplete on: \_\_\_\_\_ by: \_\_\_\_\_

(with written explanation seven days from receipt)

\_\_\_\_ Denied in writing on \_\_\_\_\_ by: \_\_\_\_\_

## **Festival Zone Vending Ordinance:**

### **Sec. 26-34.2 Festival Zone Vendors**

#### **(a) Permit required.**

Festival zone vendors shall comply with Chapter 26-34.2 of the ordinance and shall obtain a permit from the City Engineer or designee for use of the public right of way and may only be permitted in the Festival Zone boundaries.

#### **(b) Application for permit.**

Application for permits under this article shall be made pursuant to the City Engineer or designee. The application shall set forth the following:

- (1) How the vending cart or table will be supervised and maintained;
- (2) Description or photo of vending cart or table;
- (3) A plat or drawing indicating, to scale, the amount of surface the applicant is seeking permission to use and the location of furniture, equipment and any other article occupying public space;
- (4) Description of the items to be offered for sale;
- (5) A statement by applicant that said applicant will, in consideration of being issued a permit for the use of surface space, agree to hold harmless the city and the officers and employees of the city for any loss or damage arising out of the use;

#### **(c) Every permittee under this division shall have the duty to:**

- (1) Cooperate with inspection of the premises, goods or articles at any reasonable hour by the authorized agent, officer or employee of the city, or his designee;
- (2) Ascertain and at all times comply with all laws, ordinances and regulations, and all state statutes, applicable to such permitted business or premise, including, but not limited to, all building, zoning, and fire regulations, and especially to ascertain and at all times comply with any county health department rules and regulations;
- (3) Post and maintain any and all permits delivered for use in a conspicuous place;
- (4) During the course of business, not call out, cry, or by the use of any device, make any noise or call attention to the sale of any goods, wares, merchandise or service whatsoever, or in any manner obstruct or interfere with the orderly flow of pedestrian traffic;
- (5) Maintain the area within and in proximity to any cart, structure or location in a neat, clean and hazard-free condition; and
- (6) No structure, cart, or equipment shall be permitted to remain in the overnight.

#### **(d) Indemnification**

All holders of a festival zone vendor permit shall indemnify and hold harmless the city from and against any and all losses, costs, damages or expenses to persons or property including property of the city, arising out of or claimed to have arisen out of such use. Furthermore, all users shall defend, at no cost to the city, any such claims or suits, provided that the city may, at its sole option, join in the defense of such claim or suit without relieving the user from any of its promises or obligations under this section.

**(e) Insurance**

The holder of any permit shall obtain and keep in full effect at all times comprehensive general public liability and property damage insurance, covering any personal injury or property damage arising out of the permitted use, with liability limits of \$50,000.00 for property damage, and \$3,000,000.00 for personal injury, and if applicable, shall obtain and keep in effect at all times liquor liability or dram shop insurance with liability limits equal to the maximum recovery permitted by law. The policy shall name the city, its officers, employees and agents as insured's and shall provide that the insurance is primary insurance and that no other insurance maintained by the city will be called upon to contribute to a loss covered by the policy. The policy shall further provide 30 days' notice of cancellation or material change to the policy.

**(f) Denial of Permit**

Any permit may be denied at the discretion of the city engineer or designee. The basis of denial will be based on inability to produce necessary insurance, bond, and health department clearance as needed. Applicants may also be denied due to prior complaints and/or non-compliance of the permit. In the event a permit request for a special event is received which would include an area designated as a festival vending zone, the special event shall take precedence over the vending permit for that time period. The following are festival zone locations:

1. 100 and 200 Blocks of North Main Street.
2. 100 and 200 blocks of South Main Street
3. City Lot 5 at Church Street and West State Street (electric available for additional fee)
4. 300 East State Street
5. 100 and 200 blocks of Water Street (electric available for additional fee)

**(g) Termination of Permit**

Any permit may be revoked or terminated by the finance director for violation of this chapter, or for violation or breach of permit conditions.

**(h) Permit Periods**

Transient vendor permits shall be valid for a period of one month to one year, from May 1 to April 31 of the following year.

**(i) Fees**

- (1) Permit fees shall be established by the City.
- (2) There shall be a non-refundable application fee in the amount established by the council. Said application fee shall not be refunded upon denial of any application, and shall be applicable towards the permit fee if granted.