

Durango Vending Days Guidelines Summary

Any business that holds an active business and sales tax license from the City of Durango may vend on sidewalks and public property in the Central Business District on the days designated by City Council as vending days—subject to the following conditions.

Sec. 13-128. - Prohibited conduct.

The following acts are prohibited by vendors in the city. No person shall:

- (1) Vend within five hundred (500) feet of the grounds of any elementary or secondary school between one-half hour prior to the start of the school day and one-half hour after dismissal at the end of the school day;
- (2) Vend within five hundred (500) feet of any hospital;
- (3) Vend within five hundred (500) feet of any church while church is in session;
- (4) Vend on any street or sidewalk where vending is otherwise prohibited;
- (5) Vend between 9:00 p.m. and 9:00 a.m. of the following day unless specifically permitted by the vending calendar;
- (6) Leave any stand or motor vehicle unattended;
- (7) Store, park, or leave any stand overnight on any street or sidewalk, or park any motor vehicle other than in a lawful parking place, in conformance with city and state parking regulations;
- (8) Sell food or beverages for immediate consumption unless all required licenses from the state department of health have been obtained, and litter receptacles are available for use by patrons;
- (9) Leave any location without first picking up, removing and disposing of all trash or refuse remaining from sales made;
- (10) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on or under the stand or motor vehicle;
- (11) Set up, maintain or permit the use of any table, crate, carton, rack, or any other device to increase the selling or display capacity of his stand or motor vehicle, where such items have not been described in the business license application;
- (12) Solicit or conduct business with persons in a motor vehicle;

(13) Sell anything other than that which is permitted under the license issued;

(14) Sound or permit the sounding of any device which produces a loud and raucous noise, or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention to the public. This section shall not be construed to prohibit bells, chimes or unamplified musical instruments provided the provisions of this Code are complied with;

(15) No vendor selling from a stand on a public sidewalk shall:

- a. Vend at any location where the sidewalk is not at least six (6) feet in width;
- b. Vend in such a way as to obstruct the sidewalk;
- c. Vend within six (6) feet of an entranceway to any building;
- d. Vend within twenty (20) feet of any driveway entrance to a police or fire station, or within ten (10) feet of any other driveway;
- e. Vend within fifteen (15) feet of the crosswalk at any intersection;
- f. Vend within fifteen (15) feet of any bus stop sign;
- g. Allow the stand or any other item relating to the operation of the vending business to lean against or hang from any building or other structure lawfully placed on public property, without the owner's permission;
- h. Vend within five hundred (500) feet of any park or city recreational facility which is serviced by a stationary concession stand under lease agreement with the city.

(16) No vendor vending from a motor vehicle shall:

- a. Conduct business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, or create or become a public nuisance, increase traffic congestion or delay, or constitute a hazard to traffic, life or property, or an obstruction to adequate access to fire, police or sanitation vehicles;
- b. Stop, stand or park a vehicle upon any street or permit it to remain there except on the roadway at the curb for the purpose of vending therefrom;
- c. Stop, stand or park a vehicle upon any street for the purpose of selling, or sell on any street under any circumstances during the hours when parking, stopping or standing has been prohibited by signs or curb markings or is prohibited by statute or ordinance;
- d. Remain in any one place for a period longer than necessary to make a sale after having been approached or stopped for that purpose; or
- e. Stop, stand or park a vehicle within twenty (20) feet of any intersection, except that vehicles vending products likely to attract children as customers shall park curbside when stopping to make a sale as close as possible to a pedestrian crosswalk without entering the intersection or otherwise interfering with the flow of traffic.

(City of Durango Ordinance No. 1992-28, § 1, 12-15-92)