



togetherforbetter

Sidewalk Vendor Ordinance
Clark County Business License
Director Vincent V. Queano
April 16, 2024

Sidewalk Vendor History

- Senate Bill 92 signed into law by Governor Lombardo on June 7, 2023.
- Eight Community Town Halls were held to gather community feedback with a Spanish interpreter available for seven of the meetings.
- Three PSAs were produced in English and Spanish. Outlets also shared information on our community surveys.
- Media Coverage was presented in print and on TV, radio, and digital news outlets.
- A new webpage, in English and Spanish, was created for sidewalk vending, that included fliers, surveys, frequently asked questions, and PSAs.



Social Media Engagement

- On our English channels nearly 280,000 people were reached with our content.
 - More than 6,000 social media users shared, commented, or liked our posts.
 - Nearly 2,000 people clicked on our links to the vendor website and surveys.
- On our Spanish channels, nearly 53,000 people were reached with our content.
 - Nearly 4,000 users shared, commented, or liked our posts.
 - Over 200 people clicked on the links for our sidewalk vendor website and surveys.



Survey

- The survey opened on September 18, 2023, and closed on October 20, 2023.
- There were 1033 Community Surveys received.
- There were 98 Vendor Surveys received.



Summary of Survey Results

- 82% of the respondents self-identified as residents of Clark County.
- Of the vendor responses, 56% indicated they were not currently vending, while 44% identified as existing vendors.
- 68% indicated they sold non-prepackaged food, while 32% responded that they sold packaged food.
- The majority of the vendor responses (77%) indicated the vendors owned their carts. The remaining responses to this question were a mix between renting a cart (14%) or an employee operating a cart (9%)
- 69% of the vendor responses indicated they operated only 1 cart. 19% of the responses to this question indicated operated fewer than 5 carts, while only 12% responded that they operated more than 5 carts.



Summary of Senate Bill 92 Section 7.5

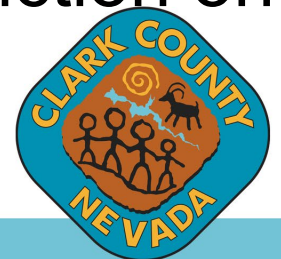
- A person shall not sell food, beverages or merchandise upon a public sidewalk or pedestrian path from a conveyance, including, without limitation, a pushcart, stand, display, pedal-driven cart, wagon, showcase or rack, within 1,500 feet of:
 - (a) A resort hotel, as defined in NRS 463.01865;
 - (b) An event facility that has seating capacity for at least 20,000 people and is constructed to accommodate a major or minor league sports team;
 - (c) A convention facility operated by a county fair and recreation board; or
 - (d) A median of a highway, if the median is adjacent to a parking lot.



Summary of Senate Bill 92 Section 9

An ordinance adopted by a board of county commissioners that regulates sidewalk vendors may:

- (a) Adopt requirements regulating the time, place and manner of sidewalk vending if the requirements are objectively and directly related to the health, safety or welfare concerns of the public, which may include, without limitation:
 - (1) Restrictions on the hours of operation of a sidewalk vendor, which may not be more restrictive than any restriction imposed by any applicable ordinance regulating noise or any restriction on the hours of operation imposed on home-based businesses that are similar to sidewalk vending; and



(2) Requirements to:

(I) Maintain sanitary conditions and comply with the regulations adopted by a local board of health.

(II) Ensure compliance with the Americans with Disabilities Act of 1990.

(b) Restrict or prohibit sidewalk vendors from operating:

(1) In areas located within the immediate vicinity of a farmers' market during the operating hours of the farmers' market.

(2) Within the immediate vicinity of an area designated for a temporary special event by the board of county commissioners



(3) Within a set distance established by the board of county commissioners of:

(I) An establishment that holds a nonrestricted gaming license;

(II) A food establishment;

(III) A school, childcare facility, community center, polling place, religious institution or place of worship or park or recreational facility owned by the county; or

(IV) A highly trafficked pedestrian mall, convention center or designated entertainment district.

(4) In residential areas, but must not prohibit nonstationary sidewalk vendors from operating in such areas.



Phase One Ordinance

On October 17, 2023, the first ordinance became effective, establishing the prohibited areas of operation.

18.03.020 Prohibitions on Sidewalk Vending.

- (a) Except as provided in subsection (b), it is unlawful for any person, firm or corporation to engage in the business of sidewalk vendor, as defined in this chapter, within 1,500 feet of following areas:
- (1) A resort hotel, as defined in NRS 463.01865;
 - (2) An event facility that has seating capacity for at least 20,000 people and is constructed to accommodate a major or minor league sports team;
 - (3) A convention facility operated by the Las Vegas Convention and Visitors Authority; or
 - (4) A median of a highway, if the median is adjacent to a parking lot.

Note: The ordinance being presented today will replace 18.03.020 Prohibitions on Sidewalk Vending and this section will be deleted from the Code.



Phase Two Ordinance Timeline

- The Business Impact State (BIS) period was open from 02/27/2024 to 03/19/2024.
- The Introduction to the Ordinance before the Board of County Commissioners was on 04/02/2024.
- The Public Hearing before the Board of County Commissioner is on 04/16/2024.
- If approved on 04/16/2024, the Ordinance will become effective on 04/30/2024.



Summary of Phase Two Ordinance Draft

- “Sidewalk vendor” means a person who sells food or beverages upon a public sidewalk or pedestrian path from a conveyance, including, without limitation, a pushcart, stand, display, pedal-driven cart, wagon, showcase or rack.



Application Requirements

- (a) If the sidewalk vendor is an agent of an individual, company, partnership or corporation, the name and business address of the principal office;
- (b) A description of the products the applicant intends to sell;
- (c) The type of conveyance that will be utilized pursuant to the license, and a drawing or photograph identifying the height, width, and length of each conveyance;
- (d) Proof of general liability insurance as required by this chapter;
- (e) All licenses, permits, or evidence of compliance required by applicable laws or regulations of a state or local agency, including, without limitation, a state business license, a permit issued by the Nevada Department of Taxation, a permit issued by the Health District, as may be applicable; and
- (f) A certification by the sidewalk vendor that, to the best of his or her knowledge and belief, the information submitted pursuant to this section is true and accurate.

***The application form may include additional questions as determined by the Director.**



General Liability Insurance Requirement

- a. For bodily injury to or the death of one person in any one accident, two hundred fifty thousand dollars;
- b. Subject to the limitations of paragraph (a), for bodily injury to or death of two or more persons in any one accident, five hundred thousand dollars; and
- c. For injury to or destruction of property in any one accident, fifty thousand dollars.



Footprint of Conveyance

Any conveyance operated by a licensee must not exceed twenty-five square feet. All equipment, food, materials, and signs used for vending must be contained on or within the conveyance.

Other requirements for licensure

Nevada Secretary of State Registration and Southern Nevada Health Permit.

License Fees

- Application - \$45
- Annual License - \$150

***Clark County business licenses are not transferable.**



Duties of a Licensee

Each holder of a sidewalk vendor license must:

- a. Not knowingly permit any conditions that could cause disorder, disturbances, excessive loitering, nuisances or other activities which endanger the health or safety of the patrons or disrupt the peace or order of the neighborhood;
- b. Be responsible for the acts of his or her employees, agents and volunteers when they are performing their duties for the sidewalk vendor business;
- c. Comply with and adhere to all health and public safety requirements and conditions from any inspection agency;
- d. Remain qualified to hold a license pursuant to this chapter of the code and state law.

Every licensee has a duty to cooperate with county agents and officials, and personnel from any other state or county regulatory agency, including the Health District and Nevada Department of Taxation.



Operating Requirements

- a. Prominently display the business license, health permit, and the Department's complaint phone number.
- b. Provide adequate waste receptacles for the collection of all trash generated by the sidewalk vendor and customers.
- c. Remove trash waste generated by the sidewalk vendor and customers within a ten (10) foot radius around their vending area.
- d. Immediately clean and remove all drips or spills using an appropriate absorbent material or compound.
- e. Properly collect and dispose of all grease and waste cooking oil in accordance with all Health District regulations.



Prohibited Acts

- a. Vend anything besides food and non-alcoholic beverages.
- b. Rent or lease any goods or equipment.
- c. Offer to provide any services, examples of services: massage, cleaning, or repairs.
- d. Operate more than one conveyance at any one time.
- e. Vend to any person in a vehicle.
- f. Solicit sales by travelling door-to-door on private property.
- g. Use amplified or non-amplified sound-making devices.
- h. Use any electrical, flashing, wind powered, or animated signs.
- i. Connect to an external source of power, water, or other utility that is not owned or leased by the sidewalk vendor.
- j. Hang or affix any items to above ground structures, fences, gates, or onto public or private buildings.
- k. Leave any sidewalk vending conveyance, equipment, food, or other personal property unattended.



Prohibited Acts

- l. Create an obstruction that would reduce the width of the sidewalk to less than forty-eight inches or reduce accessibility standards, except for the brief duration of time for a roaming sidewalk vendor to conduct a sale.
- m. Provide tables or seating areas for customers.
- n. Drive onto or otherwise stage any vehicle on any curb, parkway or sidewalk to load or unload sidewalk vending conveyances, equipment, materials or personnel.
- o. Operate or park a conveyance in violation of applicable right of way, traffic, parking laws and ordinances.

Prohibited to operate between 9 p.m. and 8 a.m.



Limitations on Locations

- a. A stationary sidewalk vendor shall not vend in areas zoned exclusively for residential use.
- b. Within 1500 ft of:
 - 1. A resort hotel;
 - 2. An event facility that has seating capacity for at least 20,000 people and is constructed to accommodate a major or minor league sports team;
 - 3. A convention facility operated by the Las Vegas Convention and Visitors Authority; or
 - 4. Or a median of a highway, if the median is adjacent to a parking lot.



Limitations on Locations

c. Within 500 ft of:

1. A pedestrian mall or an entertainment district designated by the Director and posted on the Department website
2. A licensed multiple vendor arena sale
3. A special event permitted by the Department
4. The extreme outside perimeter of any school property during the hours that such schools are in session or during the period of one-half hour after the close of the final sessions
5. The extreme outside perimeter of a childcare facility
6. Any county park, recreational facility, or community center, unless otherwise permitted under a contractual arrangement with the county regarding a specific location or by a special event permit issued by the Department.
 - If a licensed sidewalk vendor has a contract to operate at a Clark County park or at an approved special event, they will need to contact Business License to obtain temporary multi-vendor permit.
 - The application fee is \$45 and there is a fee of \$4 per vendor per day for outside events.



Limitations on Locations

d. Within 150 feet of:

1. Another sidewalk vendor
2. A licensed food establishment during the hours the establishment is open for business, unless the sidewalk vendor is operating at a special event that has been permitted by the Department
3. An establishment that holds a nonrestricted gaming license for an operation consisting of 16 or more slot machines
4. A vehicle entrance of any fire station, police department, hospital, or any other emergency response structure or path
5. A sidewalk or street closure, unless otherwise permitted by a special event permit issued by the Department



Limitations on Locations

- e. Within 15 feet of:
 1. A street intersection
 2. A loading zone, parking space, or access ramp designed for individuals with disabilities
 3. A public restroom
 4. A bus stop
 5. A driveway, alley approach, or crosswalk
 6. A building entrance, exit, fire escape, or emergency exit
 7. A Fire Department connection, fire hydrant, or fire lane

- f. Private property: The provisions of this chapter shall not be construed to affect the rights of a private property owner to use or authorize or limit the use of a sidewalk that is owned by the private property owner, including, without limitation, a privately owned sidewalk that is subject to an easement for public access.



Enforcement

- The penalty shall not exceed five hundred dollars for each violation. Each violation of this chapter shall be subject to a separate fine, and fines may be assessed cumulatively in the same notice of civil penalty. Each day during or on which the violation continues constitutes a new violation.
- May also be issued a misdemeanor citation (except in residential areas) or a notice of violation.

Disposal of Unauthorized Food

To prevent the consumption of unsafe food and avoid immediate threats to public health and safety, the Department and law enforcement officers may immediately destroy or dispose of any food that has been cooked, prepared or unsealed from the original packaging by a sidewalk vendor that does not possess a valid permit issued by the Health District.



Multi-jurisdictional Licenses

- Clark County Business License and the other local jurisdictions are working on a multi-jurisdictional license for sidewalk vendors.
- The multi-jurisdictional process allows for applicants to visit their home jurisdiction and apply for any other jurisdictions in which they plan to operate at the same time.
- The applicant will still be required to pay the fees for each jurisdiction in which they are applying.
- The jurisdiction receiving the application will forward the fees to the applicable jurisdictions.
- Applicant must abide to each jurisdiction's rules and regulations.



Multi-jurisdictional Licenses

6.08.065 - Multi-jurisdictional license.

- (a) An applicant for a business license that has been identified as eligible for a multi-jurisdictional license must submit an application on the forms prescribed by the director and must select any other non-primary jurisdictions, if any, in which the applicant intends to conduct business.
- (b) The license fee for the multi-jurisdictional license shall be the congregate of the applicable license fees of the primary jurisdiction and non-primary jurisdictions that have been selected by the applicant/licensee.
- (c) Licenses in categories that have been identified as eligible for the multi-jurisdictional program may be issued for fixed renewal cycles as determined by the director.
- (d) Notwithstanding provisions stated elsewhere in this title, the initial license period may be modified from an annual or semi-annual period and the associated license fees prorated on a monthly basis to transition a non-multi-jurisdictional license to a multi-jurisdictional license.
- (e) Notwithstanding provisions stated elsewhere in this title, multi-jurisdictional license fees may be prorated in accordance with Section 6.08.070 in the following circumstances:
 - (1) Upon first time issuance of a new license; or
 - (2) Upon addition of a non-primary jurisdiction to an existing multi-jurisdictional license.

