



CITY OF GREENSBORO

PRIVILEGE LICENSE SECTION TELEPHONE (336) 373-2501

Information & Instructions For Obtaining An Annual Mobile Food Vendor Privilege License & Permit

1. Complete the Privilege License Application and Motorized and/or Pushcart Permit and attach the following:
 - Photo of pushcart, vehicle, or trailer
 - Two (2) photos, full face, taken not more than 30 days prior to date of application, of any persons who will sell or offer for sale
 - Copy of health permit approval for pushcart, vehicle, or trailer issued by Guilford County Health Department (336) 641-3771 <http://tfe.gheh.org>
 - Proof of insurance

2. Fees required (All fees are included on the Privilege License Application):
 - Motorized/Pushcart Permit \$ 50.00
 - Privilege License Fee \$100.00

3. Submit all completed forms, fees and attachments in person to:
City of Greensboro – Privilege License Office
Melvin Municipal Office Building
Collections-Privilege License
300 West Washington Street
Greensboro, NC 27401

4. If mailing all completed forms, fees and attachments, please remit to:
City of Greensboro
Collections Division
Privilege License Section
P.O. Box 26118
Greensboro, NC 27402-6118

****Not for Profit Organizations****

Not for Profit Organizations that conduct sales to the general public are now required to obtain the Privilege License & Motorized/Pushcart Permit, however, the privilege license fee & the permit fee will be waived once we receive the following information:

- The name and address of the organization
- A list of its principal officers
- A brief statement of the religious, educational, civic, patriotic, charitable, or fraternal purpose for which the proceeds shall be used
- The names, addresses, locations of the vendors and the dates during which they will sell
- A statement of the estimated percentage of proceeds that shall be applied to those purposes after deducting the cost of the merchandise sold and the actual cost to prepare these goods. A statement that no income shall be provided to any individual conducting these sales.
- Copy of health permit exception for pushcart, vehicle, or trailer issued by Guilford County Health Department (336) 641-3771 <http://tfe.gheh.org>



CITY OF GREENSBORO
 NORTH CAROLINA
 Privilege License Section
 PO Box 26118
 Greensboro, NC 27402-6118
 Telephone (336) 373-2501

Application for Mobile Food Vendor

Date: _____ Type of Permit: _____

Name of applicant: _____

Home address of applicant: _____

Business address of applicant: _____

List name and home address of owner of vending business if different from applicant.

Name of owner: _____

Home address of owner: _____

Description of types of food and beverages to be sold or offered for sale:

Description of pushcart, trailer or vehicle, including size: _____

License and registration number of any vehicle used in the transport and restocking of any pushcart, trailer or vehicle:

License Number: _____ Registration number: _____

The above information is true to the best of my knowledge and belief.

Signed: (*Applicant or Owner*) _____

FOR OFFICE USE ONLY

1. Photo of Pushcart, Trailer or Vehicle Received _____ Date _____

2. Photos (2) of each Vendor Received _____ Date _____

3. Health Department Approval Received _____ Date _____

4. Proof of Insurance Received _____ Date _____

5. Privilege License Application Received _____ Date _____

Pushcart/Trailer/Vehicle Permit Number _____ Date Issued _____

Reference Number _____

Privilege License Number _____ Date Issued _____

DIVISION 2. - MOBILE FOOD VENDORS ^[70]

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Sec. 26-231. - Mobile food vendor sales.

It shall be lawful for mobile food vendors to sell or offer for sale food or beverages only under the conditions set forth herein.

(Ord. No. 11-78, § 1, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Editor's note—

Ord. No. 11-78, § 1, adopted May 3, 2011, amended [§ 26-231](#) in its entirety to read as set out herein.

Formerly, said section pertained to pushcart sales in the downtown business district. See the Code Comparative Table.

Sec. 26-232. - Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the content clearly indicates another meaning:

Beverages shall mean drinkable, nonalcoholic liquids prepared for immediate human consumption and may be served only in cans, Styrofoam or plastic cups.

Canopy shall mean an umbrella that is attached to the pushcart.

Food shall mean food prepared for immediate human consumption, including condiments and prepackaged foods, all as allowed by the North Carolina Department of Human Resources, Division of Health Services.

Mobile food unit shall mean a vehicle-mounted, vehicle-towed, or vehicle-carried, food service establishment designed to be readily moved and which is defined in 15A NCAC 18A.2601.

Mobile food vendor shall mean a person or persons that prepare or serve food and/or beverages for sale to the general public on a recurring basis from a vehicle-mounted, vehicle-towed or vehicle-carried food service establishment designed to be readily moved and shall be either a motorized mobile food vendor, pushcart mobile food vendor, nonprofit on-premises mobile food vendor, or a nonprofit off-premises mobile food vendor.

Motorized mobile food vendor shall mean a person or persons that prepare or serve food and/or beverages for sale to the general public on a recurring basis from a "mobile food unit" as defined in 15A NCAC 18A.2601.

Nonprofit on-premises mobile food vendor shall mean a nonprofit organization, as defined in the Greensboro Code of Ordinances [section 13-49](#), which conducts or permits mobile food vendor sales within the real estate owned by their not-for-profit organization or conducts or permits sales within the principal place of business of their nonprofit organization.

Nonprofit off-premises mobile food vendor shall mean a nonprofit organization, as defined in the Greensboro Code of Ordinances [section 13-49](#), which conducts or permits mobile food vendor sales outside the real estate owned by their not-for-profit organization or conducts or permits sales outside the principal place of business of their nonprofit organization.

Pushcart shall mean any mobile piece of equipment or vehicle from which a pushcart mobile food vendor conducts sales and is defined in 15A NCAC 18A.2601.

Pushcart mobile food vendor shall mean a person or persons that prepare or serve food and/or beverages for sale to the general public on a recurring basis from a mobile piece of equipment or vehicle which serves hot dogs or foods which have been prepared, preportioned, and individually prewrapped at a restaurant or commissary, or which serve foods and/or beverages exempt from health department regulations.

Vendor shall mean a person who hawks, peddles, sells or offers for sale food.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 08-179, § 1, 6-17-08; Ord. No. 11-78, § 2, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-233. - Permit required.

It shall be unlawful for any mobile food vendor to sell, or offer for sale, any food or beverage without first obtaining a permit pursuant to this section from the city manager, or his/her designee.

All mobile food vendors shall maintain permits required by the Guilford County Health Department or the applicable health department of the resident county of the mobile food vendor, and comply with all North Carolina Department of Human Resources, Division of Health Services regulations.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 08-179, § 2, 6-17-08; Ord. No. 11-78, § 3, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-234. - Permit application.

The permit required shall be issued only after the issuance of an appropriate license in accordance with [chapter 13](#) of this Code. Application shall be accompanied by payment of a fifty-dollar permit fee annually for each mobile food vendor, motorized or mobile food vendor, pushcart for which the permit is sought.

The application for a permit shall include:

- (1) The name, home and business address of the applicant, the name and address of the owner of the vending business, or of the pushcart to be used in the operation of the vending business if other than the applicant;
- (2) A description of the types of food and beverages to be sold;
- (3) A description (including the size) and a photograph of any pushcart, trailer, or vehicle to be used in the operation of the business, including, if applicable, the license and registration number of any vehicle used in the operation of the business to restock or transport a pushcart;
- (4) Two (2) prints of a full-face photograph, taken not more than thirty (30) days prior to the date of the application of any person who will sell or offer for sale any food or beverage within the city;
- (5) A copy of any approval required by the Guilford County Health Department pursuant to the rules governing the sanitation of restaurants and other food handling establishments, 10 NCAC [ch.](#)

[10](#), subch. 10A, and any other approval required by a governmental unit for the preparation and service of food;

- (6) Proof of an insurance policy, issued by an insurance company licensed to do business in the State of North Carolina, protecting the permittee and the city from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the permit. Such insurance shall name the city as additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without thirty (30) days' advance written notice to the city. Such insurance shall afford minimum limits of one hundred thousand dollars (\$100,000.00) per person bodily injury, three hundred thousand dollars (\$300,000.00) per occurrence bodily injury, and twenty-five thousand dollars (\$25,000.00) per occurrence property damage.

All items listed in the permit application are required annually for renewal of permit.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 08-179, § 3, 6-17-08; Ord. No. 11-78, § 4, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-235. - Issuance of permit.

Not later than thirty (30) days after the filing of a completed application for a permit, the applicant shall be notified by the city manager, or his designee, of the decision on the issuance or denial of the permit. The manager, or his designee, shall consider the standards set forth in this chapter in determining whether to grant a permit. If the permit is denied, the applicant shall be provided with a statement of the reasons therefore, which reasons shall be entered in writing on the application, and the permit fee, in excess of twenty-five dollars (\$25.00) shall be refunded. Permits issued pursuant to this section shall be for a twelve-month period and shall expire on June 30, except if the permit is issued after the expiration of seven (7) months of the current fiscal year, the permittee shall be required to pay one-half the fee prescribed. No permit fee shall be abated, nor shall a refund of any part thereof be made, in any case where the permittee discontinues his business before the end of the period for which the permit was issued. The original license and decal shall be displayed at all times during the operation of the vending business where it can be inspected at any time by any proper city official. Licenses and decals are non-transferable.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 90-110, § 1, 8-16-90; Ord. No. 08-179, § 4, 6-17-08)

Sec. 26-236. - Prohibited conduct.

No mobile food vendor shall:

- (1) Vend within three hundred (300) feet of any church, while such church is holding a religious service.
- (2) Vend on any paved or traveled portion of a street or on any sidewalk where vending is otherwise prohibited or located in any city-owned parking space, or any handicapped space, fire lane, or loading area; or any grass or landscaped area, except that pushcart mobile food vendors shall be permitted on sidewalks adjacent to and upon property zoned central business, "CB".
- (3) Vend between the hours of 3:00 a.m. and 7:00 a.m. of the following day.
- (4) Leave any pushcart or mobile food unit unattended on a city right-of-way or street.
- (5) Store, park or leave any pushcart or mobile food unit overnight on any right-of-way or sidewalk.
- (6) Sell food or beverages for immediate consumption unless the vendor has available for public use their own, or a public, litter receptacle which is adequate and available for the vendor's patron's use and being no more than ten (10) feet distant from the pushcart or mobile food unit.
- (7) Leave any location without first picking up, removing and disposing of all trash or refuse including products spilled on the sidewalk within twenty (20) feet of the push cart location.

- (8) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on or under the pushcart except that pushcart mobile food vendors may place hand-squeezed lemonade/orangeade manufacture and sales on the top surface of a single cooler.
- (9) 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 the pushcart.
- (10) Solicit or conduct business with persons other than pedestrians.
- (11) Sell anything other than that which the vendor is licensed to vend.
- (12) Sound or permit the sounding of any device which produces noise, or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention of the public. All mobile food vendors shall be subject to and comply with the standards of the City of Greensboro Noise Ordinance, "Offenses of Unreasonable or Disturbing Sound", the City of Greensboro Outdoor Lighting Ordinance and other applicable City of Greensboro rules and regulations.
- (13) Vend without the insurance coverage specified in this article.
- (14) Violate any federal, state, county or city law or regulation that pertains to food, beverages or the preparation or selling thereof.
- (15) No vendor selling from a pushcart shall:
 - a. Vend within ten (10) feet of an entranceway to any building or fifty (50) feet from an open business.
 - b. Vend within fifty (50) feet of any driveway entrance to a police or fire station, or within ten (10) feet of any other driveway or of any alley.
 - c. Vend within ten (10) feet of the crosswalk at any intersection.
 - d. Vend within twenty (20) feet of any bus stop sign.
 - e. Vend within ten (10) feet of any fire hydrant or fire escape.
 - f. Allow the pushcart or any other item to rest upon, against or hang from any building or structure lawfully placed on public property, without the owner's permission.
 - g. Vend within one hundred (100) feet of any other pushcart.
 - h. Vend within fifty (50) feet of a sidewalk café that is open.
 - i. Pour waste products, (including hot water and drainage from coolers) down a storm drain.
- (16) Provided further, it shall be unlawful for any person to maintain any pushcart upon any right-of-way or sidewalk which impedes, endangers, or interferes with the travel upon or use of the right-of-way or sidewalk. In the event it becomes necessary for the regulation of traffic or the safety or convenience of pedestrians, any law enforcement officer of the city may direct vendors to move to another location. No person may refuse to comply with a lawful order of a law enforcement officer when the order is given under the authority of this section.
- (17) No vendor selling from a mobile food unit shall:
 - a. Vend within fifty (50) feet of the main entrance of a restaurant during the restaurant's business hours, unless the restaurant gives written permission to the vendor.
 - b. Vend within five (5) feet from any driveway, sidewalk, utility box or vault, handicapped ramp, building entrance or exit or emergency call box.
 - c. Vend within ten (10) feet of any fire hydrant or fire escape.
 - d. Pour waste products, (including hot water and drainage from coolers) down a storm drain.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 93-30, 4-1-93; Ord. No. 97-189, § 2, 11-18-97; Ord. No. 04-230, § 1, 11-22-04; Ord. No. 08-179, § 5, 6-17-08; Ord. No. 11-78, § 5, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-237. - Size requirements.

No pushcart shall exceed forty two (42) inches in width and seventy-seven (77) inches in length (hitch is included in length). No pushcart, exclusive of the canopy, shall exceed sixty (60) inches in height, nor shall any canopy be less than seventy-eight (78) inches in height at its lowest point nor ninety (90) inches in height at its highest point.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 08-179, § 6, 6-17-08)

Sec. 26-238. - Safety requirements.

All mobile food vendors shall comply with the following requirements:

- (1) All equipment installed shall be secured in order to prevent movement during transit and to prevent detachment in the event of a collision or overturn.
- (2) All utensils shall be stored in a manner to prevent their being hurled about in the event of a sudden stop, collision or overturn. A safety knife holder shall be provided by the vendor to avoid loose storage of knives and other sharp or bladed instruments.
- (3) Compressors, engines, generators, batteries, battery chargers, gas-fueled water heaters, and similar equipment installed on a pushcart and used in the storage, preparation or vending of food shall be installed so as to be accessible from outside the pushcart.
- (4) All health rules and regulations in 10 NCAC [ch. 10](#), subch. 10A as amended, or as otherwise required by law.
- (5) Leave five (5) feet of unobstructed sidewalk for pedestrian passage. All applicable regulations pursuant to the Americans with Disabilities Act must be met.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 08-179, § 7, 6-17-08; Ord. No. 11-78, § 7, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-239. - Not-for-profit exemption.

Nonprofit on-premises mobile food vendors shall be exempt from sections [26-233](#), [26-234](#) and [26-235](#) of Greensboro Code of Ordinances and those vendors permitted by these nonprofits shall be exempt as well at the premises of the nonprofit.

Nonprofit off-premises mobile food vendors shall be exempt from sections [26-233](#), [26-234](#) and [26-235](#) of Greensboro Code of Ordinances.

(Ord. No. 11-78, § 9, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-240. - Vendor's permit not required.

Mobile food vendors who sell within a special event venue as defined in the Greensboro Code of Ordinances [section 26-247](#) are exempt from the requirements of this division.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-241. - Wholesale delivery.

The provisions of this division shall not be construed to prohibit the wholesale or delivery of products to stores or markets.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 11-78, § 10, 5-3-11)

Sec. 26-242. - Permit denial, suspension and revocation.

Any mobile food vendor's permit may be denied, suspended or revoked for fraud or misrepresentation in the application for the permit or in the conduct of the business, for conduct of the business in such a manner as to create a public nuisance, or constitute a danger to the public health, safety, welfare, or morals, or for conduct which is contrary to the provisions of this division. Any mobile food vendor whose permit is denied, suspended or revoked pursuant to this section shall not be granted a new permit for a period of thirty (30) days for the first offense and twelve (12) months for the second offense.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 11-78, § 11, 5-3-11; Ord. No. 12-131, § 1, 11-7-12)

Sec. 26-243. - Penalty.

Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed two hundred dollars (\$200.00), or by imprisonment for a period not to exceed thirty (30) days, or a combination of any of the penalties listed.

(Ord. No. 90-79, § 1, 6-14-90; Ord. No. 08-179, § 8, 6-17-08)

FOOTNOTE(S):

⁽⁷⁰⁾ **Editor's note**— Ord. No. 12-131, § 1, adopted Nov. 7, 2012, changed the title of Div. 2 from "Pushcart sales" to "Mobile food vendors". ([Back](#))