



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

Alan Webber, Mayor

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1

Renee Villarreal, District 1

Michael J. Garcia, District 2

Carol Romero-Wirth, District 2

Lee Garcia, District 3

Chris Rivera, District 3

Jamie Cassutt, District 4

Amanda Chavez, District 4

Dear Applicant,

Thank you for showing your interest in the Santa Fe Plaza Park Pushcart Vendor Program. The attached application packet includes the following documents:

- A list of required submittals
- A License Application
- An Affirmation Form, to be notarized and signed by the applicant
- Food Booth Requirements
- Ordinance NO. 2017-21
- Resolution NO. 2009-120
- Resolution NO. 2015-5

It is strongly recommended that you read all the attached documents thoroughly to ensure you meet the minimum qualifications to participate in this program and to have a complete understanding of the requirements, rules and regulations of this program.

Applications are to be submitted in person to Isabella Sharpe located in the City Clerk's Office, at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico 87501. Applications will be reviewed for completeness. Incomplete applications will not be accepted. The \$25.00 application fee will be collected at the time your application is reviewed and approved.

Please call and schedule your appointment when you are prepared to submit your application packets. The deadline to submit your complete application is Friday, September 30, 2022, no later than 4:00pm.

For more information, please call Isabella Sharpe at 505-955-6326 or email ilsharpe@santafenm.gov.

Kind Regards,

A handwritten signature in black ink that reads "Isabella L. Sharpe".

Isabella L. Sharpe



City of Santa Fe

2023-2027 Plaza Park Pushcart Vendor Program

List of Submittals



Six (6) Original Applications are required

** All photographs shall be labeled including applicant's name; pictures will not be returned **

Applications shall include the following:

- 1) A letter of interest
- 2) Resume
- 3) Signed and notarized affirmation form (see attachment)
- 4) Applicants shall provide a State of New Mexico CRS taxpayer identification number (list it on your application)
- 5) Except for New Businesses: A Letter of Good Standing from New Mexico Tax and Revenue
- 6) A completed Santa Fe Plaza Pushcart Vendor License Application
- 7) Description of food products/menu to be sold and prices
- 8) Four (4) photographs of the plaza pushcart vendor's cart, with views of the front, back, and each side of the cart, and the specification of the cart; or a set of blueprints and specifications of each elevation of the proposed cart, if the cart has not been built.
- 9) Six (6) copies of the application, with original photos attached. Photographs shall have been taken no more than one (1) year before the date the application is submitted.
- 10) Photographs of the applicant and every other person named on the application (labeled with names).
Photographs shall have been taken no more than one (1) year before that date of application submittal.
- 11) Copies of prior Plaza Park Pushcart Licenses (if applicable)
- 12) Proof of Santa Fe County Residency (Driver's License, voter's registration card, or your City of Santa Fe Utility Bill)

Please Note:

- Photographs, digital images and reproductions shall be no larger than eight and one-half (8 1/2) inches by eleven (11) inches.
- The city may request proof of familial relationship, for example: marriage certification or birth certificate.



City of Santa Fe
2023-2027 Plaza Park Pushcart Vendor Program
Application



Name of Applicant: _____

Mailing Address: _____

Phone Number: _____ **Cell Phone:** _____ **Email Address:** _____

Business Name: _____

Type of Ownership (Please circle one): Corporation Partnership Private Owner Sole Proprietor LLC or Non-Profit

Food Product _____ **Price Range** _____ **Proposed hours of Operation** _____

Name of Commissary: _____

Address of Commissary: _____

Have you ever had a plaza pushcart vendor license before? (Please circle one) Yes No

If yes, what years? _____ *What is the license control number?* _____

Food Establishment Permit: *Permit Number:* _____ *Expiration Date:* _____

LIST OWNERS, PARTNERS OR CORPORATE OFFICERS:

Name and Title

Home Address/City/State/Zip Code

DL#

_____	_____	_____
_____	_____	_____

LIST NAMES OF THE PERSONS THAT WILL HELP THE APPLICANT SELL THE PRODUCT:

Name and Title

Home Address/City/State/Zip Code

DL#

_____	_____	_____
_____	_____	_____
_____	_____	_____

Federal ID# _____

CRS# _____

Signature: _____

Date: _____



City of Santa Fe
2023-2027 Plaza Park Pushcart Vendor Program
Affirmation Form



I hereby affirm the license fee, or any portion thereof, is nonrefundable.

I hereby affirm that should a Plaza Pushcart Vendor License be issued to me; I will maintain adequate insurance in at least the amounts stated in the New Mexico Tort Claims Act and shall provide proof of such insurance coverage to the city on an annual basis during the term of the license. The insurance policy shall:

- i. Name the city as an additional insured on the policy; and
- ii. State that the city shall be notified no less than thirty (30) days in advance of cancellation of such insurance policy for any reason, the Plaza Pushcart vendor shall furnish the city with a copy of a certificate of insurance.

I hereby agree to have my commissary inspected regularly throughout the term of the license period to ensure compliance with all City, State and Federal requirements.

I hereby affirm that I will give the City Manager and or his/her designee, when a complaint is filed, my full and complete cooperation. If, in the opinion of the City Manager, I am in continued violation of any of the conditions of the pushcart ordinance, the City Manager may revoke my license pursuant to §23-5.5 *J Enforcement SFCC 1987*.

I hereby affirm in front of a notary public that all information included in and with my application is true and correct to the best of my knowledge; that I, the applicant, if a license is issued will comply with all provisions of § 23-5.1 and § 23-5.5 SFCC 1987, and any other applicable laws; and acknowledge that violations of this section or any other applicable laws constitutes grounds for permanent revocation of this license.

Signature of applicant

Date

Subscribed and sworn to before me this _____ day of _____, 2022.

Notary Public

My commission expires: _____, 20____



City of Santa Fe Fire Department

P.O. Box 909, 200 Murales Road – Santa Fe, New Mexico 87504
(505) 955-3110 – FAX (505) 955-3115

SPECIAL EVENTS/ FOOD BOOTH REQUIREMENTS (Effective June 1, 2021)

Disclaimer: This list is a comprehensive list of the most common life safety features in reference City of Santa Fe Fire Prevention Bureau's office with special events. Each special event is unique and each occupancy is subject to review by the International Fire Code (IFC) 2015, International Building Code (IBC) 2015, and NFPA reference standards and city adopted ordinances, confirmed compliance by the fire code official.

- I. International Fire Code (IFC) 2015.
- II. Compliance with current burn restrictions with the City of Santa Fe (provide by City of Santa Fe Fire Prevention Bureau).
- III. Shall provide site plan depicting the following: Exits, Fire Extinguishers, No Smoking Signs, Etc..
- IV. NO SMOKING SIGNS. The fire code official is authorized to order the posting of "No Smoking" signs in a conspicuous location in each structure or location in which smoking is prohibited. The content, lettering, size, color and location of required "No Smoking" signs shall be approved.
- V. Fire hydrant Locations 10' Diameter clear width (5' from center of fire hydrant).
- VI. FDC access 10' clear width (5' from center of Fire Department Connection).
- VII. FIRE LANES shall maintain clear width of 20'-0" minimum.
- VIII. FIRE EXTINGUISHER
 - 2A, 10 B.C. minimum for all other locations (within 75').
- IX. FIRE EXTINGUISHERS FOR FOOD BOOTHS:
 - One 2A-10 BC fire extinguisher shall be required for each food booth.
 - One "K" type extinguisher is required for booths conducting any deep fat frying. Booths containing deep fat fryers shall have a class K portable fire extinguisher for up to four (4) fryers having a maximum cooking medium capacity of 80 pounds each.
 - For every additional group of four (4) fryers having a maximum cooking capacity of 80 pounds each, an additional class K will be required.
 - For individual fryers exceeding six (6) square feet in surface area, class K extinguishers will be installed in accordance with manufacturer's recommendations.
 - All fire extinguishers shall have a current (*within a year*) inspection sticker from a licensed extinguisher company or provide proof that extinguisher is new (*store receipt*).
 - First Aid Kit
 - Fire Blanket
- X. FOOD BOOTH LOCATION:
 - Food booths utilized for cooking shall be separated from other booths shall not be separated by less than 20 feet. (*Other variations may be approved by the fire code official*).
 - Booths shall not be placed within 10 feet of amusement rides or devices.
- XI. COOKING EQUIPMENT LOCATION:
 - Barbeque pits shall not be located within 10 feet of combustible materials.
 - Barbeque pits shall not be located under food booth canopy.
 - Propane tanks shall not be located within 10 feet of a building door or window.
- XII. ACCEPTABLE COOKING SOURCES: The following are the only approved cooking sources for food booths.
 - Wood or charcoal (all waste material disposed in a fire resistant trash container w/ lid).

- Propane
- Natural Gas
- Electricity

XIII. DEEP FAT FRYING:

- If deep fat frying is conducted under a canopy or tent, the surface of the canopy or tent must be kept clean of grease accumulations, and the canopy or tent will need to be made of a fire retardant material (i.e. Registered Flame Retardant Tent, State of California). For multiday events, canopy/tent surfaces must be cleaned every day prior to start of cooking operations.
- All deep-fat fryers shall have a steel baffle between the fryer and surface flames of an adjacent appliance or shall maintain a 16 inch separation distance. The baffle, if installed, shall be eight (8) inches in height. Where it is not possible to maintain this space, a steel or tempered glass baffle must be installed at a minimum eight (8) inch height between the fryer and adjacent appliance.

XIV. GENERATORS:

- Fuel tanks shall be of adequate capacity to permit uninterrupted operation during normal operating hours.
- Generators shall be isolated from contact with the public.
- Storage of gasoline is not allowed near generators or food booths.
- Keep minimum distance of 10 feet from combustible materials.
- Fuel must be kept a minimum distance of 20 feet from generator.

XV. DECORATIONS:

All decorative material shall be at least six (6) feet away from any open flame, cooking element, or heat source or be flame resistant.

XVI. PROPANE:

- All ASME tanks will need to be verified by the State of New Mexico LPG Bureau and special events (Contact # 505-231-8467). Permit for special events issued by state.
- All equipment (hose, connections and regulators) used in conjunction with propane tanks must be UL listed for the purposes in which they will be used.
- Tanks shall be secured to prevent falling.
- Tanks shall only be white or aluminum in color.
- Only one spare tank will be allowed in food booth.
- Emptied propane tanks are to be removed from the site immediately after use.
- Regulators shall be attached to the tanks as close as possible.
- Leaks can be detected using a soap and water solution.
- Tank shutoff valves and/or additional shutoff valves shall be accessible and away from the cooking appliance(s).
- Propane tanks shall not be within 5 feet (10 feet of ASME tank) of an ignition source.
- Propane tanks shall not be located within 10 feet of a building door or window.

XVII. PORTABLE OUT-DOOR GAS FIRED APPLIANCES. Portable gas-fired heating appliances located outdoors shall be in accordance with:

- Prohibited locations. The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:
 1. Inside of any occupancy where connected to the fuel gas container.
 2. Inside of tents, canopies and membrane structures.

XVIII. Shall comply with CHAPTER 31 TENTS AND OTHER MEMBRANE STRUCTURES.

- Tents need to be secured.
- Tents need to be fire retardant or comply with NFPA 701.
- Clear width of 10' fire break between no more than 10 tents or a 100' feet (10'x10').

1 **23-5.5 Plaza Pushcart Vendors; Licenses; Requirements; Selection Process;**
2 **Conditions of Operations.**

3 A. *Short Title.* This section may be cited as the "Plaza Pushcart Ordinance."
4 B. *Plaza Pushcart Vendor Licenses.* Plaza pushcart vendor licenses may be granted at
5 the discretion of the city manager. Such licenses shall be privileges of the holders of a license,
6 subject to the provisions of this chapter. Such licenses are not and shall not be construed as rights
7 in property or otherwise; and may be revoked by the city at any time, subject to the provisions of
8 this chapter.

9 C. *Number of Plaza Pushcart Vendor Licenses.* The city manager may issue up to six
10 (6) Plaza pushcart vendor licenses per term.

11 D. *Location.* At the discretion of the city, the locations of the plaza pushcart vendors
12 may be designated in the Plaza Park; the Plaza; or the Plaza periphery.

13 E. *Term.* A vendor license shall be valid for a period of five (5) years from January 1
14 or the date issued, whichever is later, of the first year to December 31 of the fifth year, subject to
15 the provisions of this chapter.

16 F. *Requirements for Plaza Pushcart Vendor License Applications.*

17 (1) The city shall give public notice of the application period by whatever no-
18 fee notice or announcement channels are available through local print, audio or video
19 media. For the 2015-2017 license term, application shall be made during the month of
20 April 2015. For the 2018-2022 license term, application shall be made during the month
21 of October 2017. Every five years thereafter, application shall be made during the month
22 of September.

23 (2) Each applicant shall be required to:

24 (a) Pay an application fee. The application fee shall be established by
25 a resolution adopted by the governing body;

(b) Allow disclosure of the applicant's name and address as a matter of public record;

(c) Provide a state taxpayer identification number;

(d) Except for new businesses, provide a letter of good standing from the New Mexico taxation and revenue department and the New Mexico environment department;

(e) Be a resident of Santa Fe county;

(f) Describe on the application the type of food product the applicant will offer for sale, including prices; and

(g) Designate on the application the proposed hours of operation of the Plaza pushcart.

(3) Only one (1) Plaza pushcart vendor license shall be allowed per immediate family.

(4) The applicant shall affirm, in the presence of a notary public, that if the applicant is granted a Plaza pushcart vendor license:

(a) The license fee, or any portion thereof, is nonrefundable.

(b) During the term of the license, the applicant shall maintain adequate insurance in at least the amounts stated in the New Mexico Tort Claims Act and shall provide proof of such insurance coverage to the city on an annual basis during the term of the license. The insurance policy shall:

(i) Name the City of Santa Fe as an additional insured on the policy; and

(ii) State that the city shall be notified no less than thirty (30) days in advance of cancellation of such insurance policy for any reason.

shall furnish the city with a copy of a certificate of insurance.

(c) The applicant shall comply with all provisions of the Plaza Pushcart Ordinance, subsection 23-5.5 SFCC 1987, and any other applicable laws; and acknowledges that violation of this section or any other applicable law constitutes grounds for permanent revocation of the license.

(5) An application may not be submitted by any person who previously was issued a Plaza pushcart vendor license whose license was revoked according to the procedures for revocation of the license set forth in subsection 23-5.5J.

(6) Each application shall include:

(a) four (4) photographs of the Plaza pushcart vendor's cart, with views of the front, back and each side of the cart, and the specifications of the cart; or

(b) a set of blueprints and specifications of each elevation of the proposed cart, if the cart has not been built.

(7) If a Plaza pushcart license is awarded, the vendor shall be required to obtain a permit to operate as a food establishment from the New Mexico environment department.

(8) Each applicant shall submit six (6) copies of the application, with original photographs or blueprints and specifications attached. Photographs shall have been taken no more than one (1) year before the date the application is submitted. Photographs shall be no larger than eight and one-half inches by eleven (8 1/2" x 11") inches.

(9) Each application shall be reviewed by city staff for completeness. Incomplete applications shall not be considered.

(10) The pushcart vendor license fee, as established by resolution of the governing body, shall be paid to the city. No refund of any portion of the fee shall be

1 made when a license is relinquished or revoked. If fees are not paid accordingly, the
2 license shall be revoked.

3 G. *Procedures for License Selection.*

4 (1) When necessary, the city manager shall designate a jury panel comprised
5 of five (5) members who are residents of the City of Santa Fe to select the Plaza pushcart
6 vendors. Prior to the designation of the panel, the city shall disclose the names of the
7 pushcart applicants to potential panel members and the names of the potential panel
8 members to the applicants.

9 (a) A jury panel member shall be prohibited from serving on the
10 panel if he is related to an applicant for a Plaza pushcart license by consanguinity
11 or affinity to the third degree. For purposes of this section consanguinity means
12 related by blood; affinity means one's spouse or related through one's spouse; and
13 third degree means aunts, uncles, nieces and nephews.

14 (b) A jury panel member shall not be allowed to serve on the panel if
15 he has a conflict of interest with any applicant in accordance with the City of
16 Santa Fe Code of Ethics Ordinance, Section 1-7 SFCC 1987.

17 (c) Each jury panel member shall affirm that they shall be fair and
18 impartial during the selection process.

19 (2) The jury panel shall review and score each application separately. Scoring
20 shall be based on the following number of points and criteria:

21 (a) Up to fifty (50) points for quality, freshness, taste and cost of
22 food.

23 (b) Up to thirty (30) points for a personal interview with the
24 applicant, at which time the applicant shall be required to explain how each food
25 item that the applicant is proposing to sell is prepared and demonstrate how at

least one food item is prepared.

(c) Up to ten (10) points for the design of the pushcart.

(d) Up to ten (10) points for compatibility and diversity of the art and food items with Plaza activities.

(3) Scores shall be calculated by city staff. The results shall be ranked numerically and licenses shall be awarded in order of rank, from highest score to lowest. In the event there is a tie in the ranking of applicants, the jury panel shall determine the appropriate means by which the tie shall be broken. The city shall provide written notice of the jury panel's ranking. An applicant may appeal to the city manager the decision of the jury panel within fifteen (15) days of the date of the city's notice of ranking. The city manager or his designee has sole discretion to grant or deny the appeal. The ranking of applications may be adjusted based on the outcome of the appeal process.

(4) After the appeal period has ended and any adjustments have been made to the ranking, the city shall mail notification of approval of licenses to the successful applicants.

(5) Prior to issuance of any license, the city shall assign pushcart spaces on the Plaza Park, the Plaza or the Plaza periphery. An applicant who had a license the previous license period who receives a license for the upcoming license period may retain the space he or she used previously. Otherwise, spaces shall be assigned by means of a lottery.

(6) Each successful applicant shall obtain a city business registration as set forth in Section 18-2 SFCC 1987 for use only on the Plaza, in the Plaza park or on the Plaza periphery.

(7) The annual Plaza pushcart vendor license fee may be paid in full or in two (2) increments. The full or initial increment shall be paid within thirty (30) days of the

1 date of the written notification of approval; the second increment shall be paid no later
2 than six (6) months from the date of issuance of the license. If the license fee is not paid
3 within thirty (30) days of the date of the written notification, the license shall be issued to
4 the applicant with the next-highest score.

5 (8) In the event that a Plaza pushcart vendor space is available but no
6 qualified applicant remains from the selection process, the city may repeat the selection
7 process and issue licenses for the remaining time.

8 H. *Conditions of Operation.*

9 (1) Plaza pushcart license holders are prohibited from receiving money,
10 goods or services for use of their designated space.

11 (2) Plaza pushcart vendors shall not hinder or impede pedestrian flow on any
12 sidewalk within the Plaza Park or traffic flow on any street surrounding the Plaza Park.

13 (3) Plaza pushcarts shall occupy no more than ninety-six (96) square feet
14 (twelve feet by eight feet (12' x 8')). Such space shall include a cart no larger than four
15 feet by eight feet by eight feet (4'x 8' x 8'), an umbrella if desired, a thirty-two (32) gallon
16 trash can and a fire extinguisher (class 2A 10BC) as required by the city fire code.

17 (4) Plaza pushcarts shall pass a city mandated fire inspection.

18 (5) During the term of the license, push cart vendors may offer for sale only
19 the products that were indicated on the license application and accepted by the jury panel.

20 (6) Loud speakers, for voice transmission and amplification of music,
21 banging, hawking or yelling are prohibited.

22 (7) Signs of all types are prohibited except the following:

23 (a) Standard size business cards;

24 (b) A sign that provides method of payment, not to exceed eight and
25 one-half by five and one-half (8 1/2" x 5 1/2") inches; and

(c) A total of three (3) square feet for a sign or signs, attached to the cart, which may include the name of the business and the menu.

(8) The pushcart vendor's current business registration shall be available on site for inspection at all times of operation.

(9) The pushcart vendor shall identify on the application the names of the individuals who are authorized to sell from the pushcart, along with the vendor. Such individuals may include one (1) member of the pushcart vendor's immediate family, or designee, one (1) non-immediate family member and one (1) employee of the vendor. Up to two (2) times per year, during the license term, the license holder may change the names of the designated individuals.

(10) The pushcart vendors shall operate their licenses as follows:

(a) For the months of March through October, pushcart vendors shall be set up a minimum of twenty (20) days per month, for six (6) hours per day, between the hours of 8:00 a.m. to 10:00 p.m, during the term of the license. This requirement may be modified by the city because of inclement weather.

(b) During the months of November through February, pushcart vendors may be set up as the weather permits.

(c) Pushcart vendors shall not be set up after twelve o'clock noon (12:00) on a day prior to a major commercial event specified in subsection 23-5.2A SFCC 1987 or at any time on the days a major commercial event is held on the Plaza. A pushcart vendor may apply to the sponsors of the major commercial events for inclusion as one of the vendors at that event.

(d) The city may request that pushcart vendors cease operation due to construction, for security reasons or in the event of an emergency.

(11) The city shall designate temporary vehicle parking for the setup or tear

1 down of pushcarts provided that Plaza pushcart vendors shall obtain a loading zone
2 permit from the city parking division and comply with the requirements for such permit.

3 (12) Plaza pushcart vendors shall be liable for paying applicable municipal
4 gross receipts tax and submit a current letter of good standing from the New Mexico
5 taxation and revenue department to the city manager or designee in a sealed envelope.
6 Letters shall be submitted on an annual basis no later than December 31. A plaza pushcart
7 vendor license is subject to revocation if any plaza pushcart vendor fails to deliver a
8 current letter of good standing to the city manager or designee.

9 (13) The city manager may adopt a code of conduct that shall apply to all
10 pushcart vendors.

11 I. *Transfer of License.* A license is not transferable except as follows:

12 (1) If at any time after issuance of a license, a pushcart vendor is not going to
13 use a license, the vendor shall notify the city and relinquish the license.

14 (2) The city may revoke a license if the city determines that the license has
15 not been used for more than twenty (20) days within a calendar month, for the months of
16 March through October. The city may offer the remaining time on the license to the next
17 qualified applicant from the selection process set forth in this section.

18 (3) If a pushcart vendor dies or becomes incapacitated, the city manager may
19 offer the remaining time on the license to a member of the Plaza push cart vendor's
20 immediate family, or designee, who has been identified on the application. However, at
21 the expiration of the license period, that immediate family member or designee shall be
22 considered a new applicant in the selection process should they decide to apply.

23 J. *Enforcement.*

24 (1) The city shall inspect all pushcarts at least monthly to confirm compliance
25 with this section and any applicable laws. Upon determining that the pushcart vendor is

in violation of any provision of this section, the city may suspend or revoke the license subject to the provisions of Section 23-5 SFCC 1987.

(2) The city shall investigate complaints alleging violation of this section provided that the complaint is signed by the complainant and includes the complainant's telephone number and address.

(3) Any vendor found to be out of compliance with this section shall be notified in writing, by certified mail or personal service, of the violation and shall have ten (10) calendar days from the date of the notice to come into compliance. If the violation is not corrected, the vendor shall be notified in writing, by certified mail or personal service, that the license is suspended for fifteen (15) days. If the vendor is found to not be in compliance a second time within a license period, the vendor shall be notified in writing, by certified mail or personal service, that the license is suspended for thirty (30) days. If the vendor is found to not be in compliance a third time within a license period, the vendor shall be notified in writing, by certified mail or personal service, that the license is revoked.

(4) Within five (5) calendar days of receiving a notice of violation, a vendor may request a hearing before the city manager or his designee.

K. Termination of Pushcart Vendor License. The City of Santa Fe reserves the right to terminate any or all Plaza pushcart vendor licenses, with or without cause, if such termination is found to be in the best interest of the City of Santa Fe. In the event of termination, the city shall provide a thirty (30) day written notice to each pushcart vendor whose license is being terminated.

L. *Amendments.* The City of Santa Fe reserves the right to amend the Plaza Pushcart Vendor Ordinance prior to the expiration of any Plaza pushcart vendor license.

25 M. *Continuation of Plaza Pushcart Vendor License.* In the event that a jury panel has

1 not been established or the applications have not been issued, the city manager may
2 administratively extend the term of a license, not more than two (2) times, for no more than a six
3 (6) month period each time.

4 N. *Review*. This subsection shall be reviewed by the governing body within one (1)
5 year of adoption.

6 O. *Effective Date*. This subsection shall become effective immediately upon adoption
7 by the governing body.

8 **Section 3: Effective Date.**

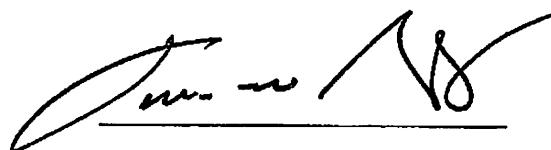
9 This ordinance shall become effective immediately upon adoption.

10

11 PASSED APPROVED and ADOPTED this 11th day of October, 2017.

12

13



14 JAVIER M. GONZALES, MAYOR

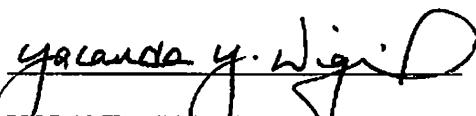
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ATTEST:

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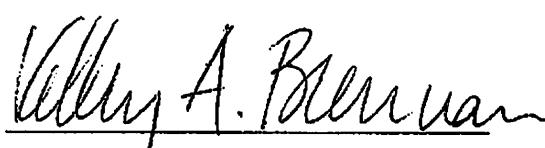
YOLANDA Y. VIGIL, CITY CLERK

19

APPROVED AS TO FORM:

20

21



KELLEY A. BRENNAN

22

KELLEY A. BRENNAN, CITY ATTORNEY

23

24

25

M/Legislation/Ordinances 2017/2017-21 Plaza Vendor Changes

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2009-120

INTRODUCED BY:

Councilor Chavez

A RESOLUTION

**ESTABLISHING AN APPLICATION FEE FOR PERSONS WHO APPLY FOR A
LICENSE UNDER THE PLAZA PUSHCART ORDINANCE, §23-5.5 SFCC 1987.**

WHEREAS, Section 23-5.5 SFCC 1987 created the Plaza Pushcart Ordinance which allows a limited number of food vendors the privilege of selling food items out of a pushcart on the Santa Fe Plaza; and

WHEREAS, city staff anticipates numerous applications from food vendors wanting to participate as a Plaza pushcart vendor; and

WHEREAS, staff involvement in the application process is essential and includes such tasks as designating a city committee or jury panel to review and jury the applicants, review and acceptance of the application, constant communication with the applicants regarding the application and selection process, scheduling of interviews and ranking of scores given by the jury panel; and

WHEREAS, an application fee paid by each applicant for a Plaza Pushcart Vendor should be collected to offset the cost of the administrative processing of the application.

1 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF**
2 **THE CITY OF SANTA FE** that an application fee of twenty-five dollars (\$25.00) shall be paid
3 by each applicant for a Plaza Pushcart Vendor license.

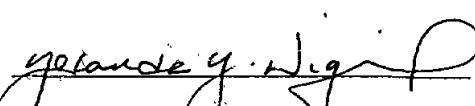
4 PASSED, APPROVED, and ADOPTED this 10th day of November, 2009.

5 
6

7 DAVID COSS, MAYOR

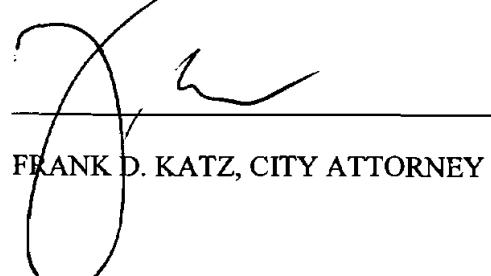
8

9 ATTEST:

10 
11 YOLANDA Y. VIGIL, CITY CLERK

12

13 APPROVED AS TO FORM:

14 
15

16 FRANK D. KATZ, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-5

INTRODUCED BY:

Councilor Signe Lindell

Councilor Carmichael Dominguez

Mayor Javier M. Gonzales

Councilor Peter Ives

A RESOLUTION

**AMENDING RESOLUTION NO. 2002-79 TO CHANGE THE ANNUAL LICENSE FEES
FOR PLAZA PUSHCART VENDORS.**

WHEREAS, on January 14, 2015, the Governing Body adopted Ordinance No. 2015-1 which amended the Plaza Pushcart Ordinance; and

WHEREAS, the Pushcart Vendor Ordinance, §23-5.5 SFCC 1987 authorizes the Governing Body to establish a license fee for Plaza pushcart vendors; and

WHEREAS, the Plaza Pushcart Vendor Ordinance grants a privilege to those vendors who are operating on the Plaza for a profit; and

WHEREAS, on November 13, 2002, the Governing Body adopted Resolution No. 2002-79 which established a graduated fee schedule for Blount and its contractors.

WHEREAS, the current established annual license fee of \$1,500, for pushcart vendors, has been in place since 2006 and is to be paid to the City via Pushcart.

WHEREAS, the use of the Plaza by pushcart vendors requires special services by the City

1 need to increase the annual license fee for Plaza pushcart vendors.

2 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
3 **CITY OF SANTA FE THAT** the Governing Body hereby amends Resolution No. 2002-79 to
4 increase the annual license fee for Plaza pushcart vendors from the current annual fee of \$1,500.00 to:

5 \$2,000 for the first year of the 2015-2017 License Term;

6 \$2,500 for the second year of the 2015-2017 License Term; and

7 \$3,000 for the third year of the 2015-2017 License Term.

8 The annual license fee shall be reviewed by the Governing Body no later than June 30, 2017.

9 **BE IT FURTHER RESOLVED** that after the 2015-2017 License Term, the annual license
10 fee shall be increased by 2% per term of a pushcart vendor license. Pursuant to Subsection 23-5.5
11 SFCC 1987, the term of a license is three years. The following table reflects the cost of the annual
12 license, plus the 2% increase, after the 2015-2017 License Term:

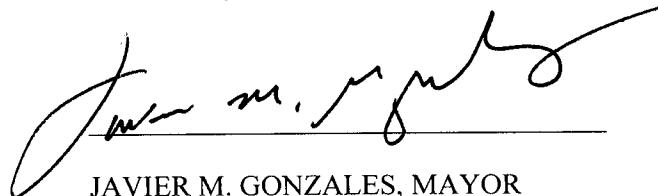
13 2018-2020 License Term \$3,060.00 per year

14 2021-2023 License Term \$3,121.20 per year

15 After the 2021-2023 License Term, the annual license fee shall continue to be increased by 2% per
16 license term.

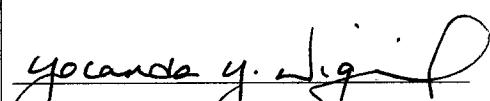
17 **BE IT FURTHER RESOLVED** that in addition to the annual license fee, pushcart vendors
18 are required to pay the annual business registration fee of \$35.00 pursuant to Subsection 18-2.3 SFCC
19 1987.

20 PASSED, APPROVED, and ADOPTED this 14th day of January, 2015.



23 JAVIER M. GONZALES, MAYOR

1 ATTEST:

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4 YOLANDA Y. VIGIL, CITY CLERK

5 APPROVED AS TO FORM:

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8 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Resolutions2015/2015-5 Pushcart Fees*