



## CITY OF DULUTH, MINNESOTA

### **PEDDLERS, MOBILE FOOD CARTS, MOBILE FOOD VEHICLES OR SIMILAR ACTIVITIES**

#### **General Peddler Information**

- ❖ There is a "Peddlers" license for a person/business that "goes from place to place, with a product for sale." Those taking orders for a later delivery, non-profits and those who DO NOT "go from place to place" are NOT REQUIRED to secure this license, but some still choose to secure the peddlers license. In addition, depending on the particular type of product, there might be an additional license required, for example, for fireworks contact the Duluth Fire Department, for food contact the MN Department of Health. Also, depending on the product, it might be subject to city of Duluth Sales Tax.
- ❖ Restrictions:
  - You CANNOT be on private property without their permission. In addition, you cannot be on the Corps of Engineers' property adjacent to the Aerial Lift Bridge.
  - If on public streets or sidewalks you CANNOT interfere with either vehicular or pedestrian traffic, that is, you CANNOT be "set-up" in one location and "plug" the meter by going beyond the maximum time limit allowed, you must continue to "move from place to place." (Note: The whole bricked area in Canal Park, boarded by Canal Park Drive, Buchanan Street and Lake Avenue is a public area, and you CANNOT be "set-up," you must keep moving.)
  - You CANNOT peddle in any skywalk or public park.
- ❖ If there is an approved special event or park permit for an area (i.e. Sidewalk Days, Grandma's Marathon, Bayfront, etc.) a person/business interested in selling items must get permission from the holder of the approved special event permit to sell in the special events permit area.



#### **Mobile Food Carts/Mobile Food Vehicles in Duluth Parks**

- ❖ Only licensed and inspected mobile food cart/mobile food vehicle operators are allowed to set up in a city park. If you are not a licensed operator, you must first obtain the necessary Mobile Food Cart/Mobile Food Vehicle License from both the city of Duluth and the Minnesota Department of Health.
- ❖ When a park does not have a permitted event, food carts are allowed in the park and

its parking lot and mobile food vehicles are only allowed in the park's parking lot.

- ❖ When a park does have a permitted event in the park, mobile food carts are only allowed within the park with the permission of the permitted event licensee. Mobile food vehicles are not allowed and neither type of vendor is allowed in the park's parking lot.
  
- ❖ The Duluth Parks and Recreation Office allows licensed mobile food cart and mobile food vehicles to operate in designated areas within the park system. Operators are prohibited from using utilities from park and public property and right-of-ways. The locations listed below are the only locations within the Duluth Park System where mobile food carts and mobile food vehicles are allowed.
  - Chambers Grove Park
  - Trailhead Parking Lot for Western Waterfront Trail
  - Fairmont Park
  - Memorial Park
  - Lincoln Park
  - Wade Stadium - see *Special Instructions* below
  - Wheeler Athletic Complex - see *Special Instructions* below
  - Enger Park
  - Bayfront Festival Park – see *Special Instructions* below
  - Park Point Recreation Area - see *Special Instructions* below
  - Rose Garden Parking Lot
  - Chester Park
  - Hartley Park
  - Hawk Ridge - see *Special Instructions* below
  - Lester Park
  - Brighton Beach Park
  - Soccer Complex at Arlington Avenue

### **Special Instructions**

The following locations have city-sponsored concession areas. Mobile food carts and mobile food vehicles are not permitted at these locations when the concession areas are open. If the concession areas are closed, then food carts and vehicles are permitted:

- Wade Stadium – parking lot only for both carts and vehicles
- Wheeler Athletic Complex – open green space areas for carts (excluding within the ball fields) and parking lot only for vehicles
  - Concession area is usually open on league nights, Monday – Thursday from 6:00 p.m. to 10:00 p.m. and on weekends when there are tournaments

- Park Point Recreation Area - open green space areas for carts (excluding within the ball field) and parking lots only for vehicles
    - Concession area is usually open from June 1 – September 1; 7 days per week from 10:00 a.m. to 4:00 p.m.
  - Hawk Ridge - parking lot only for both carts and vehicles
    - Concession area is usually open from August 1 – October 31
  - Bayfront Festival Park is private property (not park property) for the purposes of peddler, mobile food cart and mobile food vehicle licenses. The park is operated by the DECC (through a management agreement with the City of Duluth). Events at Bayfront Festival Park arrange for their own vendors. You will need to contact the event promoter directly if you wish to have a food cart or food vehicle at the park during an event. A listing of these events can be found at: **bayfrontfestivalpark.com** - click on the current year's events on the top menu.
- ❖ Mobile food carts and mobile food vehicles may not travel or operate on the Lakewalk or Baywalk at any time.
- ❖ The vendor will have to observe the users in the park to determine if a permitted event is occurring. Most events have a staging area with tents, equipment, etc. and large numbers of people, so the vendor should be able to easily identify an event. "Permitted Event" is defined as both special events (concerts, movies, walks/races, etc.) and weddings. This would not include simple picnic permits.
- ❖ There will not be reservations for a food cart or vehicle to use a park. It will be on a first-come basis. Operators will have to be self-regulating.
- ❖ Operators are responsible for cleanup and trash removal generated from their operation in the immediate area. Operators must provide for waste containers for customer use and for their removal. Operators must provide for recycling if any items sold can be recycled (such as plastic bottle and can beverages).
- ❖ Glass bottles are not allowed in parks by Section 35-8(i) of the City Code.
- ❖ Mobile food carts or mobile food vehicles must park in a parking lot and must not impede normal traffic flow.
- ❖ Mobile food vehicles may not park on the grass or pathways. Mobile food carts may park on grass or pathways as long as they do not damage the grass or obstruct the pathway.
- ❖ Mobile food carts and mobile food vehicles must park 400 feet away from a permitted event if they do not have permission to be a part of the event.

- ❖ Mobile food carts and mobile food vehicles must park 200 feet away from a restaurant.
  - *Example:* Valentini’s Restaurant is near the parking lot for the Rose Garden. A vendor could park in the parking lot, but only if 200 feet away from Valentini’s.
  
- ❖ In parking lots that charge for parking, each mobile food cart or mobile food vehicle operator must pay for the number of stalls and for the time the cart or vehicle occupies the parking spaces.
  
- ❖ Operators are only allowed in the park during open hours of 6:00 a.m. to 10:00 p.m.
  
- ❖ Mobile food cart or mobile food vehicle operators will be assessed for all damages or extra trash cleanup within the park generated by their operation.
  
- ❖ Mobile food carts or mobile food vehicles found operating without a license or in areas not designated in the list above will be subject to a citation, license suspension or revocation.
  
- ❖ The Parks and Recreation Office guidelines/rules will be reviewed annually and, if necessary, revised before new licenses are issued.



Contact Information:

City Clerk	730-5500	City Parks & Recreation	730-4300
City Sales Tax	730-5350	City Licensing Officer	730-5421
City Fire Department	730-4380	MN Department of Health	723-4642