

RIGHT-OF-WAY PERMITS

EXHIBIT A

Conditions for issuance of a permit for use of City Right-of-Way for display and sale of merchandise other than on a sidewalk or other walking area:

1. Uses permitted inside special event areas, under special events permits are exempt from this permit process.
2. Vending in residentially zoned areas is prohibited. This use is permitted under B-3, 4 and 5 only.
3. Any permit allowing use of parking spaces or street—no specific parking space will be guaranteed. No permanent location will be assigned to any permitted use on the street Right-of-Way under this section.
4. Permittee must provide an adequate trash container on or near permitted use for the disposal of waste if waste is generated.
5. All waste generated in conjunction with permitted use shall be cleared from sidewalks and street in vicinity of the use and placed in proper disposal container.
6. Permittee shall abide by all traffic regulations relating to the permitted use (enforced by the City Police Department).
7. Permittee shall abide by all State Health Department regulations (enforced by the State Health Department) if merchandise is food.
8. Permittee shall not sell to patrons in motor vehicles.
9. Permittee shall not have a private vehicle parked for more than thirty (30) minutes in a public parking space for the purpose of restocking.
10. Permittee shall not locate a permitted use in a no parking zone, loading zone nor beside a fire hydrant.
11. No items shall be placed in the Right-of-Way or on the street other than specified on the permit.
12. Permitted uses located in the street are to be positioned next to curbing in a manner so that a patron will not have to stand between permitted use and parked motor vehicle and/or within street.
13. No items shall be placed within three feet of any public area that is improved with flowers, shrubs, trees or other landscaping.
14. When items are displayed in the public Right-of-Way, no one shall repair, renovate, paint or otherwise work on such items while they are so displayed.

15. Anyone displaying items in the public Right-of-Way must comply with all of the requirements of Section 35-19.1 of the Lynchburg City Code.
16. A permit allowing the display of items in the public Right-of-Way may be revoked for the failure to comply with any of these conditions. Upon termination, the owner of the items shall promptly remove the items from the public Right-of-Way at the owner's cost and expense. If the owner fails to remove the items from the public Right-of-Way the City shall have the right to do so and charge and collect the costs thereof from the owner.
17. Applications for the placement of a sign in the Right-of-Way must also be reviewed by the Engineering Department.
18. All permits expire December 31 of the year of issuing and must be renewed annually. The applicant is responsible for renewal and notification to the City if there are any changes.
19. The City will charge a fee per application to help recoup the costs of administration and monitoring this permit. The permit fee schedule is attached for the various activities covered.
20. Permittee must provide with the application a copy of a Business License for each location permitted.
21. All applicants shall provide a letter of consent from the property owner at the proposed permit location; agreeing to allow such business to be placed in front of their property.
22. You may not place any items in the Right-of-Way until you receive your permit. A copy of the permit must be attached to the use in the Right-of-Way.

REQUIREMENTS TO PLACE ITEMS IN CITY RIGHT-OF-WAY

(Food Items Only)

1. Applicant must check with the Zoning Officer in Inspections to make sure that area/site is not zoned residential. If commercial, the City's Traffic Engineering Division must check and approve the site.
2. Obtain Health Department Permit if required.
3. Return to Inspections to obtain Zoning Building Approval for Business license form.
4. Apply in the Commission of Revenue's office to obtain business license.
5. Give copy of business license to the City's Traffic Engineering Division.
6. Copy of entire packet of information to the City Risk Management Department