

City of Portland

Pushcart Rules and Regulations

These Rules and Regulations are promulgated pursuant to Section 19-23 of the City Code:

1. Application must be submitted with colored pictures from at least two angles of the pushcart.
2. Pushcarts must comply with all of the following regulations:
 - a. Pushcarts and allowable trash receptacles and licensed accessory coolers must be on a sidewalk that is at least 8 feet wide and the pushcart cannot obstruct free passage of pedestrians or vehicles; the net passable sidewalk shall not be reduced to less than 4 feet 6 inches in width; and cannot obstruct an entrance or exit and cannot jeopardize public safety. Nothing used or stored in conjunction with the pushcart operation shall be placed in the street.
 - b. Pushcarts must be at least 65 feet from any other pushcart vendor or business that also sells consumable food.
 - c. Only food and/or beverages are allowed to be sold on City property. No flowers, crafts, t-shirts, etc.
 - d. Pushcarts are not allowed in school yards, cemeteries or residential neighborhoods.
 - e. Pushcarts are allowed in city-owned parking lots in city parks. All push cart operators must abide by other pushcart regulations in this document while operating in city parks.
 - f. Zoning ordinances prohibit and restrict the locations where pushcarts are allowed – it is your responsibility to verify that your anticipated site is not in violation of zoning ordinances. Zoning can be reached at 874-8695.
 - g. Your pushcart must meet the size limitations outlined in Paragraph 3 of this document – except that additional sidewalk space can be licensed pursuant to Chapter 15 of the City Code for the storage of not more than two coolers that cumulatively shall not exceed 7 square feet, and shall be in contact with the pushcart at all times.
 - h. You must provide the City of Portland with a certificate of insurance to cover public liability in an amount of at least \$400,000.

- i. There are no designated areas for pushcart vendors. Locations will be occupied on a “first come, first served” basis.
- j. Waste receptacles must be provided and may be stored off of the cart as long as they are in contact with the pushcart at all times. You must keep the immediate area free of litter. Disposal of refuse is your responsibility. No public receptacles shall be used.
- k. Your base station must be inspected, and if food is prepared, then it must be licensed.

3. The City Manager is authorized to make reasonable rules and regulations governing the design, construction and location of the pushcarts.

Pushcarts licensed to operate on City Owned Sidewalks:

Length	Minimum 48”	Maximum 72”
Width	Minimum 32”	Maximum 40”*
Height	Minimum 36”	Maximum 72”**

*Box width only, the axle system may protrude an additional 6.5” on each side.

** From the ground.

Pushcarts licensed to operate on Private Property and City-Owned Parks:

Length	Minimum 48”	Maximum 88”
Width	Minimum 32”	Maximum 58”
Height	Minimum 36”	Maximum 72”

4. All applications and renewals are subject to inspection and review by the Health Inspector or designee and Business Licensing before the license can be issued.

5. No person shall engage in vending after 10:00 PM unless they hold a Night Vendor’s License (which will allow you to sell from 10:00 PM to 12:00 AM) or before 6:00 AM. The Night Vendor’s License application is available through Business Licensing.

6. All State laws and City ordinances must be adhered to:

- a. You are required to have a State license from DHHS - Department of Health & Human Services (Augusta 287-5671).

b. You should contact Maine Revenue Services if you have questions regarding a sellers certificate or tax ID number (Augusta 621-5129).

c. Please familiarize yourself with the following City ordinance chapters that are the most relevant to the operation of a pushcart:

Chapter 11 (Food Handlers)

Chapter 15 (General Licensing Provisions)

Chapter 19 (Street Vendors & Peddlers)

Chapter 28 (Traffic and Motor Vehicles)

7. Each application shall include a specific description of the business, goods to be sold, and equipment to be used.
8. Pushcart vendors are allowed 10 minutes to unload and load at the start and termination of the vending day, provided that they do not block the flow of traffic.
9. Failure to adhere to the regulations for pushcarts is cause for revocation or suspension of your license by Business Licensing.
10. Pushcarts that are stationed on private property must have zoning approval.

Dated: August 24, 2016

Signed: /s/ Jon Jennings

Please call (207)756-8365 about Pushcarts in the City of Portland.