

City of Portland Pushcart/Mobile FSE Regulations

1. Application must be submitted with colored pictures of at least two different angles of the unit you are applying to license.
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 pushcart can not obstruct free passage of pedestrians or vehicles; the net passable sidewalk shall not be reduced to less than 4 feet 6 inches in width; can not obstruct an entrance or exit and can not jeopardize public safety; nothing used or stored in conjunction with the pushcart operation shall be placed in the street.
 - b. Pushcarts must be a 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, no crafts, no t-shirts, etc.
 - d. Pushcarts or mobile units are not allowed in City parks, school yards, cemeteries or residential neighborhoods.
 - e. Zoning ordinances prohibit and restrict the locations where pushcarts/mobile units are allowed – it is your responsibility to verify that your anticipated site selection is not in violation of any of those zoning ordinances. Zoning can be reached at 874-8695.
 - f. Your pushcart must be self-contained – except that additional sidewalk space can be licensed pursuant to Chapter 15 for the storage of not more than two coolers that cumulatively shall not exceed 7 square feet which shall be in contact with the pushcart at all times of operation.
 - g. You must provide the City of Portland with a certificate of insurance to cover public liability in an amount of at least \$400,000 whether you are a pushcart or a mobile unit.
 - h. There are no designated areas for any one pushcart vendor – first vendor there has always been the rule of thumb.
 - i. Waste receptacles must be provided and may be stored off-cart and shall be in contact with the pushcart at all times of operation and you must keep the immediate area free of litter.
 - j. Your base station must be inspected and approved.
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 (from ground level) | Minimum 36" | Maximum 72" |

(*Box width only, the axle system may protrude an addition 6.5" on each side)

Pushcarts licensed prior to 9/1/99 can continue operation if noncompliant with the size limitations, but cannot alter, enlarge or replace the unit except in compliance with these limitations.

Pushcarts licensed to operate on Private Property:

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|-----------------------------------|-------------|-------------|
| Length | Minimum 48" | Maximum 88" |
| Width | Minimum 32" | Maximum 58" |
| Height (from ground level) | Minimum 36" | Maximum 72" |

4. All applications and renewals are subject to inspection and review by the Code Enforcement Officer, Director of Inspection Services and the City Clerk before they can be approved and issued.
5. No person shall engage in vending after 10:00 PM unless they hold the appropriate Night Vendor's License (which will allow you to be on the streets from 10:00 PM to 12:00 AM) or before 6:00 AM. The Night Vendor's License application is available through the City Clerk's Office.
6. All public health and safety regulations imposed by State law and City code must be adhered to:
 - a. You are required to have a State license from DHHS - Department of Health & Human Services (Augusta 287-3707).
 - b. You should contact Maine Revenue Services if you have questions regarding a sellers certificate or tax ID number (Augusta 287-2076).
7. Each application shall include a specific description of the business, the goods to be sold, and the equipment, if any, to be used, including a reasonable estimate of the value thereof.
8. It is the applicant's responsibility to familiarize him/herself with all City ordinances relative to the operation of a pushcart or mobile unit:
 - Chapter 11 (Food Handlers)
 - Chapter 15 (General Licensing Provisions)
 - Chapter 19 (Street Vendors & Peddlers)
9. Pushcart vendors are allowed 10 minutes to offload their cart and equipment at the start of the vending day and 10 minutes to load at the termination of the vending day, provided that they do not block the flow of traffic.
10. All vehicles associated with the transport or supply of pushcarts must comply with all sections of Chapter 28 of the City of Portland Code of Ordinances, Traffic and Motor Vehicles at all other times.
11. Failure to adhere to the regulations for pushcarts/mobile units is cause for revocation or suspension of your license by the City Clerk.
12. Mobile units that are stationed on private property – remember the ordinance requires that you move your unit every 4 hours.

CONTACT CODE ENFORCEMENT FOR MORE DETAILS: (207) 874-8703, (207) 874-8693 or buildinginspections@portlandmaine.gov