



CITY COUNCIL POLICY NO. 2009-04

WHEREAS, the City of Portsmouth currently has a collection of ordinances regulating “hawkers and peddlers” seeking to sell food and non-food items from a location that is not fixed; and

WHEREAS, in order to improve communication with vendors and hawkers and facilitate enforcement, the Vendors’ Committee has proposed that the City Council adopt a policy that both identifies vending locations compliant with the existing ordinances and establishes maximum vending cart sizes.

NOW THEREFORE there shall be established a policy by the City Council relating to hawkers and peddlers providing as follows:

The seven locations on public sidewalks within the Central Business Districts A and B that are suitable as vending locations for licensed hawkers and peddlers are identified on the attached Exhibit 1.

All other locations within Central Business Districts A and B are deemed not appropriate under the existing ordinances and vendors and hawkers are prohibited from setting up carts, stands and like at such other unapproved locations.

The size of vending carts shall not exceed 52” wide and 48 inches long not including the tongue of the cart.

Consistent with the existing ordinance, all vending locations, both inside and outside the Central Business District, are available to the first licensed vendor who arrives in the space after any period of vacancy. Vending locations cannot be reserved.

There shall be no vending or hawking from any municipal parking areas including metered parking spaces, public parking lots, or the parking garage.

This policy does not affect or address mobile/canteen trucks that vend on private property.

This policy does not affect or address vending on property under the control of Prescott Park.

Nothing in this policy supersedes or limits any special permission that the City Council may grant to organizers of community events, such as Pro Portsmouth, who may establish additional vending locations during such special events.

This policy shall take effect upon passage of the City Council.

Adopted by the Portsmouth City Council on: **May 18, 2009**.
Ratified by the Portsmouth City Council on: January 19, 2010.
Ratified by the Portsmouth City Council on: January 17, 2012.
Ratified by the Portsmouth City Council on: January 13, 2014.
Ratified by the Portsmouth City Council on: January 11, 2016.
Ratified by the Portsmouth City Council on: January 16, 2018.
Ratified by the Portsmouth City Council on: January 8, 2020.
Ratified by the Portsmouth City Council on: January 24, 2022.
Ratified by the Portsmouth City Council on: January 16, 2024.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk