

§ 204-6. Vending and peddling prohibited.

No person, at any time, shall sell or offer to sell any article, thing, or food item, or station or place any stand, table, display unit, cart or vehicle for the transportation, sale or display of any such article, thing or food item in any Village of Elm Grove park or lands unless said person holds a valid temporary vending permit for special events under § 262-12 of this Code.

§ 262-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

SPECIAL EVENT -- Any occasion designated as such by the Village Board, including but not limited to concerts, farmers' market day(s), flea market event, craft enthusiasts' gatherings, fairs, shows, exhibitions, and Village-wide celebrations or festivals and taking place within a specifically defined area of any Village of Elm Grove park or lands controlled by the Village.

VENDOR -- Any person, entity or organization who exhibits, displays, sells, or offers for sale such products from a stand, wagon, handcart, pushcart, motor vehicle, table, display unit, or his or her person. A vendor includes any street vendor or transient merchant.

§ 262-11 Special event vendor application requirements.

Any vendor wishing to conduct business at a special event shall:

- A. Apply to the Village Manager or Village Clerk for a temporary vending permit.
- B. Submit the application to the Village at least 15 working days prior to the beginning of the event for which the permit is sought.
- C. If required by an applicable Village's request for proposal (RFP), post a bond or cash deposit. Bond proceeds or cash deposits shall be applied to any added costs the Village may incur from vending activities pursuant to § 262-14.
- D. Disclose any instances where vendor was denied a permit or prosecuted for any criminal or ordinance violation related to the sale of goods.

§ 262-12 Temporary vending permits for special events

- A. The Village Manager or Village Clerk may issue not more than a total of five temporary vending permits for any single special event except farmers' market day(s), flea market event or craft enthusiasts' gatherings which shall have a maximum of 25 temporary vending permits; or any number approved for any special event as may be specifically authorized by resolution by the Village of Elm Grove Village Board.
- B. The temporary vending permit shall be valid only for the duration of the specified special event.
- C. Any vendor to whom a temporary vending permit is granted shall be subject to the operating regulations set forth in § 262-4B (3) to the extent applicable and § 262-7A of this chapter.
- D. Any vendor to whom a temporary vending permit is granted shall prominently display the permit during the special event.
- E. Any vendor who will be selling or distributing food shall present a temporary food establishment permit issued by a local health department that has been granted agent status under § 254.69(2), Wis. Stats., at the time of applying for a temporary vending permit. Said temporary food establishment permit must be valid through the date(s) of the event for which a permit is requested. [Amended 4-22-2003]
- F. The Village of Elm Grove is exempt from all temporary vending permit requirements for special events but shall comply with any applicable Waukesha County temporary food establishment permit requirement.

§ 262-13 Permit fee. The fee for temporary vending permits for special events shall be \$25.

§ 262-14 Imposition of costs.

The Village Manager shall be authorized to impose any extraordinary expenses incurred by the Village associated with the vending activity of the holder of a temporary vending permit as costs on such vendor. Extraordinary expenses may include but are not limited to those which the Village incurs for the purpose of restoring the event grounds or premises to the condition prior to the event, repair of any damage to the event grounds or premises from vending activities or any cleanup/custodial services necessitated by the special event(s).