

- F. Transient Merchants.
1. Where Permitted.
 - a. Transient merchants who are artists creating works of art for display or sale on private or public property shall be a permitted temporary use only in the B-3 Zoning District.
 - b. Transient merchants (food carts) shall be a permitted temporary use only in the B-2, B-3, B-4, PUD-BP, PUD-BPR, NC-C/OF, NC-I/OF, NC-MU-A, NC-MU-B, NC-MU-C, and CC Zoning Districts.
 2. Term of Permit/Renewals. A temporary use permit for a transient merchant may be granted for a term up to a one-year period.
 3. Limitations on the Location/Number of Permittees.
 - a. The number and location of permitted transient merchants at any one time shall be determined by the City. No permit shall be exclusive as to location and the City may issue more than one permit for transient merchants at the same location.
 - b. A permit may be terminated at any time if the City determines that the activities of the transient merchant cause a hazard to the public health, safety, or welfare, or violate any law. Requests to occupy the public right-of-way shall be made in accordance with subsection F.5 below.
 4. Conditions for Approval. All transient merchants shall be subject to the following conditions:
 - a. The Applicant shall demonstrate adequate facilities to dispose of all trash generated by the transient merchant.
 - b. The transient merchant shall document ownership of the property to be occupied, or shall document a leasehold interest in the property to be occupied, or written permission from the owner or lessee to occupy the property.
 - c. The transient merchant shall provide a plan for storage of the vending cart for hours of non-operation in a permanent structure.
 - d. Each transient merchant shall possess a current city sales tax license.
 - e. No transient merchant shall interrupt the flow of traffic on public streets or access ways into a shopping area.

5. Transient Merchants on Public Property. Pursuant to §12.8 of the Charter of the City of Arvada, the Community Development Director is delegated the authority to grant revocable permits for transient merchants on public property. If the Community Development Director determines the provisions of this Section, this Code, and the Arvada City Code are met, a permit shall be issued. In addition, the Applicant shall execute an agreement with the City stating the terms and conditions of the revocable permit. Such a permit shall be revocable by City Council at any time whether or not the right is expressly reserved in the permit.
6. Temporary Sign Allowed. Any transient merchant who possesses a valid permit in accordance with the requirements of this subsection, and while currently engaged in sales operations, may display one portable sign not to exceed fifteen (15) square feet in area on one surface and not to exceed ten (10) feet in height at the merchant's location. Such sign shall be placed behind the applicable building setbacks. An approved temporary use permit shall also serve as a sign permit for the sign permitted by this subsection.
7. Artists as Transient Merchants.
 - a. Any artist/transient merchant requesting a temporary use permit shall indicate the equipment and materials he will be using and how and where the equipment and materials are to be stored when not in use.

- b. An artist occupying the public right-of-way or other public property under the permit shall not impair the use of the public right-of-way or other property by the general public. Any location in the public right-of-way or other public property that is occupied by an artist shall be completely cleared and returned to its original condition whenever the artist is not present.
- c. Any artist seeking a transient merchant permit shall provide written permission from the business owner or lessee immediately adjacent to the location the artist intends to occupy.
- d. Notwithstanding the provisions of subsection F.6 above, an artist/transient merchant operating under a temporary use permit shall be permitted only one (1) sign not to exceed two (2) square feet in area. In cases where artists are involved in an organized group event, each artist is permitted a two (2) square foot sign and one (1) additional sign for the event. The additional sign permitted for the organized group event shall not exceed fifteen (15) square feet in area.