



AGENDA ITEM #: 20-120
COUNCIL MTG OF: December 01, 2020
FROM: Dave Caron, Town Administrator
OFFERED BY: Economic Development Department
PREPARED BY: Beverly Donovan, Economic Development Director
Elizabeth Robidoux, Planning & Economic Development Assistant
SUBJECT: Adoption of Chapter 119 -Licensing of Hawkers, Peddlers & Itinerant Vendors

STAFF REPORT
Public Hearing 12-15-20

PURPOSE:

Staff requests Town Council adopt a new Chapter 119, Hawkers, Peddlers and Itinerant Vendors. The new Chapter would outline how hawkers, peddlers and itinerant vendors are licensed, where they can be located and creates an application process.

TOWN ADMINISTRATOR COMMENTS:

This ordinance expands the licensing process to include mobile businesses, which is a relatively new retail concept. Similar to the traditional oversight of hawkers and peddlers, customarily associated with door-to-door transactions, these regulations are intended to provide assurance to the public concerning these activities.

BACKGROUND:

The Economic Development Department has developed guidelines for hawkers, peddlers, and itinerant vendors in collaboration with the Police, Health, Code Enforcement, and Planning offices. The intent is to coordinate with the businesses that operate in this fashion and ensure the applicable health, public, and life safety codes are met for the benefit of the citizens of Derry.

DISCUSSION

There has been a long history of businesses that sell food, beverages, or merchandise from a place other than a storefront. Some offer product, wares, and services from the residence as a home occupation, others offer mobile services, or locate temporarily on commercial properties within the Town of Derry. The intent of this ordinance is to ensure there is a process in place to make sure that mobile businesses, other than food trucks, are operating in accordance with the laws and rules of the State of New Hampshire with regard to Health Code, public safety laws and applicable life safety codes. For mobile vendors, there may be an additional requirement to complete the Change in Use process to ensure adequate traffic circulation and site conditions. The purpose of the ordinance is not to impose restrictions on this type of vendor, but rather to make sure the public benefit is protected while allowing our businesses with no storefront an opportunity to grow, prosper, and expand within the town.

FISCAL IMPACT:

Small, home based businesses will have an opportunity to expand their reach in the community, which fosters economic development. There is an application fee of \$50.00 annually. There may be a small amount of revenue generated from Planning Department Change in Use fees, inspection fees from Code Enforcement, Fire Prevention, and/or licensing fees through the Health Department. A small tax revenue may be realized if the occupied property qualifies under RSA 72.

RECOMMENDED ACTION BY COUNCIL:

Staff recommends that the Town Council adopt Chapter 119 of the Town of Derry Code to add Article I, Hawkers, Peddlers and Itinerant Vendors.

RECOMMENDED MOTION:

Please see Ordinance #2020-011



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