ORDINANCE

AMENDING VENDOR LICENSE ORDINANCES

CITY OF NASHUA

In the Year Two Thousand and Eighteen

The City of Nashua ordains that Part II "General Legislation", Chapter 231 "Peddling, Soliciting and Vending", Article II "Vendors, Flea Markets and Street Fairs", of the Nashua Revised Ordinances, as amended, be hereby further amended by adding the new underlined language and deleting the struck-through language as follows:

"§ 231-10. Definitions.

... SEASON Each of four divisions of the year as follows: Spring = April, May, and June; Summer = July, August, and September; Autumn = October, November, and December; and Winter = January, February, and March.

STREET FAIR A special event conducted within a limited, defined geographic area for a period of time not to exceed four three (3) consecutive days.

... § 231-11. Vendor’s license.

... D. As a condition of licensure, and at any time during the license period, an applicant or licensee may be subject to additional restrictions or conditions ordered by the Building, City Clerk, Risk, Health, Police or Fire Departments as may be warranted by any circumstances pertaining to a specific vendor, sublicensee, or vending site or to prevent any nuisance related to or caused by the licensed activity. A "nuisance," in addition to its common law meaning, is anything that endangers life, health or safety, gives offense to senses, violates common standards of decency or obstructs the reasonable use, enjoyment, or habitation of any property.
G. The vendor's license fee shall be $10 for each day less than one week, or $25 for one week, $50 for each season or $100 for the year.

I. A street fair may be issued a license for a season. Each season license will be good for one season. Within the season, the street fair cannot be held more than once per week.

§ 231-17. Special rules for street fairs.

C. The licensee shall have full discretion in issuing sublicenses, such discretion to be exercised taking into consideration the purpose, nature and general atmosphere of the proposed street fair for which the exclusive license was issued, provided that the licensee and sublicensees shall, at all times, comply with the ordinances, rules, regulations, and conditions under which the license was issued. Provided further that for a season license, the licensee shall notify the City Clerk, Health Department and Risk Department when any sublicensee is added after the initial application and each such new sublicensee must comply with the ordinances, rules, regulations, and conditions under which the license was issued.”

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent necessary to effectuate this ordinance.

This legislation shall take effect upon passage
LEGISLATIVE YEAR 2018

ORDINANCE: O-18-025

PURPOSE: Amending Vendor Licensing Ordinances

ENDORSERS: Alderman Thomas Lopez

COMMITTEE ASSIGNMENT:

FISCAL NOTE: Unknown at this time.

ANALYSIS

This legislation amends certain section of the vendor licensure ordinances. RSA 31:100 states “Street Fairs. – The selectmen of a town or governing body of a city may grant a license in writing to any person or persons to use and occupy a portion of any street or sidewalk, as may be designated in general or in specific terms, for the purpose of conducting thereon street fairs or other community events, including but not limited to the sale of merchandise by commercial retailers, or by community associations conducting street fairs or other promotions. Such licenses may include the right to encumber the designated area with boxes, shelves, stands and other devices useful in conducting such sales and shall be issued for not in excess of 3 consecutive business days. Licenses may also be subject to such other terms and conditions, to be expressed in the license, as the public convenience and safety may require.”

Approved as to form: Office of Corporation Counsel

By: [Signature]

Date: September 4, 2018