



TOWN OF LINCOLN, NH
Planning & Zoning Department
PO Box 25
Lincoln, NH 03251-0025

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Application for Transient Vendor Permit – Hawkers/Peddlers/Vendors (Part B)
(Application has two parts: Part A – Police Background Check and Part B – Site Plan Review by Planning Board)

Tax Map _____ **Lot** _____

Street Address of Proposed Vending Location: _____

INSTRUCTIONS TO APPLICANT: This application is not acceptable unless all requested data is completed. Sketches of the proposed location, with specifications must accompany all applications. A **non-refundable \$50.00 application fee** must be included with the application. Checks should be made payable to Town of Lincoln.

Do not write in this space.
15 Day Review Period; 30 Day Approval Process.

Date Received: _____

Rec'd by: _____
[signed]

Permit Number: _____

Applicant approved for the following
dates: _____ to _____

1. Description of all merchandise to be sold:

2. Anticipated Attendance:

3. Anticipated Police/Fire/EMT details:

4. Hours of Operation:

5. Vending Dates:

6. I am required to obtain a state permit by RSA 320 and/or RSA 321?
(A copy of my permit(s) has been submitted with Part A of this application.) ☐ Yes ☐ No
7. I am requesting a permit for door to door sales? ☐ Yes ☐ No
8. I am aware of all town ordinances related to temporary sales locations adopted by the
Selectmen, Police Chief, Health Officer, Planning Board, or other Town officials?
(For example: Vending activities within the Village Residential (VR) District are not permitted.) ☐ Yes ☐ No
9. I have included a list of abutters to the proposed sales location with Part A? ☐ Yes ☐ No
10. I have included a sketch of any or stand(s) or motor vehicle (including motor vehicle
registration data) to be used at the temporary sales location with Part A? ☐ Yes ☐ No
11. Will the vending location obstruct a traveled portion of a highway or town right of way? ☐ Yes ☐ No
12. Will my proposed signage and temporary structures comply with the Land Use Plan Ordinance? ☐ Yes ☐ No
13. Does my proposed vending location have adequate off-street parking?
If yes, the Site Plan I have submitted includes this information. ☐ Yes ☐ No
14. I have included a letter from the property owner authorizing me to use their property
Or I had the property owner sign Part A as a co-applicant? ☐ Yes ☐ No
15. I have included payment in accordance with the following schedule? ☐ Yes ☐ No

- Vending Period of one (1) day to thirty (30) days: \$150
- Vending period of thirty-one (31) days to sixty (60) days: \$275
- Vending period of sixty-one (61) to ninety (90) days: \$400
- Vending period of more than ninety (90) days: \$500

16. **I have included a Site Plan with this application.** There are seven (7) copies of the plans prepared in ink or marker on sheet sizes of either 11"x17" or 22"x34" paper containing the following elements:

- a. **Title Block:** Located in the bottom right corner of the page containing the following elements:
- i. Title;
 - ii. Parcel identification (Map and Lot and street address);
 - iii. Owner and applicant names and contact information;
 - iv. Date;
 - v. Zoning District Information;
 - vi. North arrow; and
 - vii. Scale, no greater than one inch equals fifty (50) feet.

b. On the plan I have included the following elements:

i. General Elements:

1. Property lines including lot area;
2. All buildings within fifty (50) feet of the site including their use and approximate size;
3. All building setbacks required by the Land Use Plan Ordinance;
4. All existing natural features, such as brooks, rivers, ponds, woods, etc.
5. Restroom facilities; and
6. The type and location of solid waste disposal facilities.

ii. Circulation Elements:

1. Locations of all intersecting roads or driveways within two hundred (200) feet of the site;
2. Locations of dedicated off-street parking and loading spaces;
3. Locations and widths of access ways and egress ways.

iii. Event or Sale Elements:

1. Locations and dimensions of all temporary structures supporting the event or sale including the setbacks to all property lines; and
2. All areas associated with the business (sales, storage and display areas).

iv. Other Documentation:

1. Copies of all applicable state approvals and permit (may be attached to Part A);
2. A current list of property abutters (may be attached to Part A);
3. Sign permit application detailing all proposed signage related to the application, if applicable;
4. Proposed traffic control plan, if required by the Selectmen;
5. Any other relevant documentation requested by the Selectmen.

___ Yes ___ No

The undersigned agrees that the proposed vending location(s) shall be valid for the period determined by the Board of Selectmen or their designee as per the conditions of the Transient Vendor's Ordinance that is part of the Land Use Plan Ordinance. Failure to comply with the Town of Lincoln Transient Vending Ordinance shall result in a \$100 fine for each occurrence. Permits must be applied for on an annual basis.

Primary Vendor - Applicant's Full Name

Primary Vendor - Applicant's Signature Date

Copy: Lincoln Police Chief
Lincoln Police Department
PO Box 488
Lincoln, NH 03251
P: 603-745-2238; F: 603-745-6743
ChiefofPolice@lincolnnhpd.org

Lincoln Land Use Plan Ordinance (Relevant portions only re: Transient Vending)

VI-C. ARTICLE VI-C – TEMPORARY LAND USES

B. TRANSIENT VENDING.

- 1. AUTHORITY.** This Ordinance Section is adopted by the Town of Lincoln Board of Selectmen under the authority granted by RSA 31:102-a.
- 2. PURPOSE.** The purpose of this Ordinance is to regulate street and sidewalk vending on public streets and sidewalks in a manner that facilitates safe and efficient vehicular and pedestrian traffic circulation.
- 3. DEFINITIONS.**
 - a. Selectmen** means the Lincoln Board of Selectmen.
 - a. Vendor** means any person engaged in selling, or offering for sale, food, beverage, merchandise, or services from a stand or motor vehicle, or from his person, on the streets or sidewalks of the Town or from temporary or transient sales locations within the Town or while going from place to place within the Town, and includes any person defined as a hawker, peddler or itinerant vendor under RSA 320 or RSA 321.

4. APPLICABILITY:

This ordinance is applicable to anyone engaged in any of the following practices:

- a. Travels from out of town or from place to place within town:**
 - i. Selling or bartering, or carrying for sale or barter or exposing therefore, any goods, wares, or merchandise, either on foot or from any car, or vehicle; or**
 - ii. Offering to perform personal services for household repairs or improvements, or solicits or induces any person to sign any contracts relating to household repairs and improvements, including contracts for replacement or installation of siding on any residence or building.**
- b. Keeps a regular place of business, open during regular business hours at the same location, but who offers for sale or sells and delivers, personally or through his agents, at a place other than his regular place of business, goods, wares or merchandise.**

5. EXCEPTIONS:

- a. This Ordinance does not require permits for deliveries of goods, produce, or wares made in the ordinary course of business by entities granted permits under this Ordinance or in connection with a transaction which is not subject to this Ordinance.**

6. GENERAL REQUIREMENTS:

- a. No person may sell, offer for sale, or take orders for services or merchandise from any temporary sales location or while going from place to place within the Town without:
 - i) Possessing a current, valid State permit when required by RSA 320 or 321, or any other law.
 - ii) Possessing a current, valid local license when required under this Ordinance.
 - iii) Complying with all provisions of this Ordinance and other Town ordinances and all lawful regulations adopted by the Selectmen, Police Chief, Health Officer, or other Town officials.
- b. Vending activities within the Village Residential (VR) District are not permitted.
- c. No permit for vending will be granted if the vending operation is proposed to be conducted within the traveled portion of any street over which the Selectmen have jurisdiction.
- d. This Ordinance will not be construed as regulating vending activities within the traveled portion of highways that are subject to the jurisdiction of the State of New Hampshire. Such construction of this Ordinance, however, will not be construed as authorization to engage in such activities without permit or authorization. Any person seeking to conduct vending within the right of way shall, prior to commencing with such activities, provide written authorization from an appropriate official of the State of New Hampshire authorizing such vending activities. The Selectmen reserve the right, based upon public safety, health and welfare, to review such activity proposed within such areas, even where state authorization may have been obtained.

7. FEES:

- a. The applicant shall submit an application fee in the amount of \$50.00 with any application for a permit under this Ordinance. The application fee is not refundable regardless of whether a permit is subsequently issued.
- b. If an application for a permit is approved, prior to issuance of the permit the applicant shall pay the following fees:
 - i. For each vending location included within the permit, a fee based upon the length of time for which vending is authorized as follows:
 - a) For a period from one day to thirty days, \$150.00 dollars
 - b) For thirty-one days to sixty days, \$275.00 dollars
 - c) For sixty-one to ninety days, \$400.00 dollars
 - d) Over ninety days, \$500.00 dollars

C. TEMPORARY LAND USE SIGNAGE:

1. **Authority:** This Section is adopted pursuant to RSA 674:16.

2. **Purpose:**

The purpose of this Section is to regulate signage associated with temporary land uses allowed under this Article and to streamline the application process.

3. **Applicability:**

This Section applies to all signage used to advertise and promote temporary land uses permitted under this Article.

4. **Administration:**

The Selectmen or their designee shall administer this article as it applies to the specific temporary land use.

5. **Approval Required:**

All signage associated with a temporary land use, as described in this Article VI-C, must be approved by the Selectmen or their designee.

6. **Application:**

A completed sign permit application, as described in Article VI-B, Section E, must be submitted as part of the application for temporary land use for all proposed signage associated with a temporary land use.

7. **General Regulations:**

- a) **Number of Allowable Signs:** The Town may allow up to four (4) signs per temporary land use application.

- b) **Display Duration:**

- 1) The Town may allow the applicant to display signage for temporary land uses for no more than twenty-one (21) days prior to the event.
- 2) The Town reserves the right to set separate duration periods for each allowed sign based on the location, size and preservation of the quality of the neighborhood.
- 3) The applicant shall remove all signage within two (2) days following the event.

- c) **Types of Allowed Signage:**

- 1) Public Event Banner per Article VI-B,E,10,c.
- 2) Portable Signs per Article VI-B,E,10,s.

- 3) Flag per Article VI-B,E,10,i.
 - d) **No nuisance:** The applicant shall not design or locate banners to create any nuisance to vehicles or pedestrians.
 - e) **Lettering Restricted:** The only lettering permitted on such signs must be the name and dates of the event. Corporate or business (whether event sponsors or not) shall not be permitted on the banners.
 - f) **Documentation:** Pertinent documentation, including photographs or drawings of the proposed signs is to be included with the application.
 - g) **Location:** Signs must be located at the site of the temporary land use, except when written permission is given by a private landowner at a location acceptable to the Selectmen or their designee.
8. **Enforcement and Violations:**

Enforcement and violations of this Ordinance Section is subject to the provisions of Article VI-B, Section K.

Site Plan Review Regulations
Proposed Ordinance Amendments

Article V. Approval of Development Required

B. Temporary Land Use Application Review

1. **Permitting Process:** Any person seeking a permit under this ordinance shall apply to the Selectmen on an application form provided by the Town and include the following documentation, in addition to any additional requirements requested by the Selectmen.
2. **Application.** The application form must include:
 - a. Name, home and business address of the applicant;
 - b. Name and address of the owner of the vending business, if other than the applicant;
 - c. Name and address of the owner of the property on which the vending operation is to occur if it is different from that of the applicant, including the property owner's signature as a co-applicant;
 - d. A description of the merchandise or services to be sold;
 - e. Anticipated attendance;
 - f. Anticipated police details;
 - g. A description of the proposed location and dates and hours of operation of the vending business; and
 - h. A description of any motor vehicle or stand to be used in the vending business including registration data, if applicable.
3. **Site Plan:** The applicant shall submit to the Town seven (7) copies of plans prepared in ink or marker on sheet sizes of either 11"x17" or 22"x34" paper containing the following elements:
 - a. **Title Block:** Located in the bottom right corner of the page containing the following elements:
 - i. Title;
 - ii. Parcel identification (Map and Lot and street address);
 - iii. Owner and applicant names and contact information;
 - iv. Date;
 - v. Zoning District Information;

- vi. North arrow; and
 - vii. Scale, no greater than one-inch equals fifty (50) feet.
4. **Plan Elements:** The applicant shall exhibit the following elements on the plan:
- a. **General Elements:** The Applicant shall provide the following:
 - i. Property lines including lot area;
 - ii. All buildings within fifty (50) feet of the site including their use and approximate size;
 - iii. All building setbacks required by the Land Use Plan Ordinance;
 - iv. All existing natural features, such as brooks, rivers, ponds, woods, etc.
 - v. Restroom facilities;
 - vi. The type and location of solid waste disposal facilities.
 - b. **Circulation Elements:** The Applicant shall provide the following:
 - i. Locations of all intersecting roads or driveways within two hundred (200) feet of the site;
 - ii. Locations of dedicated off-street parking and loading spaces;
 - iii. Locations and widths of access ways and egress ways.
 - c. **Event or Sale Elements:** The Applicant shall provide the following:
 - i. Locations and dimensions of all temporary structures supporting the event or sale including the setbacks to all property lines; and
 - ii. All areas associated with the business (sales, storage, display areas).
3. **Other Documentation:** The Applicant shall provide the following:
- a. Copies of all applicable state approvals and permits;
 - b. A current list of property abutters;
 - c. Sign permit application detailing all proposed signage related to the application, if applicable;
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