



Town of Carbondale
511 Colorado Avenue
Carbondale, CO 81623
(970) 963-2733

Mobile Vendor Permit - \$25.00

Permit No. _____

Date Issued: _____

Permit Expiration Date: _____

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Name of Applicant: _____ Date: _____

Address: _____

Phone Number: _____ Cell Phone: _____

Email Address: _____

Name of Representative (if different than applicant): _____

Phone Number: _____ Cell Phone: _____

Business Name: _____

Type of Business: _____

Address of Business: _____

Phone: _____

Date and Hours of Operation: _____

Address Location of Mobile Vending: _____

Refer to Chapter 10, Article 9 of the Town of Carbondale Municipal Code for the Noise Abatement Standards.

- **ARTICLE 9 - Noise Abatement**
- **Sec. 10-9-10. - Prohibited noises.**

(a) It is unlawful for any person to create, cause or allow the continuance of any unreasonably loud, disturbing, unusual, frightening or unnecessary noise which interferes with neighboring residents' reasonable use of their properties. Such noises include, but are not limited to, the following:

(1)The intentional sounding of any horn or signaling device, except as an emergency warning device.

(2)The sounding of a security alarm for more than five minutes.

(3)The repair, rebuilding or testing of any motor vehicle between 9:00 p.m. and 7:00 a.m.

(4)The operation of any motor vehicle or motorcycle without a muffler.

5) The congregation, because of or participation in any part of gathering, of people, between 9:00p.m. And 7:00 a.m. in such a manner as to disturb the peace.

(6)The playing of any radio, musical instrument, outdoor speakers, television or any such device in a manner as to disturb the peace of nearby persons.

(7)The operation of gasoline-powered blowers, including, but not limited to, lawn and leaf blowers.

(8)The yelling, shouting, whistling or singing of a person in the public streets or private property between 9:00 p.m. and 7:00 a.m. in such a manner as to disturb the peace.

(9)Construction activities between the hours of 7:00 p.m. and 7:00 a.m. on Monday through Friday and 5:00 p.m. and 7:00 a.m. on Saturday.

(10)The use of explosives, firearms or similar devices which create loud sound.

(11)The playing, operation or use of any device, including, without limitation, a radio receiving set, tape player, compact disc player, MP3 player, television or other machine or device for the production or amplification of sound, which is attached to or upon any vehicle in a public place in such a manner as to be plainly audible at 25 feet from where such device is operated.

(b)Any noise which meets all of the following conditions is also declared to be excessive and unusually loud, and therefore unlawful:

(1)The source of the noise is located on privately owned property, regardless of whether the property is opened to the use of the public.

(2)The noise is measured at or beyond and outside the property line of property on which the noise source is located.

(3)The noise is measured as specified in Paragraph (5) below.

(4)The noise is continuous, continual or essentially uninterrupted for at least five minutes, or persists for more than a total of 15 minutes in any 60-minute period of time.

(5)The noise, at the point of measurement, exceeds the maximum permitted level according to the following:

**Table 10-9-1
Maximum Permitted Sound Level**

<i>Zone District (where source is located)</i>	<i>7:00 a.m. to 8:00 p.m. to</i>	<i>8:00 p.m. to 7:00 a.m.</i>
Residential	60 dB	55 dB
Accommodations	60 dB	60 dB
Commercial	75 dB	60 dB
Light Industrial	70 dB	65 dB
General Industrial	75 dB	65 dB
Heavy Industrial	85 dB	75 dB
Open Space	60 dB	55 dB

(c)For PUD zone districts, the maximum permitted noise level on private property shall be as specified in this Section for the districts most similar to those listed, as determined by the Zoning Administrator, unless other standards are specifically established in the PUD District.

(d)The penalty for violating this Section shall be as follows:

(1)First offense: \$100.00.

(2)Second offense within a 12-month period following the first offense: \$250.00.

(3)Third offense within the same 12-month period: \$500.00.

(4)Fourth offense within the same 12-month period: as set forth in [Section 1-4-20](#) of this Code. (Ord. No. 3, 2006; Ord. No. 15, 2008 §1; prior code 9.45.010; Ord. No. 8, 2015 §1, 8-11-2015)

UNIFIED DEVELOPMENT CODE - CHAPTER 17.04: USE REGULATIONS

4.5.5. ADDITIONAL STANDARDS FOR TEMPORARY USES

A. Mobile Vendor

1. Intent The intent of the mobile vendor license requirement is to regulate any person, whether or not a resident of the Town, that offers merchandise or services for sale on the street, on private property, or door-to-door. The mobile vendor license requirement is not intended to regulate services that are by appointment or invitation, such as in-home massage therapists, carpet cleaners, or financial advisors.
2. Refusing to Leave Any mobile vendor who enters upon premises owned, leased, or rented by another and refuses to leave such premises, after having been notified by the owner or occupant of such premises or his or her agent to leave the same, shall be charged with a misdemeanor.
3. Hours of Operation No mobile vendor shall engage in business within the Town between the hours of 11:30 p.m. each evening and 7:00 a.m. the following morning except by specific appointment with or invitation. However, the Town Manager or his or her designee is authorized to issue written exemptions allowing mobile vendors to operate outside of the hours listed above.
4. Permit Required No person shall engage in mobile vending within the limits of the Town without first obtaining a permit under this Code. Exemptions from this permit requirement include:
 - a. Persons who have received approval from the Board of Trustees, Recreation Department or other
 - b. Services that are by prearranged appointment to the premises; and Town Staff authorized to issue such approvals as part of a Town-sanctioned event;
 - c. Political organizers, religious contacts, or requests to sign petitions or surveys.
5. Application The application for a permit required by this Section shall state or contain the following:
 - a. The period of time the applicant wishes to engage in business within the Town;
 - b. The local and permanent address of the applicant;
 - c. The local and permanent address and the name of the person, if any, that the applicant represents;
 - d. The kind of goods, wares, merchandise, or services for which the applicant wishes to engage in such business within the Town;
 - e. A completed Town sales tax application or a valid sales tax license;
 - f. Any food push cart, wagon, etc. shall be properly licensed and approved by the State Department of Health and/or any other applicable local or state agency.
 - g. Such other relevant information as may be required by the Building and/or Planning Department
 - h. Any application involving operation in the Town rights-of-way and/or on Town property shall also require approval from the following Town Staff: Public Works Director, Recreation Director, Police Chief, Building Official and Planning Director.

The permit shall be valid for one year from the date of issue, unless otherwise specified. Written waivers to the permit requirement may be issued by the Town Manager, or his or her designee. Mobile vendors shall have the permit easily accessible and on hand for review by Town Staff upon request.

6. Issuance of Permits The Town may add additional conditions in any permit as to the location, duration of operation, or any other requirements deemed necessary to protect the public health, safety and welfare.

7. Operation in the Town Rights-of-Way and Town Property If operating in the Town rights-of-way and/or Town property, the following additional standards shall apply: a. If on a sidewalk, at least four feet of unblocked area shall be maintained for pedestrian clearance. b. If on a street: i. Traffic may not be blocked; and ii. No parking is allowed within 20 feet of an intersection.

8. Additional Zoning Considerations Operations in commercial areas shall be located on private property with written permission of the land owner. Operations within residential and industrial zone districts require additional approval by Town Staff. Additional information may be required for operation within residential and industrial zone districts. Operations in a residential and industrial zone district may utilize a parking space in the Town right-of-way provided that the requirements in Section 6-7-80 are met.