

OFFICIAL NOTICE  
DEPARTMENT OF PUBLIC SAFETY  
PUSHCART RULES AND REGULATIONS

PUBLISHED JUNE 3, 2014 ----- EFFECTIVE JULY 4, 2014

Pursuant to the requirements of Chapter 121 of Columbus City Codes, 1959, this notice is submitted as a certified copy of the rules and regulations published June 3, 2014, to amend Section A (1),(2),(6),(7),(8),(9),(10) (a)-(d),(f),(g) & (h), C (1-8) (D) & (E) effective July 4, 2014.

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**A. Pushcart Standards**

1. Generators or the use of power cords on pushcarts is prohibited.
2. The braking mechanism on a pushcart shall be affixed in such a manner that it is not readily removed. The use of ropes, chocks, wood or any other material as the sole breaking mechanism is prohibited. Each braking mechanism must be a solid rubber or pneumatic swivel caster, with a total lock brake attached that prevents wheel roll or swivel.
3. Unsecured weather guards on pushcarts are prohibited. Weather guards shall be included as part of the allowable measurements of the cart.
4. With the exception of merchandise or food items to be sold, pushcarts presented for inspection shall be exactly as they will appear when operating on a public right-of-way, including any food rack.
5. No modification, even if such modification does not violate measurement requirements, shall be made to a pushcart that violates any health or safety regulation or law.
6. Umbrellas, canopies, or other covers used on a pushcart shall be clean and well maintained, with no holes or tears. Pushcart owners shall have five (5) days to comply with this requirement when it is necessary to replace the umbrella or canopy. Pushcart owners shall have a period of five (5) days to comply with this requirement when it is necessary only to repair or clean an umbrella or canopy.
7. Pushcarts shall be maintained in such a manner that prevents the spilling or splattering of grease, water or food on any public right-of-way where the cart is placed during and before that space is vacated. Trash, litter or debris including but not limited to wrappers or packaging materials shall be removed from any public right-of-way where the cart is placed during and before that space is vacated.

8. Unsecured menu boards are prohibited on pushcarts. The measurements of a menu board shall be included as part of the allowable size of the pushcart.
9. One three feet by five feet (3' X 5') solid, National Sanitation Foundation (NSF), approved mat shall be used with the pushcart while in operation or conducting business. No holes in the mat are allowable. The mat shall be placed flush with the pushcart, beneath the food preparation area in such a manner to prevent any food product or grease spillage.
10. Pushcarts shall be clean at all times.

## **B Pushcart Operations**

1. No pushcart shall be left unattended on a public right-of-way for more than thirty (30) minutes.
  - (a) Owners, operators;
    - (1) Shall maintain a distance of ten (10) feet from a taxi stand, sidewalk elevator, tunnel or mailbox.
    - (2) Shall maintain a distance of ten (10) feet from a fire hydrant.
    - (3) Shall not obstruct in any way a loading zone, telephone booth, traffic control box, fire alarm box, parking meter, any sidewalk fixture or furniture, bus stop or a legally parked vehicle.
    - (4) Shall not obstruct any display windows or doorways of any merchant.
    - (5) Shall not use a power generator of any type or a power cord of any type.
    - (6) Shall not obstruct in any way or interfere with or prevent the free flow of pedestrian or vehicular traffic.
    - (7) Shall not obstruct in any way or interfere with public works or construction projects.
    - (8) Shall during the period of selling keep the area within twenty-five (25) feet of that location free from all litter and debris arising, including the litter which arises from actions of customers in disposing of wrapping or packaging materials sold by the owner/operator. When two (2) or more operators occupy overlapping areas they shall each be jointly responsible for the overlapping areas.
    - (9) Shall be responsible for the cleaning and repair of any public right-of-way soiled, stained or damaged by the placement and operation of their pushcarts. Such cleaning or repair shall be done in such a manner so as to return the area to its original state and, shall be at the expense of the pushcart owner. The License Section may conduct an inspection of any such area to determine if the repair or cleaning is satisfactory. Any pushcart owner/operator found to cause consistent justified complaints in an area where operating, shall be prohibited from operating in that area. This shall include, but not limited to failing to maintain a clean working area, damaging sidewalks or buildings with food products, spilling of grease on the sidewalk, pouring grease into a gutter system or failing to respect the rights of building occupants. Any finding against a pushcart owner/operator shall be made through the process of investigation and a hearing before the License Section Board of Appeals.
    - (10) Shall not display or advertise any merchandise or services from any utility pole, sign, tree, planter, trash container, parking meter, bridge, newspaper stand, sidewalk fixtures or furniture, portable signs of any type, traffic control box, motor vehicle, bicycle or any other type of motorized conveyance, or any other criteria deemed reasonably inappropriate by a license officer or police officer, for the public health, welfare and safety.

- (11) Shall not use or store merchandise or services from any box, bucket, cooler, tub, or any other container, table, chair, bench, cabinet or any other furniture of any kind, racks, dolly, wheelbarrow, grocery cart, baby carriage, stroller, easel, handcart or any other criteria deemed reasonably inappropriate by a license officer or police officer, for the public health, welfare and safety.
- (12) Shall not use any signage upon the public right-of-way of any street, road, alley, sidewalk or bikeway except within the boundaries of a special event.
- (13) Shall not obstruct pedestrian traffic upon any sidewalk or the vehicular traffic upon any street, road, alley, driveway or any other public right-of-way. Operators leaving less than five (5) feet of sidewalk space available for pedestrian traffic on a city sidewalk shall be considered obstruction of pedestrian traffic.
- (14) Shall not operate from under any skywalk or roof extended over a sidewalk from a building.
- (15) Shall not change propane tanks while resting on any public right-of-way.
- (16) Shall not carry more than a forty (40) pound supply of propane on a public right-of-way and must be manifolded to appliances where such supply is contained in more than one tank.
- (17) Shall not operate on any public right-of-way where public safety is jeopardized, as determined by a City of Columbus License officer, or Division of Police, Fire or Health Department officer.
- (18) Shall not place any pushcart in any city park, on any public right-of-way immediately adjacent to a city park or any property leased from the city without written permission from the operating authority.
- (19) All owners awarded a space in the reservation system shall sign a "Notice of Policy" acknowledging that they received and understand the policies and penalties regarding pushcart operations in all designated areas.

## **C PENALTIES**

- (1) Failure to comply with these rules and regulations shall be cause for a hearing before the License Section Board of Appeals for the possible suspension or revocation of the Mobile Food Vending license.

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Division Office: 750 Piedmont Rd – South Entrance, Columbus, OH 43224  
Telephone: (614) 645-8366  
Fax: (614) 645-8912