



Planning and Development Division  
3015 Market, Galveston, TX 77550

# CONCESSION APPLICATION

## DEVELOPMENT SERVICES DEPARTMENT

409/797-3660

planning@galvestontx.gov  
www.galvestontx.gov

FIRST TIME APPLICANT [ ] OR [ ] RENEWAL \_\_\_\_\_

### I. APPLICANT INFORMATION

\_\_\_\_\_  
Applicant/Representative Name

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
E-mail Address

\_\_\_\_\_  
Concession Name

\_\_\_\_\_  
Telephone

### II. PROPERTY INFORMATION

\_\_\_\_\_  
Owner Name

\_\_\_\_\_  
Owner Telephone

\_\_\_\_\_  
Lease Property Address

\_\_\_\_\_  
Owner E-mail Address

\_\_\_\_\_  
Owner Signature

### III. APPLICANT CHECKLIST – *All of the following items must be included:*

- [ ] **Liability Insurance** – *Copy of Insurance; must include City of Galveston as certificate holder*
- [ ] **Health Department Permit** – *Copy of valid Galveston County Health District permit*
- [ ] **State of Texas Sales Tax License** - *City of Galveston listed as origin of sales*
- [ ] **Criminal Background Check**
- [ ] **Photos of Concession** - *Inside and outside*
- [ ] **Photo Identification** - *Must be up to date*
- [ ] **Commissary Agreement** - *Location where gray/waste water and/or grease will be disposed of*
- [ ] **Electricity** - *Indicate source of electricity. Must be on-board generator or free standing pole*
- [ ] **Lease Agreement** - *Must be signed by property owner and include an expiration date.*
- [ ] **Site Plan** - *Must be to scale and show the location of the concession vehicle, any allowed seating, and distances to adjacent residential zoning or schools if applicable.*
- [ ] **Fees** – *Payable to the City of Galveston. Note that permit expires December 31st each year.*
  - Application Fee: \$500.00

**IV. ACKNOWLEDGEMENTS**

I certify that I have full authority to make this application, and that all information is correct and complete to the best of my knowledge and ability.

**Please read and initial below:**

\_\_\_\_\_ I certify that I have read and and agree to follow Galveston City Code Article III, Chapter 19: Concessions and Peddlers, in regards to concession operations.

\_\_\_\_\_ I certify that I understand that concession permits expire December 31st of each year.

\_\_\_\_\_ I certify that I understand that failure to abide by the regulations listed above may result in fines or the revocation of permit to operate in the City of Galveston.

By signing I am certifying that all the information is true and correct.

\_\_\_\_\_  
Printed Name and Signature of Applicant

\_\_\_\_\_  
Date

**DEPARTMENTAL USE ONLY**

_____	_____	_____
Planning	Date	Comments
_____	_____	_____
Insurance/Risk Manager	Date	Comments
_____	_____	_____
Permit Agent	Date	Permit Number

Fees Collected:  
[ ] Application Fee: \$500.00

## Sec. 19-51. - Definitions.

*Concession* means an enterprise which operates in the open and or utilizes a non-permanent structure and that makes available for sale perishable or non-perishable goods or commodities.

*Concession park* means any parcel where two (2) or more concessions gather under a designated park manager.

*Concession park manager* means a person, corporation or entity that owns or is designated as the responsible party for management of a park and shall be responsible for ensuring the concessions functioning in the park follow all state, city codes and all applicable regulations contained in this article.

*Concession truck/trailer/kiosk* means a mobile concession establishment that is self-sufficient and readily moveable.

*Kiosk* means any cart, table, equipment or apparatus, which is designed and intended so as to not be a permanent fixture, and which is used for retail sales, rental, and/or display of perishable and/or non-perishable goods and/or commodities. This definition does not include any motorized or non-motorized vehicle such as a truck, trailer, mobile home, automobile, van or the like.

*Mobile concession* means a concession that moves from location to location providing their services.

*Peddler* means a person who goes from place to place selling small goods for profit.

*Special event* for the purposes of this chapter, shall be defined by chapter 6, article II.

*Trailer* means a portable vehicular structure built on a chassis, which may or may not be self-propelled being either a dependent or independent unit.

( Ord. No. 15-061, § 2, 7-23-15 )

## Sec. 19-52. - Permit required.

- (a) No person shall peddle or conduct a concession in the city without a permit.
- (b) A new permit shall be obtained each calendar year, from January 1 through December 31. The annual permit is valid from the date the permit is obtained and shall expire on December 31 of each year.
- (c) All permits shall be non-transferable to person and/or location, unless:
  - (1) Request is in writing with supporting application materials; and
  - (2) Request is received within sixty (60) days of original permit issuance.
- (d) Persons requesting to operate as both a concessionaire and a peddler shall be required to obtain separate permits for each request, and shall comply with the regulations for both types of operation.

( Ord. No. 15-061, § 2, 7-23-15 )

Sec. 19-53. - Procedure for approval and applicable standards.

- (a) The application shall be submitted to the development services department at least ten (10) working days prior to the first date the contemplated concession is to take place.
- (b) Application submittal requirements may include, but not be limited to, the following:
  - (1) Completed written application;
  - (2) Valid legal identification;
  - (3) Proof of insurance and/or bond, in accordance with requirements established by the city;
  - (4) Site plan (each location of a concession shall be considered a separate business, therefore a separate permit shall be required for each location);
  - (5) Proposed signage;
  - (6) A county health department permit, is required. Any concession must adhere to county health department requirements;
  - (7) Copy of the current signed lease from the property owner to utilize the property from which the concession is to be conducted;
  - (8) State sales tax identification number and the city shall be indicated as the origin of sales;
  - (9) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance (the city reserves the right to perform a criminal background check prior to the issuance of a permit); and
  - (10) Payment of a concession fee (permit fee) as established by the city council;
    - a. The annual permit fee, as established by the city council, shall be five hundred dollars (\$500.00) per concession;
    - b. The permit is valid from the date of completion of the application and payment of the concession fee has been made;
  - (11) The concession park manager shall pay a concession park fee as established by city council;
    - a. The annual permit fee, as established by the city council, shall be one thousand dollars (\$1,000.00) per concession park permit;
    - b. The permit is valid from the date of completion of the application and payment of the concession park permit fee has been made.
- (c) Location standards.
  - (1) Concession permits are valid in commercial, resort/recreation, central business, heavy industrial and light industrial zoning districts.
  - (2) Concessions will not be permitted within seventy-five (75) feet of an existing brick and mortar business which sells similar goods or services. Measurement shall be from the window of the concession to the door of the business.
- (d) The following regulations shall apply:

- (1) The proposed site of the concession may not include or be located within any required parking space(s) for a permanent business(es);
- (2) A concession may not be located in the public right-of-way, state highway department right-of-way or driveway and any serving window shall maintain a minimum setback of five (5) feet from the street right-of-way;
- (3) For purposes of this article, structures that are manufactured for a use other than mobile vending may not be used. Examples of acceptable vehicles include, but are not limited to, vehicle equipped with serving windows, merchandise display equipment, kitchen preparation areas, and advertisement display section. Approved structures must adhere to the following:
  - a. No cracked windows;
  - b. No visible rust or disrepair;
  - c. No offensive images or language may be on the concession or signs;
  - d. No emission of noxious gases, odors, and/or fumes;
- (4) Shall not operate from a vehicle such as a passenger (pickup) truck, flatbed trailer, mobile home, automobile, or passenger van;
- (5) Maximum of twelve (12) person seating allowed.
- (6) The concession must be able to relocate within eight (8) hours of an emergency declaration by the city;
- (7) The concession shall be maintained in a clean and sanitary manner and shall not allow the accumulation of stagnant water. The concession must be associated with a commissary for disposal of oil and grey water;
- (8) Food preparation must meet Galveston County Health District regulations;
- (9) Concessions must have a water source as approved by the county health district and provide a free-standing pole or on-board generator for electrical service;
- (10) A maximum of four (4) signs shall be permitted at each concession. The cumulative square footage may not exceed the face of the structure. Flashing and/or intermittent lighting signs are prohibited. A-frame signage is limited to one (1) per concession and may not exceed a square footage of six (6) square feet. No signage may exist within the city right-of-way;
- (11) Off-site business advertising is limited to the advertisement of brick and mortar establishments owned by the concessionaire;
- (12) The concession shall not use noise, lighting, or windblown devices as a means of attracting attention to the business;
- (13) Shall be permitted without a distance requirement from a residential structure when the concession is located in a commercial zoning district. Shall not be permitted within one hundred (100) feet of the district line of any single-or multiple-family zoning district;
- (14) Must display the permit in a conspicuous location on the premises where the sale or exhibit is

being conducted. The permit shall be visible from the street and shall remain on display so long as any goods or merchandise are being sold or exhibited;

- (15) Each concession must have a litter receptacle available, clearly marked and maintained for patron use. This litter receptacle must be at least of a twenty (20) gallon capacity and composed of a leak-proof, nonabsorbent material;
  - (16) Shall not be permitted within five hundred (500) feet of any public or private school building or school property being used for school classes or school activities, except secondary education institutions, during the hours when school is in session, including the time period from one (1) hour before school commences to one (1) hour after classes dismiss.
- (e) The director of the development services department, or designee, reserves the right to deny and/or revoke a permit based on any, but not limited to the following:
- (1) Inappropriate signage;
  - (2) Incompatible stand/cart design;
  - (3) Dangerous stand/cart placement or other threat to public health, safety and/or welfare; and
  - (4) Non-compliance with permit conditions or city code provisions.
- (f) Declared natural disaster. In the event of a disaster on Galveston Island, concessionaires may apply for a concession to the development services department in accordance with the following:
- (1) The following items may, as approved by the city manager, be allowed during recovery from a declared natural disaster:
    - a. Goods and services or related items: Laundry, food, charitable activities, generators, mattresses, landscaping, retail goods, internet and wireless services.
- (g) Concession parks. All concession regulations apply to the concessions within the park; including but not limited to the following:
- (1) The concession park shall have a designated concession park manager;
    - a. The concession park manager shall obtain a concession park permit to operate a concession park.
    - b. The permit shall provide contact information as required by the development services department.
    - c. A permit shall be obtained each calendar year. A year shall be from January 1, through December 31 of each year. No prorating.
  - (2) The concession park manager shall be responsible for assuring that any concessions functioning in the park follow all regulations as listed in this article; including obtaining a concession permit;
  - (3) A site plan must be provided showing placement of concessions along with any amenities;
    - a. One (1) plant per concession is required in the concession park area;
    - b. Any lighting installed in a concession park shall adhere to appendix A, article 7, as

amended;

c. Customers of concession parks where on-site parking is not available shall utilize on-street parking.

(4) No more than one (1) concession per one-thousand (1,000) square feet of lot area;

(h) Mobile concessions.

(1) May not provide seating;

(2) Mobile concessions serving only frozen novelties may operate island-wide.

(i) Renewal. A permit may be renewed on an annual basis. A permit is valid from January 1 through December 31 of each calendar year, regardless of the date of obtaining permit.

( Ord. No. 15-061, § 2, 7-23-15. )