Content

Title：	Taichung City Self-Government Ordinance for the Establishment and Management of Vendor Market Areas Ch
Date：	2016.06.21
Content：	Article 1 The Taichung City (Taichung or the City) Self-Government Ordinance for the Establishment and Management of Vendor Market Areas (the Ordinance) is hereby established for the purpose of regulating the establishment and management of vendor markets in the City. Article 2 The competent authority for the Ordinance is the Economic Development Bureau of Taichung City Government (the Bureau). Article 3 Definition of Terms 1. “Vendor” refers to an individual who sets up a stall in an outdoor public space or on public/private land to sell goods or provide services. “Vendor” does not include those selling public welfare lottery tickets or those invited by government agencies to exhibit and sell goods or services. 2. “Vendor Market Area” refers to a location approved by the Bureau where 30 or more vendors may operate collectively. 3. “Nighttime Operation” refers to business activities conducted between 4:00 PM and 2:00 AM the following day. Article 4 Natural persons, legal entities, or organizations may apply to the Bureau for a permit to establish a vendor market area within the City's commercial zones, land reserved for public facilities, or non-urban land classified as Type A, B, or C construction land. Vendor market areas located outside roads or roadsides that existed prior to the implementation of the Ordinance that have not been approved by the Bureau shall apply for an official permit within 1 year of the day following the Ordinance's effective date. Article 5 Except as otherwise provided in this Ordinance, vendor market areas shall not be established on roads or roadsides. Article 6 Vendor market areas that existed on roads or roadsides prior to the implementation of the Ordinance that have not been officially approved may apply for a permit within 3 years of the day following the Ordinance’s effective date. The application shall be submitted to the Bureau by a preparatory committee formed by at least 45 vendors. The application shall include written consent from the owners of private land and buildings, or the condominium management committee or responsible manager, whose properties directly face or are located within the proposed vendor market areas. Article 7 In accordance with the provisions of Article 4, permit applicants shall submit the following documents to the Bureau: 1.Application Form 2.Map showing the location and boundaries of the vendor market areas 3.Stall Layout Plan 4.Proof of land use rights 5.Land use zoning certificate 6.Installation Plan Article 8 In accordance with the provisions of Article 6, permit applicants

shall submit the following documents to the Bureau:
1.Application form
2.Draft of the organizational charter of the management committee
3.Draft of the management agreement
4.Map showing the location and boundaries of the vendor market areas
5.Stall layout plan
6.Proof of land use rights (not required for public land)
7.Land use zoning certificate
8.Installation plan
The documents listed in Subsection 1 to 3 of the preceding article or Subsection 1 to 5 of Paragraph 1 shall be publicly posted at the location of the vendor market areas and the local district office for an announcement period of no less than 30 days.
Anyone who has objections to the posted content may submit them in writing to the Bureau during the announcement period. The review committee shall consider these objections during its deliberations.

Article 9 The installation plans mentioned in the preceding 2 articles shall include the following items:
1.Engineering Plan: Includes the installation location, electrical configuration, stall layout diagram, parking lot, drainage system, and restroom facility layout
2.Organizational Plan: The establishment and operation of the management organization
3.Operational Plan: Includes the number of vendors, vendor roster, area, business hours, business items, management plan, financial plan, and cleaning and management fee regulations
4.Environmental Maintenance Plan: Includes air pollution control, environmental cleanliness maintenance, waste recycling and disposal, garbage sorting facilities, garbage removal, and noise control
5.Parking and Traffic Management Plan: Includes planning for nearby vehicle parking and traffic flow around the vendor market areas
6.Food Safety and Hygiene Management Plan: For food vendors, plans for implementation and management in accordance with the Act Governing Food Safety and Sanitation, along with supporting documentation
7.Fire Safety and Public Safety Plan: Includes organization of self-defense firefighting tasks, installation of firefighting equipment, emergency response measures, and designated space for fire truck operations
8.Community Feedback Plan: A plan for maintaining good relations and receiving feedback from affected communities within the business area
Article 10 For applications submitted under Article 7 and Article 8, Paragraph
1, if the required documents are incomplete, the Bureau shall notify the applicant to make corrections within 30 days. If the applicant fails to correct the deficiencies by the deadline or the corrections remain incomplete, the application shall be rejected.

Article 11 The approved operating period for a vendor market area is 6 years.
Those who wish to continue operations shall apply to the Bureau within 3 months prior to the expiration of the permit.
Applicants for continued operation shall submit an installation plan as specified in Article 9.

Article 12 The Bureau shall form a review committee to review applications for the establishment of vendor market areas. The guidelines for the formation and operation of this committee shall be separately determined by the Bureau.

Article 13 After approval of the establishment of a vendor market area

under
Article 6, the preparatory committee of the management committee shall convene the first general meeting of its members within 30 days. During this meeting, the chief commissioner and other officers shall be elected, and the organizational charter and management agreement shall be adopted.
Within 30 days of the first general meeting, the management committee shall submit the member roster, organizational charter, management agreement, and meeting minutes of the first general meeting to the Bureau for the record.

Article 14 The organizational charter mentioned in the preceding article shall
include the following items:
1.Name
2.Purpose of establishment and scope of operations
3.Organizational area
4.Office address
5.Organizational structure and responsibilities
6.Membership admission, withdrawal, and expulsion
7.Rights and obligations of members
8.Composition and number of members of the Management Committee and Committee members' responsibilities, term of office, election, and dismissal
9.General meetings and management committee meetings
10.Collection, custody, and use of management fees and other expenses
11.Management and maintenance of the vendor market areas and handling of violations
12.Other matters designated by the Bureau

Article 15 Once a vendor market area has been approved, its installation plan
shall not be altered without the approval of the Bureau.
If there are changes to the roster of vendors listed in the application under Article 6, the Management Committee shall submit the updated roster to the Bureau within 10 days following the change. Additionally, the latest vendor roster shall be submitted to the Bureau before January each year.

Article 15-1 If the owners of private land or buildings adjacent to or directly
facing the vendor market areas or proposed area, including condominium management committees or responsible managers, submit written objections to vendor operations, the Bureau shall notify the Management Committee to coordinate and resolve the issue.

Article 16 Vendor market areas within road boundaries shall be located at least
200 meters away from legally established retail markets. However, under the following circumstances, vendor market areas shall be exempt from this restriction:
1.The vendor market areas was approved before the enactment of the Ordinance.
2.More than half of the members present at a general meeting of the retail market's self-governing organization agree to the setup.
3.The vendor market areas operate during nighttime hours.
4.Other circumstances approved by the review committee

Article 17 Vendors operating within road-based vendor market areas shall pay
a usage fee.
If the usage fee mentioned in the preceding paragraph is more than 3 months overdue and the vendor has been notified in writing to pay within a specified period but still fails to do so, then the vendor shall

be required to cease operations.
The standards for the usage fee in Paragraph 1 shall be separately determined by the Bureau.

Article 18 Vendors in vendor market areas must comply with the following operational regulations:
1.Do not operate outside the designated time and location, or change the business type without authorization.
2.Do not engage in activities that harm the City's appearance, traffic, sanitation, commercial order, or fire safety.
3.Do not damage public buildings or other infrastructure.
4.Do not store fuel, flammable materials, or explosives.
5.Do not exceed the approved business boundary lines.
6.Waste must be stored in covered, leak-proof containers placed in appropriate locations.
7.Stall frames and canopies must conform to specifications set by the management committee.
8.Food vendors must install legally compliant systems for smoke and odor control.
9.Business equipment and goods must be neatly arranged, and the environment kept clean. A designated person must clean the business area and its surroundings.
10.At the end of business hours, stall frames and canopies must be removed from the road, and the site cleaned.
11.Food vendors must register as food business operators.

Article 19 The applicant or the management committee shall be responsible for executing the following tasks:
1.Maintaining traffic, fire safety, public safety, public order, and a clean, hygienic environment within the vendor market areas.
2.Managing business operations and order within the vendor market areas.
3.Reporting violations committed by vendors.
4.After business hours, collection and storage of waste generated in the vendor market areas and clearing of such waste by qualified public or private waste disposal agencies.
5.Other management tasks and related directives issued by the Bureau.
If the applicant or management committee fails to properly carry out the above responsibilities, the Bureau may order the suspension of business operations.

Article 20 If any of the following circumstances occur in a vendor market area,
the Bureau may revoke all or part of the permit:
1.Changes in urban planning resulting in non-compliance with the provisions of Article 4, Paragraph 1.
2.Failure to make improvements within the specified period after inspection, resulting in serious impacts on traffic, public safety, or environmental cleanliness and sanitation.
3.The preparatory committee of the management committee fails to convene a general meeting by the time limit specified in Article 13, Paragraph 1, and does not make improvements by the deadline set by the Bureau.
4.Violations of relevant regulations that endanger public safety or the public interest.
For revocations based on Subsection 1 above, a public announcement shall be made at least 3 months in advance.

Article 21 Article 11 shall apply mutatis mutandis to any vendor market area
that is located on a road or roadside and was approved by the Bureau prior to the implementation of this Ordinance.

Article 22 If a vendor market area is established without approval in a commercial zone, land reserved for public facilities, or non-urban

	land designated for Type A, B, or C construction use, the perpetrator, landowner, user, or manager shall be fined between NT$50,000 and NT$100,000 and ordered to cease operations immediately. If operations continue despite the order to cease, repeated fines may be imposed. Article 23 If a vendor engages in business activities beyond the scope of the originally approved plan before obtaining approval from the Bureau to modify the original establishment plan in accordance with Article 15, Paragraph 1 and fails to make improvements by the specified deadline after being ordered to do so, the applicant or the representative of the management committee shall be fined between NT$30,000 and NT$50,000. Repeat violations may be penalized accordingly. If necessary, the Bureau may revoke or rescind the permit. Article 24 If a vendor in a vendor market area violates the provisions of Article 18 and fails to make improvements within the specified period after being ordered to do so by the Bureau, the violator shall be fined between NT$3,000 and NT$6,000. Repeat violations may be penalized accordingly. Article 25 The formats of the forms and documents required under the Ordinance shall be separately prescribed by the Bureau. Article 26 This Ordinance shall come into effect on the date of its promulgation.
Files：	Taichung City Self-Government Ordinance for the Establishment and Management of Vendor Market Areas(1120925).pdf

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