

# Kershaw County Planning and Zoning Department

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## VENDORS AND SEASONAL ROADSIDE STANDS

### Section 3:3.15, Kershaw County Unified Code of Zoning and Land Development Regulations

#### 3:3.15-1 Vendors

The word, vendor, whenever used in this section, means any person who sells or solicits sales of food, drink, or other merchandise from a pushcart, bicycle cart, or other cart, operable motor vehicle, wagon, sled, or carriage propelled by human, animal, or mechanical power.

Vendors, where permitted by the zoning district regulations of the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR), shall be governed by the following:

- A. All vending operations shall be located not less than twenty (20) feet from the nearest street right-of-way, sidewalk, or other public property and shall provide at least two (2) off-street parking spaces.
- B. Only one (1) vendor shall be allowed for each 100 feet of street frontage.
- C. No portion of a vending operation shall be allowed to occupy or obstruct access to any required off-street parking stall.
- D. No merchandise, vehicles, structures, signage, etc. shall be left on the site past sundown.
- E. No goods or merchandise offered for sale may be stored in or sold from a tractor-trailer.
- F. Vendors must obtain and carry at all times notarized written permission to conduct business per item A-E above from the property owner on which the vendor operation is located.
- G. The vendor must obtain and carry at all times a notarized written agreement for use of toilet facilities located within 200 feet of the vendor operation.
- H. The vendor must obtain and carry at all times any applicable State (SCDHEC) food handler and/or other applicable health safety license.

#### 3:3.15-2 Seasonal Roadside Stands

The term seasonal roadside stand, whenever used in this section, means any trailer, tent, non-operable motor vehicle, or other facility or structure, not erected on a foundation that is erected and operated for the sale or solicitation of seasonal sale of agricultural products, fireworks, or other products not customarily sold on a year-round basis.

Seasonable Roadside Stands, where permitted by the zoning district regulations of the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR), shall be governed by the following:

- A. **Seasonal Roadside Markets (Agricultural Facilities)** - Effective June 30, 2006 in zoning districts where agricultural facilities, including roadside markets, are a permitted or conditionally permitted use, regulations governing the use and operations of such facilities, including setbacks, are governed by the *SC Right to Farm Act, Nuisance Suites Related to Agricultural Operations*, SC 46-45-10 through 80 and SCDHEC regulations adopted pursuant to the *Act*. Refer to the Agricultural Facilities section in the ZLDR.
- B. **Seasonal Roadside Stands Other Than Roadside Markets**
  1. All seasonal roadside stand operations shall be located not less than twenty (20) feet from the nearest street right-of-way, sidewalk, or other public property, and shall provide at least two (2) off-street parking spaces.
  2. Only one (1) seasonal roadside stand shall be allowed for each 100 feet of street frontage.
  3. No portion of a seasonal roadside stand operation shall be allowed to occupy or obstruct access to any required off-street parking stall.

4. All seasonal roadside stands shall be portable. At the conclusion of seasonal sale, stands shall be stored off-site or within the rear building setback area of the lot.
5. No goods or merchandise offered for sale may be stored in or sold from a tractor-trailer.
6. Seasonal roadside stand operators must obtain and carry at all times notarized written permission to conduct business per items 1-5 above from the property owner on which the seasonal roadside stand operation is located.
7. The operator must obtain and carry at all times a notarized written agreement for use of toilet facilities located within 200 feet of the stand operation.
8. Seasonal roadside stand operators must obtain and carry at all times any applicable State (SCDHEC) food handler and/or other applicable health safety license.
9. Firework stand operators must obtain and carry at all times a license from the SC Department of Labor, Licensing, and Regulation (LLR) Board of Pyrotechnic Safety and the approved LLR checklist completed by the Kershaw County Fire Marshall and Sheriff's Department.

#### **3:4.4-2 Temporary Signs Requiring Registration**

The following temporary signs are permitted and require registration:

- G. **Temporary Vendor's and Seasonal Roadside Stand Signs** are conditionally allowed in all zoning districts where vendors or seasonal roadside stands are an allowable conditional use per this Ordinance.
1. Only one (1) sign per vendor or seasonal roadside stand operator shall be allowed, regardless of where it is mounted. Advertising materials attached to or painted onto automobiles are construed to be signs.
  2. Signs shall not exceed ten (10) square feet in sign face area, and shall not exceed four (4) feet in height.
  3. The sign shall be placed a minimum of five (5) feet from the front property line, and a minimum of ten (10) feet from the side property line in all zoning districts, and shall not be placed within a driveway or intersection sight triangle. The side setback shall be a minimum of ten (10) feet from the side property line in all zoning districts. If such sign is located adjacent to a residential use in any zoning district, the side setback shall be a minimum of fifteen (15) feet.
  4. Temporary vendor's or roadside stand operator's signs shall not be illuminated.
  5. Temporary vendor's signs shall be removed from the property each day at sundown. Seasonal roadside stand signs shall be removed upon cessation of seasonal operations.