



Nice Matters!

**Emerald Isle  
Planning and Inspections**  
7500 Emerald Drive  
Emerald Isle, NC 28594

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[www.emeraldisle-nc.org](http://www.emeraldisle-nc.org)

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## Emerald Isle Satellite Merchant Permit Application Process

Satellite Merchants are allowed in limited locations in Emerald Isle pursuant to an annual permit issued each calendar year. A Satellite Merchant permit authorizes only one operation (vehicle, trailer, cart, tent, stand, or otherwise) at one location.

- 1. First Steps:** Contact the Town's Planning Department at 252-354-3338 to ensure that the intended location for satellite merchant operation is allowed per Section 10-43.2.b.ii. A map of permitted private properties is available on our website.
- 2. Gather Documents:** In addition to written permission from the private property owner to operate on their property, there are several other attachments required to accompany your application.
  - Location:** A site plan of proposed setup of all components of operation, including service point, fuel/power source, setbacks to adjacent structures, trash receptacles, etc. Show distances to nearby eating establishments. If multiple locations are proposed, provide site plan for each location.
  - Permission:** A copy of your lease agreement/permission from the property owner/manager. If multiple locations are proposed, provide permission for each location.
  - Food/Produce:** Documentation of certification or exemption from the Carteret County Health Department or the NC Department of Agriculture.
  - Display:** A picture or drawing of the display area, food cart or truck.
  - Insurance:** The declarations page of the minimum \$1,000,000 liability insurance policy.
  - Menu:** Provide a copy of menu or list of items for sale/rent.
- 3. Fire Code Compliance:** Once the Fire Department (252-354-2445) receives the completed satellite merchant application package from the Planning Department, they will contact you to set up an inspection. Once the fire inspection is satisfactorily completed (and any deficiencies corrected), the Fire Inspector will provide an inspection report to the Planning Department for final processing.
- 4. Final Touches:** Once all required inspections are complete and the application has been reviewed and found compliant with requirements, a \$250 permit fee must be paid to the town. Then the Planning Department will issue the Satellite Merchant Permit. This permit must be prominently displayed while operating in Emerald Isle.



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## Keep These EI Ordinances on Hand for Reference (Eff. May 9, 2023)

### Section 10-43.2 Satellite Merchants Standards

- a. Operation Standards
  - i. The satellite merchant's annual permit must be displayed in a visible location.
  - ii. Satellite merchants must provide documentation of an active liability insurance policy with a minimum of \$1,000,000 coverage.
  - iii. The use of audio amplification is prohibited. Satellite merchants are subject to the Town's noise ordinance.
  - iv. The satellite merchant shall provide a trash receptacle and is responsible for properly disposing of all trash associated with its operation.
  - v. All areas utilized by the satellite merchant must be kept clean.
  - vi. All signage must be located within three (3) feet of the permitted satellite merchant vehicle, tent, cart, trailer, or other similar device, provided that the same are compliant with all applicable National Fire Protection Association (NFPA) standards. No flags or other wind-activated devices are permitted.
- b. Location Standards
  - i. No more than one satellite merchant may operate on the property at one time.
  - ii. Satellite merchants shall only operate within the following areas:
    - 1. Private property having frontage on the Atlantic Ocean and visited or frequented by transient guests or travelers moving in and out periodically, specifically:
      - a. Ocean fishing pier, hotel, motel, campground, recreational vehicle park (including nearby or adjacent shops, rental offices, recreational facilities, or amenities associated with the ownership or operation of the pier, hotel, motel, campground, or recreational vehicle park),
      - b. Condominium complexes, or
      - c. Public beach access facility.
    - 2. Private property fronting on the section of Islander Drive between Emerald Drive and Louise Avenue
    - 3. Bars or lounges (traditional businesses primarily devoted to the sale of alcoholic beverages for on-site consumption, where the sale of food is incidental or does not take place), wherein satellite merchant sales may only occur from 9:00pm to 3:00am.
  - iii. No satellite merchant operation shall occur on a public street, right-of-way, or the beach strand.
  - iv. Provide written permission from the property owner.
- c. Must comply with National Fire Protection Association (NFPA) standards and all other applicable local, state, and federal regulations.

### Section 10-46(2) Violation of Satellite Merchant Ordinances

Violations of Satellite Merchant ordinances include the following and are subject to the penalties listed in Table 10-46.2 Civil Penalties for Satellite Merchant Violations.

- a. To conduct business as a satellite merchant operation without first obtaining an Annual Satellite Merchant Permit in accordance with Section 10-44(1).
- b. To conduct business as a permitted satellite merchant operation in violation of Section 10-43(2)(a) Operation Standards.
- c. To conduct business as a permitted satellite merchant operation in violation of Section 10-43(2)(b) Location Standards.
- d. To conduct business as a permitted satellite merchant operation in violation of Section 10-43(2)(c), compliance with other applicable regulations.

**Table 10-46.2 Civil Penalties for Satellite Merchant Violations**

Verbal/Written Warning of Violation	Correct Violation within 24 Hours
First Citation	\$500 (includes the \$250 annual permit fee and a \$250 fine)
Second Citation	Annual permit revoked; no reissuance allowed



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## Annual Satellite Merchant Application

A completed satellite merchant application with attachments must be submitted in order to apply for an annual Satellite Merchant Permit. Upon approval, a \$250 permit fee must be paid prior to permit issuance.

Satellite Merchant	<u>Business Name</u>	
	<u>Type of Business</u>	
	<u>Business Phone Number</u>	
	<u>Business Website/Social Media</u>	
	<u>Anticipated Opening Dates/Days</u>	
	<u>Operation Location(s)</u>	
Main Contact	<u>Contact Name</u>	
	<u>Contact Mailing Address</u>	
	<u>Contact Phone Number</u>	
	<u>Contact Email Address</u>	
Property Owner	<u>Property Address of Set-Up</u>	
	<u>Property Owner Name/Company</u>	
	<u>Property Owner Phone Number</u>	
	<u>Property Owner Email Address</u>	

### Application Attachments

- Location:** A site plan of proposed setup of all components of operation, including service point, fuel/power source, setbacks to adjacent structures, trash receptacles, etc. Show distances to nearby eating establishments. If multiple locations are proposed, provide site plan for each location.
- Permission:** A copy of your lease agreement/permission from the property owner/manager. If multiple locations are proposed, provide permission for each location.
- Food/Produce:** Documentation of certification or exemption from the Carteret County Health Department or the NC Department of Agriculture.
- Display:** A picture or drawing of the display area, food cart or truck.
- Insurance:** The declarations page of the minimum \$1,000,000 liability insurance policy.
- Menu:** Provide a copy of menu or list of items for sale/rent.

### - Checklist Below for Official Use Only -

#### Planning Department Review

- Section 10-43.2.a/b Site Plan: \_\_\_\_\_
- Section 10-43.2.b. Zoning Dist./Property Use: \_\_\_\_\_
- Section 10-43.2.c. Applicable Regs: \_\_\_\_\_

#### Fire Department Review

\_\_\_\_\_

fire inspector signature

\_\_\_\_\_

date

**Satellite Merchant Permit Approved:** \_\_\_\_\_ **by** \_\_\_\_\_

date  planner signature