

CHAPTER 874

Mobile Food Vehicles

874.01 Definitions.

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CROSS REFERENCES

Temporary special events - see B.R. & T.Ch. 872

874.01 DEFINITIONS.

As used in this chapter:

(a) "Mobile food vehicle" shall mean a food establishment that is located upon or within a vehicle, including but not limited to trucks, passenger vehicles, motorcycles and bicycles, or which is pulled by a vehicle, where food or beverage is cooked, prepared, or served for individual portion service. This definition includes but is not limited to: mobile food kitchens, pushcart vendors, bicycle cart vendors, mobile food trucks, canteen trucks, ice cream sales trucks and coffee trucks. This definition does not apply to "meals on wheels" program vehicles or food delivery services.

(b) "Temporary special event" shall have the same meaning as set forth in Chapter 872, "Temporary Special Events."
(Ord. 16-55. Passed 4-19-16; Ord. 17-13. Passed 2-21-17.)

874.02 LICENSE REQUIRED.

No person or entity shall operate a mobile food vehicle within the City without a license issued by the City Manager. A mobile food vehicle license is required for each and every mobile food vehicle.

(Ord. 16-55. Passed 4-19-16.)

874.03 APPLICATION.

Whoever desires a license to operate a mobile food vehicle shall make written application for a license at the office of the City Manager on forms provided by the City Manager and correctly stating the following:

(a) The name of the business and its owner or owners, the mailing address of the business, and the mobile telephone number of the operator.

(b) Certification that the mobile food vehicle has passed all necessary inspections required by the County Public Health Department.

(c) The make, model, year and current registered license number of the mobile food vehicle.

(d) Each operator of a mobile food vehicle shall provide proof of general commercial liability insurance in an amount not less than one million dollars (\$1,000,000), which shall also insure, indemnify and save harmless the City from any and all judgments, costs, or expenses which the City may incur or suffer as a result of the issuance of a license to, and the activities of, the mobile food vehicle.

(e) Each mobile food vehicle shall be inspected by the City Fire Department on an annual basis prior to issuance of a license to ensure compliance with all applicable Federal, State, and local fire safety statutes, regulations, ordinances, and codes.

(f) Upon payment by the applicant of a license fee of one hundred dollars (\$100.00) for each mobile food vehicle to compensate for the cost incident to the issuance of the license, the City Manager shall issue to the applicant a license, valid from the date of issuance until April 15 of the following year. During the period of validity of the license, the license identification shall be displayed upon the motor vehicle in an unobscured, conspicuous place.

(Ord. 16-55. Passed 4-19-16.)

874.04 REGULATIONS.

(a) A mobile food vehicle shall not operate on City-owned property or within the public right-of-way unless authorized as

part of a temporary special event, except that ice cream sales trucks may operate within the public right-of-way without being part of a temporary special event.

(b) A mobile food vehicle shall not operate within 500 feet of a temporary special event, unless approved as part of a temporary special event.

(c) A mobile food vehicle shall not operate within 500 feet of a brick and mortar restaurant, unless approved as part of a temporary special event.

(d) No mobile food vehicle shall operate prior to 7:00 a.m. or after 10:00 p.m. unless specifically authorized as part of a temporary special event permit.

(e) All mobile food vehicles shall offer a waste container for public use that the operator shall empty at his or her own expense and not into any City-owned waste container.

(f) No mobile food vehicle shall make or cause to be made any excessive noise, lighting, or other method of attracting the attention of the public, except for ice cream sales trucks if any such noise, lighting or other method of attracting the attention of the public otherwise complies with the City's noise ordinance and any other applicable regulations.

(g) Mobile food vehicles shall not be permitted free-standing temporary signage except one menu board, with a maximum size of six square feet, placed adjacent to the mobile food vehicle.

(h) The City reserves the right to relocate a mobile food vehicle to an alternate location as determined by the City Manager if the approved location needs to be used for emergency purposes or other public benefit.

(i) The operation of the mobile food vehicles shall at all times be in compliance with all applicable governmental rules and regulations, including but not limited to those of the County Public Health Department and the State.

(j) The City Fire Department may inspect mobile food vehicles at any time to ensure compliance with all applicable Federal, State, and local fire safety statutes, regulations, ordinances, and codes.

(k) A separate application and permit are required for each temporary special event at which licensed mobile food vehicles will operate.

(l) Unless specifically authorized as part of a temporary special event, a mobile food vehicle shall not be parked or stored on any lot, parcel, or location between the hours of 10:30 p.m. and 6:30 a.m. unless such parking or storage is within an enclosed structure.

(Ord. 20-29. Passed 3-31-20.)

874.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not more than five hundred dollars (\$500.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 16-55. Passed 4-19-16.)