

CHAPTER 8

PORTABLE CONFECTIONERY STORES AND MOBILE FOOD VENDORS

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3-8-1: **DEFINITIONS:** As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

CONFECTIONERY FOOD PRODUCT: A "confectionery food product" is defined as but not limited to, ice milk, ice cream, candy and popcorn.

PORTABLE CONFECTIONERY STORE: A vehicle, regardless of the manner in which it is propelled, for transporting prepackaged confectionery food products, in the vehicle, for the purpose of selling such food products from such vehicle. (Ord. 82-9, 8-23-1982)

FOOD TRUCK OR MOBILE FOOD VENDOR: A vehicle who prepares and sells food from a properly licensed vehicle eligible to operate on private property for a specified period of time.

3-8-2: **PERMIT AND LICENSES REQUIRED:**

- A. Permit Required: No person shall use, conduct or operate in the City a portable confectionery store or mobile food vendor or food truck without having obtained a permit from the City.
- B. Exemption: This Chapter shall not apply to those motor vehicles used exclusively for the regular delivery of fluid milk and related dairy products to homes. (Ord. 82-9, 8-23-1982) This chapter shall also not apply to temporary food truck or portable confectionery stores for specific community events.

3-8-3: **APPLICATION FOR PERMIT:**

- A. Form: An application for a permit shall be submitted to the Clerk-Treasurer on forms prepared by the Clerk-Treasurer.
- B. Required Information: The applicant shall file with the application such information as will clearly establish the times and the places where the applicant desires to operate such portable stores or mobile food vendors/food truck; shall describe the physical characteristics of such portable stores or mobile food vendors/food truck; shall describe the wares to be sold and any other information the Clerk-Treasurer may require.
- C. Submission: Each application for a permit required hereunder shall be submitted to the Clerk-Treasurer.
- D. Each mobile food vendors/food truck shall not receive a permit under this section who has not

first received a license from the State and/or County Health Department authorizing such food preparation and sales. Any conditions of the State Health Department shall be incorporated into the license issued under this Section, in addition to any other conditions imposed by the City of Sartell.

- E. Issuance: Permits shall not be issued if the administration finds that the health, welfare or safety of the public will be endangered by the operation of a portable confectionery store or mobile food vendors/food truck. (Ord. 82-9, 8-23-1982)

Each vehicle shall have current license plates, pass any required DOT inspections and contain a current certified fire extinguisher as required.

3-8-4: PERMIT FEES; TRANSFERABILITY:

- A. Fee: The fee for each permit shall be as established by Council resolution.
- B. Proration; Refund; Transferability: There shall be no prorating or refunding of permit fees, nor shall a permit be transferable.
- C. Separate Permit Required: A separate permit shall be required of each portable confectionery store or mobile food vendors/food truck regardless of the ownership. (Ord, 82-9, 8-23-1982)

3-8-5: TERM OF PERMIT: All permits issued hereunder shall expire January 1 of each year. (Ord, 82-9, 8-23-1982)

3-8-6: INSURANCE:

- A. Liability insurance Required: The applicant shall carry a general policy of liability insurance in which the City is named coinsured which shall provide a limit of coverage of not less than three hundred thousand dollars/one hundred thousand dollars (\$300,000.00/ \$100,000.00) for bodily injury and twenty five thousand dollars (\$25,000.00) for property damage.
- B. Notice Of Cancellation: The insurance policy required by this Section shall further provide that no cancellation of said insurance policy, for any cause, may be made by the insured or the insurance company without first giving thirty (30) days' notice to the City, in writing, of the intention to cancel. Such notice shall be addressed to the Clerk-Treasurer by registered mail or shall be delivered to the Clerk-Treasurer personally. (Ord. 82-9, 8-23-1982)

3-8-7: SOUND DEVICES: No person operating a portable confectionery store shall shout, make any cryout, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system upon any of the streets, alleys, parks or other public places of the City or upon any private premises in the City where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or public places, for the purpose of attracting attention to any goods, wares or merchandise which such permittee proposes to sell, unless prior approval with conditions are received from the City Administrator. (Ord. 82-9, 8-23-1982)

3-8-8: SALES WHILE IN MOTION: At no time shall any sales be made from a portable confectionery store or food truck while it is in motion. (Ord. 82-9, 8-23-1982)

3-8-9 FOOD TRUCK OR MOBILE FOOD VENDOR OPERATIONS

- A. No external signage, other than such signage directly attached to the vehicle, may be utilized.
- B. No external seating may be utilized.
- C. No other equipment may be utilized that is not fully contained within the vehicle.
- D. Any generator in use must be self-contained and fully screened from view.
- E. Operations shall be limited to the number of days indicated on the applicant's State

License

- F. Applicant shall provide waste disposal for litter and garbage generated by the operation of the Food Truck or Vehicle, and shall clean all such litter and garbage before moving from the location.
- G. The Food Truck or Vehicle shall obey the orders of any traffic control officer, peace officer, or inspector, and shall be open to inspection during all open hours.
- H. Vehicle size shall not exceed ten (10) feet in height, nor twenty five (25) feet in length.
- I. Hours of operation shall occur from 7:00 AM and 11:00 PM.
- J. There shall be no overnight parking of food trucks on public right of way.

3-8-10 FOOD TRUCK OR MOBILE FOOD VENDOR LOCATION

- A. Properly licensed Food Truck or Mobile Food Vendor may operate on eligible public streets when occupying no more than two parallel parking spaces.
- B. In no cases, may a Food Truck or Vehicle operate in a traffic lane, on a sidewalk, or in any location, which causes an obstruction to traffic.
- C. No Food Truck or Vehicle may operate on a public street within fifty (50) feet of the intersection of two streets or within thirty (30) feet of the intersection of a public street and private driveway opening.
- D. A Food Truck or Vehicle may operate within a parking lot with written permission of the property owner or owner's authorized representative.
- E. No food truck shall operate within 50 feet of an existing restaurant located within the city.
- F. The City Council, may approve other locations on a temporary basis