

MOBILE FOOD VENDOR/ FOOD TRUCK ORDINANCE

Definition: Mobile Food Vending Unit and/or Food Truck: any motorized vehicle designed to be portable and not permanently attached to the ground from which food or drink is peddled, vended, sold, or given away

Hours of Operation: A mobile vendor shall not operate between the hours of 12:01am and 6:00am, unless approved by the City of White in writing.

Prohibited locations: A mobile food vendor shall not operate on residentially zoned property, unless it is for an event and has been approved by the City of White. A mobile food vendor shall not become a permanent fixture to any property. A mobile food vendor shall not stay parked overnight at the location of operation, unless approved by the City. A mobile food vendor unit is allowed to be parked overnight at the owner/operator's principal residence, unless it violates other provisions of the Code.

Additional Requirements:

1. A mobile food vendor must remain at least 100 feet from any building that is licensed to serve food and drink.
2. A mobile food vendor is prohibited from parking within 10 feet of a building.
3. A mobile food vendor cannot disrupt or interfere with the right-of-way of pedestrians or vehicles.
4. A mobile food vendor is prohibited from parking in the street, unless approved by the City of White.
5. A mobile food vendor shall not block access to any safety equipment, including fire hydrants.
6. No propane tanks, or other flammable materials may be outside of the mobile vendor unit when parked.
7. Each mobile food vendor, regardless if owned and operated by the same company, must obtain separate licensing from the City of White.
8. Signage: all signage must meet the following criteria:
 - a. No signage may interfere with the right of way of vehicles or pedestrians, and must be removed during non-operational hours.
 - b. Any signage affixed to mobile food vendor must be secure and flat against the surface of the vehicle.
 - c. Mobile food vendors are prohibited from using right-of-way signs and off-premises signs

Truck requirements:

1. Temporary connections to potable water are prohibited. Water shall be from an internal tank within the mobile vending unity, and electricity shall be from a generator or a main power supply via a portable cord that is in conformance with the City of White electrical code.
2. A mobile vendor shall at no time make use of any outdoor cooking facilities.
3. A mobile vendor shall at no time utilize outdoor storage, warming, or refrigeration devices, except for disposable tableware.
4. A drive-thru is not permitted in conjunction with the mobile vendor.

5. The area within which a mobile vending unit is operating shall at all times be kept clean and free from litter, garbage, rubble, and debris.
6. All mobile vendors are required to have a trash can placed outside their mobile vending unit for patrons to use to deposit trash.
7. All mobile vendors are responsible for discarding the trash in the trash cans.
8. The use of amplified music is prohibited.
9. A mobile vendor unit shall follow the safety guidelines set forth by state law.

The use of temporary or portable lighting is prohibited except lighting that is required to illuminate the serving area, and immediate surrounding area.

The current business tax receipt must be posted in a visible location on the mobile vending unit.

A mobile vendor participating in a city special event or event under this Code will be required to pay the registration fees, as determined by the City for each event.

Licensing requirements:

All mobile food vendor units will be required to make application for business license to be issued by the license department for all locations within the City of White.

Prior to the issuance of a City of White business license, mobile food vendors must comply with all state requirements. It is the responsibility of the applicant to prove to the City of White that they are in compliance with all state law, with regards to a mobile food vendor.

Applications:

The following information must be provided to the City of White attached to the application.

1. Location plan of properties where the mobile food vendor will be, this should include a list of any eateries within .5-mile radius.
2. Written approval from property owner of record.
3. Written statement that the location contains hardened treated surface and designated parking spaces for unit and patrons. If the surface is not on a hardened treated surface, then a photo must be attached to the application showing the surface, and a larger picture of the property showing where the mobile food vendor will be and where patrons will park.
4. Health Department certificates of approval.
5. Any other information that may be requested at the time of your application.
6. Signed affidavit from mobile vendor operator/owner that there will be no selling or consumption of alcohol associated with mobile food vendor.

Review of applications:

The approved application will be mailed back to you. If the application is denied, it will be mailed back to you with an explanation of the denial.

Public property:

A mobile food vendor may not park their mobile food unit on public property, such as a park, to sell, offer for sale, or display a food item, unless it is authorized by the City of White.

Enforcement:

The provisions of this article may be enforced through the City's code enforcement procedures or as otherwise authorized in this Code and may be pursued by appropriate remedy in a court of competent jurisdiction. If code enforcement is utilized to enforce this article, a resulting code enforcement lien may be assessed against the private property upon which the mobile vending operation operated or operated.

PASSED AND ADOPTED on this day, October 7 of 2019.



MAYOR:

BY: Kim D. Billue (Seal)
Kim Billue, Mayor

ATTEST:

Robin Deal
Robin Deal, City Clerk