

Received (stamp):



209 S. Main Street • Marysville, Ohio 43040
Phone: (937) 645-7350 • Fax: (937) 645-7351 • www.marysvilleohio.org

MOBILE FOOD VEHICLE / VENDORS PERMIT

A. Business Information: (Print Clearly Please)

Name of Business: _____
DBA if Different: _____
Name(s) of Owner(s): _____
Business Physical Address: _____
Business Email: _____
Business Phone: _____ Mobile: _____

B. Mobile Food Vendor Vehicle Type: (For more detailed information on mobile food vendor vehicle type see chapter 714 of the City of Marysville codified ordinance attached to this permit application)

Please Check

- Concession Trailer / Truck
- Pushcart
- Catering Type Truck
- Agricultural Trailer / Truck

Vehicle Make: _____ Model: _____ Year: _____ Tag Number: _____

****Note: If you have additional mobile food trucks that will be operated within the City of Marysville, a new permit application will have to be submitted for each food truck and location.**

Do you intend to operate on a private property site (Residential or Commercial)? Yes No

Do you intend to operate on a city property site? Yes No

Do you intend to operate at a sanctioned City event? Yes No (If yes, applicant will have to register with the Recreation/Events department at (937) 645-7363)

C. Mobile Food Vendor Required Documents (on private property): (Include with your permit application)

- 1. Attach a list of the requested site location to include the property owner(s), phone number and physical address.
- 2. Attach the original copy of written permission for use of private property from the private property owner for the requested location.
- 3. Attach a site map of the proposed property to include surrounding parking spaces and the intended area requested for the mobile food vendor vehicle to be parked.
- 4. Attach valid copies of all necessary food service operation licenses or permits required by State of Ohio Health or Union County Health Department.
- 5. Attach a valid copy of proof of general liability insurance for the operation of the mobile food vehicle as a motor vehicle and the conduct of the business, if approved and the vendor is located on private property, public streets or city owned property the minimum current coverage amount is \$1,000,000.00.

****Note:** All applicants must submit the required documents and shall adhere to all zoning requirements in chapter 714 of the codified ordinance of the City of Marysville attached to this permit application. Failure to submit a complete permit application may result in the delay of the permit application.

D. Mobile Food Vendor Required Documents (on public street or City of Marysville property):

- 1. Need written permission by the City of Marysville Public Service Director if requesting to operate on city property or by the Chief of Police (or his or her designee) if requesting to operate on public streets.
- 2. Complete checklist in section C of this permit.

***** IMPORTANT INFORMATION – Please read before completing the application *****

- **Required - Submission of a complete application, including all of the items listed in the permit application checklist.**
- **Permit application fee (\$25.00) will be required.**
- **Submitted permit application and all checklist items shall be reviewed by the zoning administrator for completeness. Submittals found to be incomplete will delay the approval process until all requested items are completed.**
- **Please read all the information of chapter 714 of the City of Marysville codified ordinance attached to this permit application.**

I hereby attest to the truth and exactness of all information supplied on and with this permit application and adhere to all requirements of chapter 714 of the City of Marysville codified ordinance.

Applicants Signature: _____ Date: _____

FOR OFFICE USE ONLY

Paid (stamp):

Fees: _____

The application has been reviewed and is found to be complete.

City Staff _____ Date _____

Chapter 714 Mobile Food Vehicle / Vendors

714.01 - Definitions

A. **Mobile Food Vehicle** - A commercially manufactured, motorized or non-motorized mobile food unit in which ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale or distribution.

B. **Mobile Food Vehicle Vendor** - The owner of mobile food vehicle or the owner's agent; hereinafter referred to as "vendor."

C. **Types of Vehicles** -

- **Concession Trailers / Trucks** - full infrastructure, self-contained units from which the vendor provides full food service.
- **Pushcarts** - limited infrastructure, those in which the vendor stands on the ground or those in which the vendor stands inside the cart and provides food service.
- **Catering Type Trucks** - distribute prepackaged and non-prepackaged hot and cold type foods.
- **Agricultural Trailers / Trucks** - distribute farmed fruit and vegetable foods.

714.02 - Permit Required

A. It shall be unlawful for any person/vendor to operate within the City of Marysville a mobile food vehicle, as defined in this Chapter, without first having obtained a permit for that purpose.

B. Any person/vendor desiring to operate a mobile food vehicle shall obtain a permit from the Zoning Administrator or his/her designee. The application for such permit shall be on the permit form provided by the Zoning Administrator or his/her designee and shall include the following:

1. Mobile business name, home/corporate address and signature of mobile food vehicle vendor/agent and each operating personnel.
2. Map location placement of mobile food vehicle on operating property.
3. A valid copy of all necessary food service operation licenses or permits required by State of Ohio Health or Union County Health Department.

4. A signed statement that the person/vendor shall hold harmless the City of Marysville and its officers and employees, and shall indemnify the City of Marysville, its officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit. Vendor shall furnish and maintain such public liability, food products liability, and property damage insurance as will protect vendor, property owners, and the City of Marysville from all claims for damage to property or bodily injury, including death, which may arise from the operations under the license or in connection therewith. Such insurance shall provide coverage of not less than one million dollars (\$1,000,000.00) per occurrence. The policy shall further provide that it may not be cancelled except upon thirty (30) days' written notice served upon the City of Marysville Law Director. A license issued pursuant to the provisions of this Section shall be invalid at any time the insurance required herein is not maintained and evidence of continuing coverage is not filed with the City of Marysville Law Department.
5. No application will be accepted for a permit to operate at a location where a current permit has been issued or a complete application is pending. If the proposed location is private property, the applicant shall provide to the City of Marysville documented consent from the property owner.
6. If a permit for the requested operating location(s) is denied, the applicant may select an alternate location(s), which shall also be referred to the Zoning Administrator for review.
7. The person/vendor shall immediately notify the Zoning Administrator of any changes to the information provided in the application. Failure to apprise the Zoning Administrator of changes may result in the nullification of the permit.
8. A permit is not required if the person/vendor is participating in a City of Marysville temporary sanctioned City event. The person/vendor will have to register with the City of Marysville Recreation/Events Office for City sanctioned events. The person/vendor will still be responsible to adhere to all State and County food service operation guidelines.
9. The City of Marysville may refuse to issue, revoke, or suspend a permit if any applicant or agent thereof refuses to comply with any requirement of this Chapter.

714.03 - Fees and Conditions of Permit

- A. All vendors licensed under this Chapter shall pay an annual license fee of \$25.00 to the City of Marysville. This fee shall not be prorated for a partial year.
- B. The annual license permit is certified for the calendar year. However, the permit shall expire on December 31st, regardless of when it was obtain during the year.
- C. The permit shall not be transferable from person/vendor to person/vendor or from place to place without the approval of the Zoning Administrator or his/her designee.
- D. The approved operational location may be changed, either temporarily or permanently, by the Zoning Administrator or his/her designee, who shall promptly provide notice of such change to the person/vendor.
- E. The permit is valid for one (1) mobile food vehicle only. Multiple food vehicles require a permit for each mobile food vehicle.

714.04 - Location and Time Review and Restrictions

- A. Proposed operating time and locations shall be reviewed as follows:
 - 1. Hours of operation shall be limited to the hours between 8.00 a.m. and 9.00 p.m. No approved mobile food vehicle shall be left unattended or stored outside of these allowed hours of operation. No mobile food vehicle shall remain for seasonal storage. Extended hours may be granted on a case-by-case basis by the Zoning Administrator, and any vendor operating outside the above hours of operation must have written authorization by the Zoning Administrator.
 - 2. Upon receipt of a complete application for a permit, the permit shall be referred to the Zoning Administrator for approval or disapproval. The use of the permit operating location for mobile food vending must be compatible with the public interest in use of the public right-of-way. In making such determination, the Zoning Administrator or Public Service Director shall consider the width of the public way, parking issues and traffic congestion, the proximity and location of existing street furniture, including, but not limited to, utility poles, handicap zones, parking meters, bus shelters, benches, street trees, as well as the presence of bus stops, truck loading zones, or other businesses or approved mobile food vehicles to determine whether the requested location would result in pedestrian or street congestion.

3. Person/Vendor shall obey any lawful order by the City of Marysville to stop all operations at the permitted location where a mobile food vehicle would substantially obstruct a public way, impair the movement of pedestrians or vehicles, or pose a hazard to public safety.

4. Person/Vendor shall not operate a mobile food vehicle within five hundred (500) feet of any fair, carnival, circus, festival, special event, or civic event that is licensed or sanctioned by the City of Marysville except when person/vendor has registered with the City of Marysville Recreational/Events Office.

5. On days when school is in session at elementary, middle, secondary / intermediate schools, high schools, which includes, sporting events (public or private), it shall be unlawful for any vendor to operate a mobile food vehicle within five hundred (500) feet of the property of said school(s), unless the person/vendor has obtained written permission from the Board of Education of the Marysville Exempted School District. The City of Marysville permit is still required.

6. It shall be unlawful for any vendor to operate a mobile food vehicle in or within one hundred (100) feet of a City of Marysville park without first obtaining written authorization from the City of Marysville Public Service Director.

7. No mobile food vehicle vendor shall use or maintain any outside sound amplifying equipment, movement lighting (strobes / digital), or noisemakers, such as bells, horns or whistles.

8. No mobile food vehicle shall use external signage (except menu boards), bollards, seating, or any other equipment not contained within the vehicle. The mobile food service vendor shall adhere to City of Marysville Codified Ordinance Chapter 1143 for signage.

9. All identifying information, logos, advertising, decorations, or other displays on the exterior of a mobile food vehicle shall adhere to the Marysville signage regulations. In particular, exterior displays shall be designed to minimize confusion or distraction that jeopardizes vehicular and pedestrian safety and shall be harmonious with the surroundings and consistent with the character of the community in which the mobile food vehicle operates.

10. The mobile food vehicle shall not have a drive-through.

11. Any power required for the mobile food vehicle located on a public way shall be self-contained and shall not use utilities drawn from the public right-of-way. Mobile food vehicles on private property may use electrical power from an adjacent property only when the property owner provides documented consent. All other power sources must be self-contained. No power cable or equipment shall be extended at grade

across any City street, alley or sidewalk unless otherwise approved by the City of Marysville.

714.05 - Sanitation and Inspection

A. All mobile food vehicles shall be kept in a clean and sanitary condition. It shall be the duty of the Zoning Administrator or his/her designee to make or cause to be made such exterior area inspections as may be necessary to ensure all mobile food vehicles are kept in a clean and sanitary condition. The Zoning Administrator or his/her designee, bearing proper identification, shall be permitted to inspect the exterior area mobile food vehicle at any reasonable time for the purpose of determining whether the vendor has complied with the terms of this Chapter.

B. All waste liquids, garbage, litter and refuse shall be kept in leak-proof, nonabsorbent containers which shall be kept covered with tight-fitting lids and properly disposed of by the person/vendor. No waste liquids, garbage, litter or refuse shall be dumped or drained on to/or into sidewalks, streets, gutters or drains. A garbage receptacle shall be easily accessible for customer use. Vendor shall be responsible for all litter and garbage left by customers.

714.98 - Permit Adverse Action

An application or approved permit may be denied, revoked, suspended, or not renewed for Any of the following reasons:

A. The permit contains material omissions or false, fraudulent, or deceptive statements or facts.

B. The mobile food vehicle is operated in such a manner as constituting a public nuisance, safety or public health hazard, or violates the Codified Ordinances of the City of Marysville or any Federal or State statute(s).

C. The provisions of this Section are not exclusive. This Section shall not preclude the enforcement of any other provisions of this Code or any State or Federal regulations.

714.99 - Penalty

A. Any person violating any provision of this Chapter may, upon conviction thereof, be fined up to one hundred and fifty dollars (\$150.00) per day for each violation.