

## MEMORANDUM

**TO:** Planning Board Members

**FROM:** Alan Gray, AICP, Planner

**DATE:** January 14, 2014

**SUBJECT:** Discussion Item – Food Trucks and Food Vendors

### **BACKGROUND:**

At the request of the City Council a workshop was held to discuss Food Truck Regulations on December 9<sup>th</sup>, 2013. The purpose of the workshop was to let Staff develop some research to present to Council Members and let area restaurateurs, and the general public voice their opinions on the matter.

Councilman Andy Terhaar developed a proposed ordinance (attached here) and that garnered unanimous support both from the Council Members present and the restaurant owners who were present at the workshop. This proposed ordinance allowed for food trucks but not within 500 feet of a brick and mortar restaurant without the written permission of the nearby restaurant. It established a no food truck zone along South Palafox Place. Other details were discussed and those are within the language of the attached proposed ordinance.

At the December 9<sup>th</sup> meeting the City Council then asked staff to bring the proposed ordinance forward to the Planning Board for discussion.

PROPOSED  
ORDINANCE NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 7-12 OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE LICENSES AND BUSINESSES CODE PERTAINING TO MOBILE FOOD TRUCKS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Chapter 7-12-1 of the Code of the City of Pensacola, Florida is hereby created and reads as follows:

Section 7.12.1

Authorization and purpose. The city council may, under the prescribed standards and procedures herein, authorize the use of food trucks in public right of way in the city of Pensacola.

**1. Definitions.**

- a. Food Truck. A vehicle (including trailers and carts) operated by a mobile food vendor to prepare and sell food at multiple locations, typically operating at one location for more than 30 minutes.

**2. Locations**

- a. Food Trucks are allowed throughout the City of Pensacola in any non-residential or non-public zoning district, except in the Downtown Core area shown on Exhibit "A."
- b. Food Trucks may not operate at the same location more than 180 minutes in any 8 hour period or as otherwise marked.
- c. Food trucks may not be located within 500 feet of a "brick and mortar" restaurant or other establishment that sells ready-made food for "on premise" consumption, either during or after regular business hours without "brick and mortar" restaurants' prior written approval.
- d. When not in operation, all mobile food vendors must leave the site and return to their commissary and/or storage facility. They shall not be left unattended.
- c. All mobile food vendors must locate on a legal public right of way and an improved surface.

### **3. Downtown Core Area Restrictions.**

a. Mobile Food Vending is prohibited on public properties and on street rights-of-way within the Downtown Core area shown on Exhibit "A".

### **4. Operating Conditions for all Mobile Food Vendors**

a. All Mobile Food Vendors must be located on a legal right of way and pay all associated parking fees.

b. All Mobile Food Vendors may not damage landscaping.

c. All Mobile Food Vendors must be setback from adjacent residential districts a minimum of 40-feet without a bufferwall, and minimum 15-feet with a concrete bufferwall.

d. All Mobile Food Vendors may not disrupt vehicular or pedestrian circulation for ingress and egress to the property.

e. All Mobile Food Vendors may not locate or block access to required parking for a simultaneously operating business on the property according to the City's parking requirements. Sites that do not have excess parking during the operation of the primarily uses are not be eligible for mobile food vending.

f. All Mobile Food Vendors must comply with all regulations in the Land Development Code, such as signage and setbacks.

g. Food Trucks shall not sell alcohol.

### **5. Maintenance**

Mobile Food Vendors shall comply with the following operating standards:

a. All operations must be contained within the approved vending vehicle, as permitted by the State of Florida Department of Business and Professional Regulation's Division of Hotels and Restaurants; however, a maximum of two coolers are allowed for beverages external to the vending vehicle or cart.

b. Vendor is responsible for the proper disposal of trash and waste associated with the operation. Vendor shall provide adequate trash receptacles for use by its customers. Vendors shall remove all waste and trash from their location at the end of each day/visit or as needed. The vendor must keep clean all areas of the public rights-of-way within twenty-five (25) feet of the food truck, including grease, trash, paper, cups, coolers, or cans associated with the vending operation beyond twenty-five feet. This includes emptying city trash receptacles on the public rights-of-way that contain debris from the operation within twenty-five feet of the food truck.

c. Non-styrofoam packaging and cups must be used for serving containers. Styrofoam is not allowed for mobile food vending within the City of Pensacola. Recycling receptacles must be provided for any packaging that is recyclable, if present.

d. Liquid waste or grease may not be disposed of in tree wells, storm drains, or onto the sidewalks, streets, or other public space. The vendor is responsible for removal of grease and liquid waste from the sidewalk and street surfaces resulting from its operation, or the

unloading and loading of food carts. The vendor shall comply with all state laws for servicing the vehicle or cart for waste water and grease disposal, including commissary requirements.

e. The Mobile Food Vendor is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that relate to its operation.

**6. *Mobile Vendor Permit***

a. All food trucks must apply for a Mobile Vendor Permit.

b. Mobile Vendor Permits will be reviewed and issued by the Neighborhood Services department.

# EXHIBIT A



# Mobile Vendor Permit Application Form

## A. General Information

1. Name of Applicant: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone (H): \_\_\_\_\_ (W): \_\_\_\_\_ (Mobile): \_\_\_\_\_  
Fax: \_\_\_\_\_ Web Site: \_\_\_\_\_  
Email Address: \_\_\_\_\_

## B. Vending Information

1. Requested Vending Location(s) – in order of preference  
a. \_\_\_\_\_  
b. \_\_\_\_\_  
c. \_\_\_\_\_

2. Type of Business: \_\_\_\_\_

3. Expected Periods of use: Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

4. Proposed Days & Hours of Operation (Must be within regular venue operating hours if applicable)  
Monday Tuesday Wednesday Thursday Friday Saturday Sunday  
\_\_\_\_\_

## C. Required Documentation

Please attach the following documentation (incomplete applications will not be considered)

- General Liability Insurance listing the City of \_\_\_\_\_ as additionally insured in the amount of \$1,000,000 per occurrence for the date(s) of the permit. The certificate holder must be listed as City of Tallahassee, 300 S. Adams Street, Tallahassee, FL 32301.
- Accessible Planner (Americans with Disabilities Act Requirements for permitting on City Property).
- Copy of vehicle insurance (if applicable)
- Copy of current City business/occupational license
- Copy of State business license (DBPR or Dept. of Agriculture, Food Safety)
- Complete menu, including pricing information
- Photograph or detailed drawing of vending unit and/or vehicle

As the applicant, I hereby agree and understand that it is my responsibility to oversee all contractors, vendors or parties affiliated with vending operation and to insure compliance with all policies, rules, regulations and guidelines of the City of \_\_\_\_\_ and other relevant procedures and laws. I understand that any violations may result in immediate cancellation of the reservation and/or revocation of the permit. I understand that the permit is non-transferable and must be displayed at all times.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### FOR OFFICE USE ONLY

PAID ON DATE \_\_\_\_\_

PERMITTED ON DATE \_\_\_\_\_

**FEES**

Initial Fees must be paid with the application. Renewal payment is required by the 15<sup>th</sup> of each month for the following month's permit or 48 hours prior to a daily permit. The Department currently accepts checks, cash or money orders made payable to: City of

**\$25.00 per day per mobile food vehicle site**

Additional charges may apply during peak seasons for various City property, parks, playgrounds and adjacent streets and sidewalks.

**TYPE OF INQUIRY**

**DEPARTMENT TO CONTACT**

**PHONE NUMBER**

Revenue  
Special Events  
Solid Waste Services

**ELECTRICAL REQUIREMENTS**

Electricity may available in some locations. For use of electricity at available locations, the cost is \$5.00 for daily mobile vehicle sites or \$40.50 per month for use of one (1) 110 outlet. If more power is needed, rate will be based on cost for power usage. If electricity is not available, vendors need to be self-sufficient for their power needs, but mobile food vehicles cannot use electric generators.

**ADA GUIDELINES/ANTI-HARASSMENT POLICY**

Applicants under all parts of Policy 106 shall comply with the Americans with Disabilities Act (ADA) and shall complete the City of Accessibility Planner for each permit issued. All ADA routes and ramps must remain clear and cannot be blocked by the mobile food vehicle or cart or associated business. Furthermore, the applicant agrees to comply with the City's Anti-Discrimination Policy which strictly forbids discrimination on the basis of an individual's race, color, gender, religion, national origin, age, disability, marital status, pregnancy, sexual orientation and gender identity, or any other characteristic protected by law.

**RESTRICTIONS**

No vendor permitted under this section will be allowed to do the following:

1. Sell or distribute alcohol
2. Operate an electric generator in any mobile food vehicle site
3. Operate any type of amplified speaker system or play music of any kind
4. Operate during any special event unless a separate permit is obtained
5. Operate in a location where City of provides concessions
6. Leave a vehicle or cart unattended
7. Park at a designated spot overnight

**INSURANCE REQUIREMENTS**

The City requires an insurance certificate to be submitted for approval to the Special Events office at 891-3887. All policies must list the City of as an additional insured for \$1 million dollars. As well as listing the certificate holder as,

**VIOLATIONS**

Operating without the proper permit, in violation of City Commission Policy 106, or in violation of these guidelines may result in fines and/or additional penalties. The City of may revoke a permit granted for any activity, which is found to be in violation of any ordinance, law or conditions of approval. In the event that the applicant is not ready to vend at the designated time, or if vital vending individuals is/are not present, or if the applicant arrives in such a condition as to appear to a reasonable person to be incapable of vending in a reasonably acceptable manner, then the applicant shall be deemed to have violated these terms and the City of has the absolute right at its sole discretion to revoke a granted permit and to withhold any fees paid.

**CANCELLATION OF REQUESTS AND REFUNDS**

Notice of cancellation by approved applicants must be submitted in writing by the authorized representative a minimum of five (5) business days prior to the start of vending. The Department may cancel any permit, in which a vendor fails to meet mandatory criteria, such as obtaining necessary permits and licenses, non-compliance to rules and regulations and lack of payment. Refunds will not be issued for inclement weather.

# Mobile Vendor Permit Guidelines

## **PERMITTING POLICY**

Permit applications for mobile food vehicles and food vendor carts in the areas designated below shall be submitted in writing to the Parks, Recreation and Neighborhood Affairs Department (the "Department") on the Mobile Vendor Permit Application. Permits for mobile food vehicles will be issued on a first come, first serve basis for specific locations designated for such purpose. All permits issued pursuant to this policy shall be effective for the dates designated on a daily, weekly or monthly basis, but under no circumstance can a mobile food vehicle be permitted for the same designated location for more than sixty (60) available consecutive days. All permits issued pursuant to this part shall be effective on the first day of the month of issuance and shall expire one year from the effective date thereof unless sooner revoked. Vendors may request a shorter permit duration. Nothing in these guidelines prohibits the use of properly licensed mobile food vehicles or food vendor carts on private property or non-City owned governmental property. By signing the Mobile Vendor Application, Vendors agree to be self-containing for waste removal and that all waste will be removed from site by the Vendor daily.

Applications and Initial fees must be submitted at least two weeks in advance of the requested date(s) for usage. The Department shall coordinate review of the application with appropriate City authorities.

## **SPECIAL EVENTS**

Permits granted under this Policy will not be valid during Special Events approved by the City, Downtown Improvement Authority, or the Department in the downtown area, on City property, on streets and sidewalks adjacent to City property, parks and playgrounds. The Department will notify applicants of scheduled Special Events and of procedures for the vendor to participate in those Special Events. Special Event permits require an application and additional fees to the sponsor of the Special Event separate from the application(s) for a Mobile Vendor Permit.

## **SUMMARY OF DOCUMENTATION REQUIRED**

All fees and documentation will be due at the time of application submittal. The applicant is responsible for securing all required permits and licenses for vending in the City of . Below is a summary of required documentation. Proof of required licenses and permits must be provided in order to receive permit confirmation.

1. Completed Mobile Vendor Permit Application
2. General Liability Insurance (see INSURANCE REQUIREMENTS)
3. Proof of vehicle Insurance if utilizing motorized transportation
4. City of Occupational License
5. State of Florida Business License
6. Menu with prices
7. Photograph of cart or vehicle
8. Accessible Planner (ADA Requirements)



**Food Truck Ordinance Analysis**

City	Location	Permits and Licenses Required	Operational Requirements	Restrictions	Violations/ Responses	
State of Florida	Not specified	Permit approval is contingent upon the verification of an approved commissary facility	Must have a written agreement with a commissary and be capable of visiting the commissary each day of operation	Cannot provide seating for customers	Not specified	
			Must provide only single-service articles for use			
			Food products and supplies must be stored at approved commissaries			
			Allows no bare hand contact with ready to eat foods	No homemade food items shall be provided, and all products must be from approved sources		
			Any Mobile Food Establishment in an open-air environment must protect the food from weather and contamination such as rain, dust, insects, birds, and rodents			
			Liquid waste holding tanks must have a capacity 15% larger than the potable water supply tank, and must be emptied into an approved waste servicing facility or by a sewage transport vehicle without creating a public health hazard or nuisance			
If serving pre-packaged, potentially hazardous food (sandwiches), must have a Food Protection Manager Certificate	Cannot operate at multiple locations at the same time under a single Mobile Food Establishment Unit					
Pensacola, FL	Only in City right-of-way legally parked along roads.	A Business License in any location authorized by the City	Not specified	Self Contained	Not specified	
	Only where zoning is C-3, M-1 or M-2			No tables or chairs		
Tallahassee, FL	Public property -- including a City park, street, and City property as approved by the City Manager	Permits are issued on a first come, first serve basis	The public purpose must be compatible with the existing physical facilities and does not interfere with the health, safety and welfare of the public	]	Operating without a proper permit guidelines may result in penalties	
			Applications must be submitted at least 2 weeks in advance of requested dates for usage	Not more than 2 vendors of similar food products will be permitted in close proximity	The City may revoke a permit if for any ordinance, law, or condition	
			The vendor shall be responsible for the daily management of solid waste, including providing a suitable receptacle for recyclable materials, waste, and litter	Use of electric generators are not permitted	The Downtown Improvement Authority reviewer of application	
			Operation during a Special Event requires a separate Special Event Permit	There will be no unattended vehicles or carts, and will be moved overnight	Parks and Rec coordinates the re	
			The area of usage will be determined at the time the permit is issued	There will be no selling or distribution of alcohol	The City Manager may revoke an operation is not within the public permittee fails to pay fees, or if t comply with the policy r	
Miami, FL	Allowed on Commercial, Industrial, Urban Center, and General Use properties	A Certificate of Use (CU) must be obtained for each MOFSE (special event) site on an annual basis	Each operator of a Mobile Operation shall obtain a Certificate of Use, to be renewed on an annual basis	The sale or service of alcoholic beverages is prohibited	Violations are mostly con	
				There will be no use of any sound amplification		
				A menu board up to 9 sq. feet is permitted to be placed within the vending area, during hours of operation only	Law states that trucks operating event may only stop to make a sa don't.	
	Must be out of public right-of-way		A Special Event Permit is issued to operators on private property twice a year, with a 2 weeks maximum of each time. On public property, can be issued 10 times a year, for 2 weeks each	Owner must provide a written notice of cooperation with the property owner	Signs are permitted to be affixed on the mobile operation	Miami-Dade PD must sign of
				One traveling mobile operation may be permitted on each site that contains a minimum of 10,000 sq. ft.		
				An additional traveling mobile operation may be permitted for each additional 30,000 sq. ft. net area, up to a maximum of 5 mobile operations per site	The Special Events Director has th the Certificate of Use if it is fou operating in a manner not co representation made in the app	
				Mobile operations in excess of these thresholds may be permitted as a special event		
Special events are limited to 1 per week at the same location						

**Food Truck Ordinance Analysis**

City	Location	Permits and Licenses Required	Operational Requirements	Restrictions	Violations/ Responses	
<b>Largo, FL (proposed)</b>	Allowed on private, non-residential properties	15 mobile food vendors are permitted each year, with annual renewal	Permit certificates shall be attached to the Mobile Food Vendor Unit where they are readily visible	The unit may not be parked in any public street/easement, nor shall it impede pedestrian or traffic flow	Any mobile vendor that has been cited for Health Violations and has not corrected them by the next inspection will have their permit suspended.	
			The vendor shall set up and locate the vehicles/associated objects in accordance with the principle structure setbacks	The sales area shall not exceed 600 sq. ft.		
			During periods of non-use, equipment must be secured	No glass containers or alcoholic beverages		
			Waste shall be properly stored and disposed of at a properly designated location	Amplified noise is prohibited		
			The Mobile Vendor Unit shall not interfere with required parking/vehicle access for principle use	Design limitations include no A-frame sidewalk signs, and no coverings more than 2 ft beyond outer edge and above		
				1 mobile vendor per .5 acre sites; no more than 2 vendors allowed on any one parcel		
<b>Raleigh, NC</b>	Conditional use allowed within Shopping Center, Neighborhood Business, Business Thoroughfare, Industrial-1 and 2	Permits are required from both the truck owner and the property owner, and must be renewed annually	Will not be left overnight on any public street or sidewalk	No free-standing signage	If the Wake County Environment Department suspends the issued Food Vendor Permit from the City is revoked	
			The vendor is responsible for proper waste disposal and trash associated within 5' of the operation	No audio amplification	If there is evidence of improper disposal, the permit will be revoked	
			Liquid waste and grease is to be disposed of properly (not in public space, or in the sewer system)	Outdoor seating permitted only on lots greater than 2 acres	Penalty for violating the ordinance: - \$500 per violation - 30 days suspension of permit	
	All equipment required shall be contained within 3 feet of the truck		Shall not occupy parking spaces required to fulfill the minimum requirements of the principle use			
	All permits and licenses shall be clearly displayed on the food truck		City trash receptacles may not be used for use of the truck			
	One food truck is permitted on lots 0.5 acres or less, 2 food trucks on lots 0.5-1 acre, and 3 food trucks on lots larger than 1 acre					
<b>Chapel Hill, NC</b>	Allowed on privately owned non-residential property	Operators must have a valid Chapel Hill Business License	All plumbing and electrical connections shall be in accordance with the State building code	No temporary potable water connections are allowed	Permit may be revoked if the vendor violates the provisions in the ordinance	
	Allowed on streets and sidewalks		There will be no dumping of grease or grey water into storm sewers or dumpsters. Grease will be disposed of properly, at the commissary location	While on commercial property, the truck may not prevent the use of parking spaces during regular hours of operation of the primary business	The Town Manager may revoke the permit if the vendor's operations create a traffic congestion, or litter problem creating a danger to public health	
			Vendors will provide documentation of Health Department approval	Must have a fire extinguisher on board	Any violations constitute a civil infraction each day that a violation continues without a separate violation	
	Permitted for special events	If operating on private property, the property owner must acquire a Zoning Compliance Permit	The noise level must comply with noise ordinances	A food truck vendor shall not operate the food truck as a drive-in window		Enforcement by a code enforcement officer
			A trash receptacle shall be provided for customers	No signage is allowed, other than those permanently attached to the vehicle		
			Vendors shall comply with all Retail Sales Tax regulations, including Food and Beverage Tax			
	<b>Nashville, TN (pilot program)</b>	Permitted only in specified zones, designated by signs	Operators must have a Mobile Food Vendor Permit	Must obtain inspections and permits required to operate a Mobile Food Truck	The truck shall not obstruct sight distance for drivers	Enforced by the Metropolitan Transportation Commission
Must display permit on the vehicle				The truck cannot be fixed or drilled into place		
Must obey noise and nuisance laws				There will be no dining area		
Allowed on private property with landowner permission		Vendors must supply sufficient trash and recycling, and dispose of it themselves		Food and beverage sale only	For the program purposes, vending in the right-of-way is permitted only in specific zones that are identified by signs	Permit will be suspended/revoked for: Misrepresentation in the permit application (3) Conducting business contrary to ordinance (4) Public nuisance; (5) If Health Department does not give authorization
		Must move vehicle outside of posted times		The truck shall not impede the pedestrian or traffic flow		
		Must park in the same direction as traffic				
		Parking meters will be fed by the vendor		Areas are subject to closing for emergencies		
				Fines: 1st Offense: \$350 (with first offense) 2nd Offense: \$350 (with second offense) 3rd Offense: \$500 (with third offense) 4th Offense and all subsequent offenses: \$750 (with fourth offense)		

**Food Truck Ordinance Analysis**

City	Location	Permits and Licenses Required	Operational Requirements	Restrictions	Violations/ Responses
Dallas, TX	May be located on public or private property in the Downtown CBD	Operators must receive a permit, provided by the Restaurant and Bar Inspection Division	All service lines and pipes must be installed off the floor to allow for easy cleaning	Cooking will not be conducted while the vehicle is in motion	Enforced by the Restaurant Division, the Director of which may restrict to protect against public health
			The cab must be physically separated from the food prep area		
			Must be equipped with a built in hose to wash the interior of the vehicle	Must park only on improved surfaces	
			Must have a written agreement from the property owner of each vending location		
	May also be located on private property outside the CBD		Ventilation systems must meet Fire Department requirements	Only fast-cooked food items may be prepared on the vehicle	
			Adequate lighting must be provided for and properly shielded		
			Owners must have a signed commissary form	Fryers will be covered while the vehicle is in motion	
			Mobile Food Prep Units must have a registered food service manager		
Toilet facilities must be provided for wherever stopped for vending					
San Antonio, TX (pilot program)	Allowed on 3 designated sites that are located Downtown	Vendors must obtain a Downtown Mobile Food Truck Permit from the Downtown Operations Department	Vendors must have access to a restroom during operating hours	The Committee will select participants based on the avoidance of food redundancy	The Committee that selects participants represents of the Center City Downtown Operations Department, Office, San Antonio Police Department and the San Antonio Restaurant
			The vendor must share sales information at the end of the Pilot Period	Only authorized Mobile Food Truck Vendors may operate in the Downtown CBD on public property	
			All Mobile Food Trucks will remain at the fixed location on the approved day and times as per the permit		If the truck is left unattended for more than 1 hour, the vehicle will be towed at the vendor's expense
			Vendors must remove their supplies, food truck, and equipment from the Downtown area at the end of each business day	Loud speakers/noise is prohibited	
			Waste and litter shall be disposed of safely and properly by the vendor	City utilities are not to be used	The permit will be revoked if sells/subleases/transfers the
			The vendor shall comply with any corrective actions asked by a Health Officer	Vendors are prohibited from conducting business on public streets. Patrons must be on sidewalks	The San Antonio Police and Park codes in the CE
		Vendors must have all the required San Antonio Metro Health permits for a food establishment	The vendor shall make the truck available for inspection any time the unit is on public property	The truck will not be allowed to touch, lean on, or be fixed temporarily/permanently to any building structure, wall, tree, etc	Violations include not adhering to solicitation, queuing and hawking
			Vendors and their employees shall at all times be neat and well groomed	Vendors cannot hang/display merchandise from any public property	Violations result in a misdemeanor result in permit loss and the violation 1 year
			No vendor will be allowed to sell, possess, consume, or distribute alcoholic beverages	With permission, vendors may place tables and chairs in public spaces that do not inhibit the right of way	The City hired 2 new inspectors for
			Liability insurance must be purchased after application is approved (\$500,000)		
Austin, TX	Restricted from City property unless authorized by a rental agreement and written permission of the Parks and Recreation Director is obtained	Permits are approved by the Health Authority	Must keep noise level below 70 decibels	May not sell non-food items, or those not described in the permit	The Health Authority may suspend There is false information on the employee is infected with or carries disease; (3) If the continuation of the threat to public health; (4) If Establishment violates a Health
			Must comply with Fire and Explosion Safety Standards		
			Must use single service utensils	No food on the ground/chairs/tables/shelves that are not part of the MVE	
			Must comply with Health Authority regulations regarding time, temperature, plumbing, operation and maintenance		
			Vehicle must be readily movable	Alterations, removals, attachments, placement, or change that reduces mobility is prohibited	
			All food supplies must be stored within a Mobile Unit	May not go into the City Park unless authorized by the Parks and Rec Director	
			If at a location for more than 2 hours, there must be restroom facilities within 150'		
Houston, TX	Only allowed on privately-owned non-residential property	The Mobile Food Unit must first be inspected by a health officer	All Mobile Food Units must operate from a commissary where food and supplies are received and daily cleaning/servicing is performed	No changes to the food truck plan may be made without prior Health Department approval	The Director of Health and Department may suspend a permit operation does not comply or if hazard
			The business name must be permanently affixed on 2 sides of the unit, with lettering to less than 3" in height	Medallions for Mobile Food Units will not be issued if the Food Dealer's Permit is not current	
			A minimum of 20 gallon garbage can must be provided for patron use, to be attached to the unit		Cannot attach, set up, or install any device/equipment intended to increase the selling, servicing, or display capacity of the vehicle
			Hot and cold running water under pressure is required		
			Handwashing sink is required	No dining area	
		A lighting plan is required			
		Vendors must also have a Food Dealer's Permit	The Mobile Unit Operator must give written notice within 24 hours of adding a location to his/her route	Utility connections are limited to quick-connect electrical and telephone services (water, sewer and gas connections are prohibited)	
			Single service article use only		
			Menu changes must be submitted to the Health Department		

**Food Truck Ordinance Analysis**

City	Location	Permits and Licenses Required	Operational Requirements	Restrictions	Violations/ Responses
New Orleans, LA	Not allowed in CBD or French Quarter	Orleans Parish allocates 100 mobile vending permits annually	The permit must be conspicuously displayed at all times during business hours	During Mardi Gras, it shall be unlawful for a food vendor to sell in front of an existing brick and mortar establishment, cafeteria, or public school	Rules and regulations will be enforced by the District of the New Orleans Police Department under the supervision of the Downtown Development District (DDD)
			Cannot impede vehicular or pedestrian traffic	No sales shall be permitted at any other location other than that determined by the Department of Streets	The DDD shall notify the 8th District of all infractions and keep records of all violations for disposition
			All vendors must comply with pertinent City and State health laws and shall make Sales Tax return reports	No vendor can park in a residential area unless they have written permission of the property owner and a petition from the majority of the property owners in the surrounding neighborhood	DDD will make quarterly reports regarding enforcement
				The vehicle shall be no more than 20' in length and 8' in width	The DDD shall also report infractions to the Finance, who shall take appropriate action under the terms of the ordinance
				Only one sign is allowed, and it must be a maximum of 6 sq. ft.	
Boston, MA	Routes of operation have been developed throughout the City, in which the food truck operators must apply for a route	Permits are required, numbers are limited by the Committee	Must use single-service utensils and articles	No operator of a mobile food truck shall park, stand, or move where unauthorized	Any truck being operated without a valid Mobile Food Truck Permit shall be deemed a violation and may be ticketed/impounded
			Must provide a waste container for public use, to be emptied at the operator's expense	No permit holder can keep their permit for a truck that is out of operation for more than 14 days (without approval)	A truck operating outside of its designated route/unauthorized location/beyond its permitted enforcement
			An accurate log of service trips to the commissary must be kept (at least twice daily)	No dining area is allowed unless approved	
		The Committee: Public Works, Transportation, Inspectional Services, Police, Fire, Director of Food Initiatives, and Assessing Department	Must have a permanent GPS located in the vehicle	No excessive noise	A permit holder operating in violation of this regulation is subject to a fine of \$500 per violation shall be a separate violation
			Permits are not transferrable	Can only operate on public property with a special permit	A permit can be suspended for a violation without notice or hearing if it is found to be a safety and health hazard
				The truck cannot be parked on the street overnight, or left unattended/unsecured	Enforced jointly by the Police Department and the Assessing Department
Chicago, IL	Prohibited in certain districts in the Downtown Core	Retail Food Establishment License	Vehicle sanitation requirements include: enclosed with top and sides, built with not readily corrodible material, shall not be used for anything other than a Mobile Food Dispenser, and all food service equipment shall remain clean and in good repair	Issuance of licenses in specific areas of the City are prohibited, in the interest of preserving public health or to avoid congestion	The Board of Health has the authority to issue regulations for the effective enforcement of this ordinance
		Wholesale Food Establishment License	Must be operated from a licensed commissary, and must be cleaned and serviced twice daily, as well as stored there		
		Mobile Food Dispenser License	Mobile Food Facilities that prepare/handle non-prepackaged or hazardous foods are required to have an employee who has successfully completed a food sanitation course	No food that is sold or served can be stored in a residential home	Except as otherwise specified, any provisions shall be subject to the provisions of this ordinance
		Mobile Food Facility License	Condiments shall be protected from contamination	The use of tables, benches, and other such devices to display or serve items for use is prohibited	Fines range from \$50-\$500
			Single service utensils only shall be used		
		Required Commissary License	Hand washing sink and running hot water is required		
	Every license must be posted in a conspicuous place				
Jacksonville, FL	Only in City right-of-way, along roads which have curbs, gutters, and sidewalks	A Non-Specified Vending Area Permit authorizes the vendor to vend in any location authorized by the City	The cart is self-contained, not connected or attached to any other building or structure and does not receive power or water from any building	All sidewalk vendors must use and be limited to carts that are mobile and on wheels, a self-contained unit that measures a maximum 4' wide, 6.5' high and 6' long	It shall be unlawful for a Class 1 or 2 vehicle to distribute or offer to distribute any beverage, merchandise, or service within the city of Jacksonville without a valid permit therefore from the Tax Collector. This ordinance shall be issued by the Downtown Development District and shall apply to all vendors who do not comply with the provisions of this ordinance.
			Accessory containers must be placed within 3 feet of the cart, and must be made of a hard substance (not paper, styrofoam, or cardboard)	Each vending cart may be accompanied by no more than 2 accessory containers, and shall have a capacity of no more than 94 quarts	
	Any cooking, heating, warming, freezing or cooling unit must be an integral part of the vending unit		No vendor shall sell merchandise to the occupant of any motor vehicle, unless it is parked in a lawful space		
	Only where zoning is commercial or industrial		The vendor is responsible for all litter and trash within 15 feet of the cart	The vendor's cart shall not cover or obstruct more than half of the width of any sidewalk	

**Food Truck Ordinance Analysis**

City	Location	Permits and Licenses Required	Operational Requirements	Restrictions	Violations/ Responses	
Portland, OR	Located mostly in pods, which are surface parking lots of former vacant lots that provide space for multiple carts in the Business District	Operator must have a Food Vendors License	All items must be vended from a regulation size cart	Services shall not lead to or cause pedestrian traffic	Enforcement is complete	
			Services shall involve a short transaction period		The City offered a 30 day time-out; unpermitted structures could be taken down without	
			Items must be easily carried by pedestrians		The City Engineer may revoke/suspend a Vendor has violated or failed to comply with ordinance provisions; (2) If the violation is detrimental to surrounding businesses; (3) If any required permit has been suspended or cancelled; (4) Or if the permit is currently effective insurance is not maintained	
			Must receive approval from the County Health Department, which requires that all plumbing fixtures be connected to an approved draining system	Vehicles/carts must be mobile, but there is no requirement for them to move	Shall not cause undue noise or offensive odors	Any person violating these provisions shall be fined not exceeding \$500
			Vendors must display permit on vehicle			
			Vendors must pick up all litter within 25' of conducting business			
San Francisco, CA	Allowed within the public right-of-way	Separate permits are required from the Public Works Director, the Health Department, and the Fire Marshal, all with annual renewal	Notice shall be given within a 300' radius from the mid-point of the block face for the locations to be served	In no case may a single vendor have more than 7 Mobile Food Facility Permits	Permit may be suspended/revoked by the Public Works if: (1) The Mobile Food Facility is not a previously established business within 200'; (2) if the Mobile Food Facility is operated in a location for 6 months; (3) if the Mobile Food Facility is a public nuisance	
			Any permits issued are not final until the vendor has obtained a Certificate of Sanitation and approval from the Fire Marshal within 3 months		Any person who shall violate any provision of the ordinance shall be guilty of a misdemeanor in any location where such violation occurs	
			The quiet, safety and cleanliness of the Mobile Food Facility location and its adjacent area shall be maintained	Vendors cannot sell product/merchandise similar to a previously established business within 200'	First violation (within one year) \$200	
			Proper storage and disposal of debris/garbage shall be provided		Second violation (within one year) \$200	
			Noise/odors shall be contained within the immediate area so as not to be a nuisance	No peddling in residential or public districts	Third violation (and all others) \$200	
			Notices shall be displayed that request patrons to leave the premises in a quiet, peaceful, orderly fashion and to not litter/block driveways in the neighborhood			
			Employees of the Mobile Food Facility shall pick up trash left over 30 minutes after closing, within a 100' radius			
Los Angeles, CA	Allowed in public parking, but vendors have to follow parking rules and pay the meter	Operators need a Public Health License	Certification sticker must be fixed to Mobile Food Facility	Not specified	Street Vending Compliance Program - Inspectors who investigate public nuisances and food trucks	
			Must have a Certified Food Handler on staff			
		A parking permit is required	There must be a restroom within 200' if parked for more than 1 hour			
			Commissary is required in order to buy food and supplies			
			Both the commissary and the food truck will receive letter grades, and those below 70% will be shut down			