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Application # \_\_\_\_\_

## Application for Mobile Food Vendor

Contact Community Development (478) 988-2720

### Operator/Owner Information

\*Indicates Required Field

*Name of Mobile Food Vendor:		
*Name of Applicant:		
	Operator	Vehicle Owner
*Name		
*Address		
*Phone		
*Email		

### Vending Unit Information

Street Vending Unit	Sidewalk Vending Unit
*Make and model of vending vehicle:	
*License plate number and state:	

### Operational Information

*Proposed Operation Location(s)	*Proposed Dates and Hours of Operation

### Instructions

Submit this completed application, along with the required documentation listed below to the Community Development Office, located at 741 Main Street, Downtown Perry, GA 31069:

- Fee of \$118.00 payable to the City of Perry;
- Copy of approved permit from County Health Department in the State of Georgia;
- Proof of valid liability insurance in the amount of \$1,000,000.00 covering the requested date(s) of operation;
- Signed statement of private property owner(s) allowing use of their property;
- Sketch of site(s) showing existing conditions (adjacent streets, buildings, parking lots, landscaped areas, etc.) and location where mobile vendor will set up, including any auxiliary features, i.e. generators, tables/chairs, trash receptacles, signs, etc.

By requesting and obtaining this permit I agree to indemnify and release the City of Perry, its agents, employees and elected officials from any and all liability against any and all claims, actions and suits of any type whatsoever. I agree that I will comply with the provisions set forth in Section 15-2203 of the Perry City Code while operating in the City of Perry, and I understand that this permit may be revoked or suspended for noncompliance. Further, I affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of my knowledge and I have provided full disclosure of the relevant facts.

*Applicant	*Date
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**Sec. 15-2203. - Prohibited conduct and requirements.**

- (a) Operation on public property. Except for ice cream trucks, no mobile food vendor vehicle shall conduct business or operate on any street, sidewalk, alley, trail or other right-of-way or on any city-owned property, including plazas and parks, except:
  - (1) As part of a city-sponsored or city-sanctioned special event;
  - (2) Through a contract with the department of leisure services; or
  - (3) When parked in a city-designated mobile food vendor vehicle parking space within the assigned dates and times.
  - (4) Except as may be allowed as part of a city-issued special event permit or by contract with the department of leisure services, mobile food vendors are permitted in a city-designated mobile food vendor vehicle parking space no more than five (5) days in any calendar month. A minimum of two (2) calendar days must transpire between operating periods on any given parking space.
- (b) Operation on private property.
  - (1) A mobile food vendor shall not operate on any private property without the prior written consent of the property owner.
  - (2) In the C-3 Central Business District only, and except as may be allowed as part of a city-issued special event permit, mobile food vendors are permitted on a given property no more than five (5) days in any calendar month. A minimum of two (2) calendar days must transpire between operating periods on any given property.
  - (3) Except as may be allowed as part of a city-issued special event permit, no more than two (2) mobile food vendors may operate on any single property at any one (1) time.
  - (4) Except as may be allowed as part of a city-issued special event permit, mobile food vendors may occupy no more than ten (10) percent of the designated parking spaces on a given property, and at no time shall the operation of a mobile food vendor reduce the number of parking spaces on a property below the minimum required by city Code or ordinance.
  - (5) Vending structures shall not be left unattended or stored at any time on the open vending site when vending is not taking place or during restricted hours of operation.
- (c) A mobile food vendor who prepares food shall maintain a one-million-dollar (\$1,000,000.00) liability insurance policy. Proof of current liability insurance, issued by an insurance company licensed to do business in the state, protecting the mobile food vendor and the public from all claims for damage to property and bodily injury, including death, which may arise from operation under or in connection with the permit. Such insurance shall provide that the policy shall not terminate or be canceled prior to the expiration date without thirty (30) days' advanced written notice to the city.
- (d) Except for ice cream trucks, a mobile food vendor shall not make sounds or announcements to call attention to the mobile food vehicle either while traveling on the public rights-of-way or when stationary. At all times said mobile food vendor, ice cream truck, or push cart shall be in compliance with the city noise ordinance.
- (e) The license under which a mobile food vendor vehicle, ice cream truck, or push cart is operating must be firmly attached and visible on the vehicle or pushcart at all times.
- (f) Any driver of a mobile food vendor vehicle or ice cream truck must possess a valid state driver's license.
- (g) Each licensed mobile food vendor must maintain for patrons' use, a litter receptacle of sufficient size to accept the litter being generated by the sales from the vendor's vehicle at the point of sales. City receptacles shall not be utilized for this purpose. Each vendor shall pick up litter which is associated with the vendor's sales in the vicinity of the vendor's place of business prior to departing the sales location. A pattern of leaving excessive litter shall be a basis for suspension or revocation of the license.
- (h) Liquid waste and grease shall only be disposed of in a container approved for such substances.
- (i) Except for ice cream trucks, mobile food vendors are allowed only in C-1, C-2, C-3, IMU, MUC, and NMU zoning districts, except as part of a special event sponsored by a homeowners association or similar official neighborhood organization.
- (j) Mobile food vendors shall not operate within twenty-five (25) feet of any street intersection, pedestrian crosswalk or driveway except as part of a city-sponsored or sanctioned special event.

(k) through (r) on the next page

- (k) Mobile food vendors shall not operate within two hundred fifty (250) feet of the door of a lawfully established eating establishment that is actively open for business serving customers, unless the mobile food vendor provided documentation, which is signed by the eating establishment owner, that the eating establishment owner interposes no objection to a closer proximity. If an eating establishment opens within the two hundred fifty-foot zone after the mobile food vendor is licensed, the mobile food vendor may remain in that location until the following annual permit is due.
- (l) Mobile food vendors shall not be located within one thousand (1,000) feet of any city-sponsored or sanctioned special event.
- (m) Hours of operation shall not be limited, except as part of a city-sponsored event permit or by contract with the department of leisure service. When operating in the C-3 Central Business District, and not part of a city-sponsored event, a mobile food vendor may operate only between the hours of 7:00 a.m. and 10:00 p.m. At the end of each business day's operation, the vendor shall remove from the premises the mobile food vendor vehicle and all materials associated with the business.
- (n) No sale or offer for sale of ice cream, frozen milk, frozen dairy or ice confection products shall be made from a mobile food vendor unless each side of the vehicle is marked, in letters and numbers at least three (3) inches in height, with the name and address of the mobile food vendor licensee.
- (o) The mobile food vendor shall comply with all state, federal and local health and safety regulations and requirements and shall obtain and maintain any and all licenses required by any other health organization or governmental organization having jurisdiction over this subject matter.
- (p) Except as otherwise allowed and described within this section, a mobile food vendor must operate from a motorized, wheeled vehicle that may lawfully be driven upon streets and roadways within the state.
  - (1) The owner of a licensed restaurant located within the city may, with a valid city mobile food vendor permit, engage in mobile food vending from a wheeled mobile trailer, pushcart, or motorized vehicle as an ancillary location of said restaurant, provided that all other provisions of this article are met and adhered to.
  - (2) As allowed by a city-issued special event permit, a mobile food vendor that holds a valid city mobile food vendor permit may operate from a wheeled mobile trailer, pushcart, or motorized vehicle.
- (q) The following safety regulations shall apply to any and all vehicles operating under this article or used for mobile retail food establishments:
  - (1) Every self-propelled vehicle shall be equipped with a reverse gear signal alarm with a sound distinguishable from the surrounding noise level.
  - (2) Every self-propelled vehicle shall be equipped with two (2) rear-vision mirrors, one (1) at each side, firmly attached to the outside of the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear, along both sides of the vehicle.
- (r) The mobile food vendor may sell food and non-alcoholic beverage items only. The sale of nonfood and drink items shall be limited to merchandise displaying the mobile food vendor company logo and/or branding. No items shall be displayed outside of the vehicle.