

MAYOR
Hal J. Rose

DEPUTY MAYOR
Pat Bentley

COUNCIL MEMBERS
Daniel Batchelder
John Dittmore
Adam Gaffney
Barbara A. Smith
Andrea Young



CITY HALL
2240 Minton Road
West Melbourne, FL 32904
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BUSINESS ADVISORY BOARD

AGENDA

Monday, August 26, 2019
6:30 p.m.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ADOPTION OF MINUTES**

The Board is asked to approve the minutes from the April 22, 2019 meeting.

5. **NEW BUSINESS**

- A. Business of the Quarter

The Board is asked to recommend to City Council for Business of the Quarter awards for the 4th Quarter of 2019.

- B. Provide Comments to Planning Department on Regulation of Food Trucks

Planning Department staff would like to inform the Board of a project to obtain information about the regulation of food truck and provide any preliminary comments.

6. **PUBLIC COMMENTS**

7. **ADJOURNMENT**

The next meeting of the Business Advisory Board is scheduled for Monday, October 28, 2019, at 6:30 p.m.

All persons wishing to be heard should appear in person at these meetings or send written comments to the City Clerk. All persons and parties are hereby advised that if they should decide to appeal any decision made by the City with respect to any matter considered at the public meeting or hearing described in this notice, they will need a record of the proceedings, and for such purpose, said person or party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286, Florida Statutes). In compliance with American with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City's ADA coordinator at 727-7700 at least 48 hours in advance of this meeting.

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BUSINESS ADVISORY BOARD

Minutes

April 22, 2019

1. CALL TO ORDER

Chair Ramses Rodriguez called the meeting to order at 6:31 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Rodriguez led the pledge of allegiance.

3. ROLL CALL

Present: Chair Ramses Rodriguez, and Board Members Blaine Barton, Matthew Brothers, Brian DeGonzague, Allen Jean, and Rusty Melle.

Absent: Richard Naber, Carl Rutgerson, Rande Matteson, Arvind Maddikonda, and Amy Bromfield.

Also present: Council Member Andrea Young, City Manager Scott Morgan, and City Clerk Cynthia Hanscom.

4. ADOPTION OF MINUTES

Chair Rodriguez moved to approve the minutes from the February 25, 2019 meeting. Board Member Barton seconded the motion, which passed unanimously.

5. NEW BUSINESS

Business of the Quarter. City Clerk Hanscom asked the Board to make a recommendation to City Council for Business of the Quarter for the 3rd quarter of 2019.

Council Member Young thanked those Board Members for attending the presentation at the City Council meeting of April 16. The businesses receiving awards were very appreciative. Board Member Jean stated that Board Member DeGonzague spoke about the contributions the businesses had made and felt that it made a bigger impact.

Board Members discussed businesses that had been suggested in the past such as Sam's Club and Chick-fil-A.

Board Member DeGonzague stated that Einstein's Bagels had always been willing to donate to the school system. He also spoke of Classic Automotive Repairs, which is owned by Lisa Locke. He stated Ms. Locke had gone above and beyond and donated Thanksgiving and Christmas meals for the kids at the school. Ms. Locke had also volunteered at the school to package the meals so that the students could take them home. He noted that, when recognized, she was very humble about her participation. Board Member DeGonzague commented that Chick-fil-A and Sam's Club had also made contributions and would be suitable as well.

Board Members continued to discuss other businesses and noted that Wesley United Methodist Church had offered the use of the gym facilities to the Police Athletic League (PAL) children and recently made a large contribution to the Promise Café and Bakery. It was mentioned that the church may not have a business license.

Chair Rodriguez moved to recommend that Classic Automotive Repairs and Chick-fil-A be recommended to City Council for Business of the Quarter awards. Board Member DeGonzague seconded the motion, which passed unanimously.

Board Members asked that nomination forms be provided on the City's website so that members of the public could submit recommendations for Business of the Quarter. The availability of the form could also be mentioned in the City newsletter. It was also suggested that the West Melbourne Business Association could announce the availability of the nomination form.

Review of Proposed Sewer Rate Increase. City Manager Morgan presented a proposed rate increase for sewer that would impact the community. He stated this usually occurs every third year and the last increase was January 1, 2016. He explained that operating costs have gone up and there was a need for a rate adjustment. He provided an analysis of the impact and noted that the average increase would be about 1.4 percent, which would reflect an average increase of \$13 per month. He stated that this would be going before Council in July and would take effect in October.

City Manager Morgan said that, even with the increase, the West Melbourne rates were favorable in relation to those from Palm Bay and Melbourne. One of the reasons that he believes the costs are lower for West Melbourne is because the operation and maintenance of the plant is handled by contract with a private company, which reduces some of the costs associated with hiring full-time employees. In addition, it is a national wastewater company with good expertise provided from the entire organization.

Board Member Barton asked if the rate increase would apply to both residential and commercial. City Manager Morgan replied affirmatively.

Chair Rodriguez asked if the average increase would be the same for the larger accounts. City Manager Morgan replied that it would be similar but noted that it would be dependent on meter size and usage. For example, a higher user such as Bill's Car Wash would have a higher increase. He also explained that 45 percent of the rate is

fixed and 55 percent varies according to consumption. Therefore, the higher users would be higher but at the same percentage.

The Board discussed seasonal changes in water consumption and sewer use. City Manager Morgan said that overall consumption does not change seasonally because there is not a large snowbird population. It is typical for the treatment plant to have higher usage during the daytime and lower flows overnight. He noted that the daily flow uses about 55 percent of the sewer treatment capacity.

Board Member Jean asked if the increase related to inflation. City Manager Morgan noted that there is maintenance that is needed every year. Some of that maintenance cost is built into the monthly costs but some major costs impact the funding levels. He stated that the City is currently seeking grant funding to convert a neighborhood from septic systems to City sewer. In addition, grant funding is being pursued to make operational changes to the plan to improve the water quality of the reuse by reducing the amount of nitrogen. Both projects would improve overall water quality.

Board Member DeGonzague asked if the increase would allow the City to establish a fund balance. City Manager Morgan stated that there is a healthy fund balance in water and sewer, but this is the primary funding for capital improvements. He reminded the Board that West Melbourne was the only City in Brevard County that did not have a spill during Hurricane Irma. The rate is based on the current year budget for capital improvements.

City Manager Morgan stated he did not expect to see an increase in water rates, which is usually determined by the City of Melbourne as they supply the water. He informed the Board of the current feasibility study being done to consider building a water plant for the City. He believed the proposal would go to City Council in June or July. He expected the capital cost to be \$25 million, which would allow the City to continue selling water to customers at the current or similar rate. In the meantime, the goal is to pay down the existing water debt.

Board Member Barton asked where the plant would be located. City Manager Morgan stated the consultant completing the study was proposing three sites, one of which was at the existing public works yard.

Board Member Jean asked what would be the deterrent to building a water plant. City Manager Morgan stated that permitting would be key and the consultant has been working with St. Johns River Water Management District to determine if there would be allocation for water sources. He noted that if the plant were located at the public works yard, the briny solution residue from treating the water could be injected into the same deep well as that used for the sewer plant.

Board Member Barton questioned putting the water plant next to the sewer plant. City Manager Morgan noted that raw water could be pumped from anywhere and they believed the best location would be west of I-95.

6. PUBLIC COMMENTS

Board Members asked the City Clerk to research the number of unexcused absences by other members and come back to the Board with what can be done.

7. ADJOURNMENT

The next meeting of the Business Advisory Board is scheduled for Monday, June 24, 2019, at 6:30 p.m.

Chairman Rodriguez adjourned the meeting at 7:16 p.m.

Chairman Ramses Rodriguez

Cynthia S. Hanscom, City Clerk

AGENDA ITEM



August 26, 2019, Business Advisory Board

Prepared and Presented By:
Christy Fischer
Christy Fischer, Planning Director

To: Members of the West Melbourne Business Advisory Board
From: Christy Fischer, AICP, Planning Director
Date: August 26, 2019

SUBJECT

Informational only – City Council requests that staff research allowing permanent food trucks

RECOMMENDATION

The Planning and Economic Development Department is providing preliminary information about:
Code change committee on allowing permanent food trucks in our city limits

FISCAL IMPACT

The fiscal impact to the City will be to pay the application fees and for legal advertisement for a code change.

DISCUSSION

PROPERTY ADDRESS – to be determined

PUBLIC HEARING DATES –

This won't be set until the code changes are ready

BRIEF SUMMARY OF REQUEST

A business owner from the Brazilian food market came to a City Council meeting in the spring of 2019 and asked the City adopt codes similar to the City of Melbourne’s for permanent food trucks. City Council directed staff to research this and move forward with code changes.

STAFF RECOMMENDATION

APPROVE

No action needed yet

COMPATIBILITY with the COMPREHENSIVE PLAN
Any code changes about food trucks will be compliant with the spirit of the commercial future land use designations which promote businesses

PROPERTY HISTORY
Although one property owner requested that the Zoning Code be changed, the impacts will be to other properties in the commercial zoning districts. The exact zoning districts where permanent food trucks will be allowed will be determined as the code is prepared.

COMPATIBILITY with the LAND DEVELOPMENT REGULATIONS

One of the factors that staff has to review is the consistency of code changes with other parts of the City’s Land Development Regulations which will also be part of the research that staff conducts.

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/

Summary table of some of the food truck codes

N/A

none

Background —

As mentioned above, potential code changes to allow food trucks as permanent food outlets was requested by City Council. Staff believes since there are over 50 food service establishments in town (including convenience stores that sell food), that a guiding committee with restaurant and business owners would be the best way to develop a code that is acceptable to the business community.

Staff Analysis—

Some of the analysis that staff will conduct include:

- What other local governments allow for permanent food trucks
- Advisability of whether the City wants to continue just allowing food trucks with special events with a separate permit, or to enact code changes to allow these food vehicles to be established permanently
- If permanent food trucks are allowed, then what are the controlling factors that the community desires?
- What should be the application criteria?
- What regulations does the State of Florida impose on permanent mobile food catering vehicles?
- Discussions with existing food truck business owners about how their business is run.
- What locations should be allow for these permanent food truck businesses?

Frequently people mistakenly believe that the food trucks along New Haven Avenue west of Wickham Road are in our city limits, but these are in unincorporated Brevard County areas which have different zoning and other code requirements. Staff will provide answers to some of these questions listed above based on State requirements, comparisons with other jurisdictions and direction from a food committee that the City is creating.

Next steps:

- Staff has created a list of food truck committee businesses and is in the process of setting up a meeting to discuss the assignment and to receive initial feedback from the State of Florida and another permanent food truck vendor and the City’s fire marshal.
- Additional meetings with the “ad hoc” food truck committee may be needed to discuss various drafts of the code changes and staff will schedule these as needed.
- When a final draft is ready, staff will then request review by the Business Advisory Board
- If the Business Advisory Board supports the changes, then staff will proceed to the Planning and Zoning Board for their advisory review.
- The last review and final determining body will be City Council and this will be scheduled as public hearings to provide citizens and business owners additional opportunities to provide feedback.
- If the changes are approved, then permanent food trucks can apply for the permits.

ATTACHMENTS

1. Comparison chart of other food truck codes

Mobile Food Vending Research

City	Where are the trucks allowed? Are there buffers?	What are the days and hours trucks are allowed?	Permits: what is required? Are they limited? What is the application process like?	What are the operational requirements or restrictions?	How are these regulations enforced?	Concerns
Jacksonville, FL	Only where zoning is commercial or industrial, and must be located in the City right-of-way. Buffers include: 300' from property line of an established business selling a similar product, 10' from any driveway, 15' from crosswalk or building exit, 20' from a bus stop, 75' from another vendor, 10' from a fire hydrant	Vending is allowed between 11PM and 3PM downtown, and must be approved with application otherwise	A Non-Specified Vending Area Permit is needed to vend anywhere in the City; Applicants must submit: a vending location; a menu; days and hours of operation; a site plan; current zoning of the proposed lot; proof of Drivers Insurance; an Occupational License; a Health License; General Liability Insurance (\$200,000)	The cart must be self-contained; the vendor is responsible for all litter and trash within 15' of the cart; no more than 2 accessory containers are allowed and they must be placed within 3' of the cart; no selling merchandise to a vehicle occupant; no obstructing more than half the width of the City sidewalk	Citations will be issued by the Downtown Development Authority to vendors who do not comply with the ordinance	The City is not clear on legislation and rules concerning food trucks, and enforcement is erratic
Tallahassee, FL	The City designates public property sites and streets that can accommodate food trucks; not more than 2 vendors of similar food products will be permitted in close proximity	Applications for permit will indicate the requested hours of operation, and must be approved; the vendor is not permitted at the same location for more than 60 consecutive days	Permits are issued on a first-come, first-served basis; applicants must submit: a list of requested vending locations in order of preference; proposed days and hours of operation; a copy of current Business/Occupational License; a copy of a State Business License; a photograph of the vending unit/vehicle; a copy of insurance (minimum \$1 million); applications are reviewed by the Downtown Development Authority and Parks and Recreation	The vendor is responsible for the daily management of waste; operation during a special event requires a special event permit; the area of usage will be determined at the time the permit is issued; the use of generators are not permitted; the vehicles will be moved overnight; there will be no selling of alcohol, nor use of an amplified speaker	Operating without a proper permit or in violation of the ordinance may result in fines; the City Manager may revoke a permit of an operation that does not serve the public's best interest, if the vendor does not pay fees, or if the vendor fails to comply with policy requirements	Restaurant owners like that there are restrictions on where food truck parking is allowed, and it provides for less encroachment upon brick and mortar establishments

Mobile Food Vending Research

City	Where are the trucks allowed? Are there buffers?	What are the days and hours trucks are allowed?	Permits: what is required? Are they limited? What is the application process like?	What are the operational requirements or restrictions?	How are these regulations enforced?	Concerns
Panama City Beach, FL	Privately-owned, non-residential properties with permission of the property owner	Trucks are allowed during Special Events only	Need a Special Events permit and a Portable Food Vending license; must submit a site plan showing setbacks and sanitary facilities; must have a consent letter from the property owner; must have proof of Business Tax Receipt; must submit a sanitation plan	There must be a restroom available on site; all non-permanent structures must be removed 7 days after the event ends; permits must be visibly displayed; the vendor cannot take up any required parking of the existing use	Special Events are the responsibility of the Chief of Police, the Fire Chief, and the Director of Medical Services	Not specified
Pensacola, FL (ordinance is under construction)	Trucks can park anywhere on public property as long as they are legally parked and not obstructing traffic; trucks can park on vacant private lots that are adjacent to an existing brick and mortar	Not specified	Vendors must have a business license, a Seller's permit, a Tax ID, and a Health Certificate; there is no application as of yet	Private lots – units shall be connected to the sewer system and have a grease trap, permanent restrooms will be provided via the adjacent property; 1 customer seat is allowed per foot of mobile unit; there is a maximum of 4 units per site, all of which must have the same design and color consistency; generators are not allowed; the units shall not occupy more than 25% of the lot	Inspections by Code Enforcement	Private lots are being used by the adjacent brick and mortar to expand their businesses in a more cost-efficient manner
Largo, FL (proposed)	Private, non-residential property; no more than 2 vendors are allowed per lot	Daily hours of operation are 6AM-3AM, and the trucks must move when business hours are over	15 permits are issued annually and with annual renewal; applicants must submit a site plan, required licenses, and permission from the property owner to allow patrons to use the restrooms	Permits must be attached to the vehicle; the vendor shall adhere to principal setbacks; waste shall be disposed of properly; the vendor will not take up required parking for the existing use; no alcoholic beverages, no amplified noise	Permits will be revoked if a health violation has not been corrected by the next inspection	The ordinance was put on hold, with concerns that food trucks are a trend, that 15 permits is too many, that the hours of business are too relaxed, that permit fees are not enough, that food trucks have an unfair advantage over brick and mortar

Mobile Food Vending Research

City	Where are the trucks allowed? Are there buffers?	What are the days and hours trucks are allowed?	Permits: what is required? Are they limited? What is the application process like?	What are the operational requirements or restrictions?	How are these regulations enforced?	Concerns
Fort Lauderdale, FL	Private, non-residential property; must be 500' from any school or church within 1 hour of school/church opening and within 1 hour of church/school closing, and 25' from any intersection	Not specified	Need mobile vendor license, health department certificate; applicants must submit: permission from the property owner; a site plan; public restroom availability; on-site parking availability; proof of insurance coverage (\$300,000); a menu; photographs of any equipment to be used	Licenses must be displayed at all times; must have a litter receptacle and dispose of all trash; no advertising except the name of the vendor and a menu; no vending in metered spaces; can't sell anything that is not licensed; can't increase the selling or display capacity of the vehicle; no motioning to vehicles on the street	The Planning, Zoning and Building Department is responsible for enforcement	Residents are happy with the current food truck trend, although they are mostly experienced through special events
Miami, FL	Private non-residential property, shall be located 20' from property line of a residential use	Weekdays 7AM-10PM; Weekends 7AM-11PM; Operations may be open until 1AM where there is no residential area within 1000'	A Certificate of Use (CU) must be obtained for each MOFSE (special event) site on an annual basis. Applicants must submit: a copy of the required State license for Food Service Establishments; sign off from Miami PD; site plan; signature of approval from 80% of residents within 1000' of the location	Vendor must provide consent letter of property owner; no alcohol; no sound amplification; signs must be fixed to the vehicle; special events are limited to 1 per week in the same location; no traveling mobile operation may be permitted on each site that contains a minimum of 10,000 sq. ft.	Violations are mostly complaint-driven; trucks operating outside of a special event may only stop to make a sale, violation results in \$500 fine; the Special Events Director has the authority to revoke the permit if it is found that a truck is operating in a manner not consistent with the representation made in the application package	Food truck regulations have only recently been put into legislation, due to setbacks from brick and mortar restaurants, who for the most part do not back food trucks

Mobile Food Vending Research

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Marathon, FL	Developed non-residential private property, and City right-of-way	Private lots-not to exceed 2 consecutive hours in a 24-hour period, and cannot remain in the right-of-way for more than 10 minutes	The vendor shall obtain all necessary permits, licenses and inspections are required by the City; must have written consent of a property owner for permit applications	The unit must be removed from the site at the end of every business day; vendor shall provide trash receptacles; shall leave the site in a clean state at the end of each business day; when located on private property, must be of a legally operating permanent business; shall not damage landscaped areas or block sight distances for drivers	Not specified	Residents and mobile vendors have expressed concern that new vending time restraints are extreme
State of Florida	Not specified	Not specified	Permit approval is contingent upon the verification of an approved commissary facility	Must be capable of visiting the commissary each day of operation; single-service articles for use only; food products and supplies must be stored at commissaries; waste must be disposed of properly; cannot provide seating for customers; no homemade food items shall be provided	Not specified	Not specified

Mobile Food Vending Research

City	Where are the trucks allowed? Are there buffers?	What are the days and hours trucks are allowed?	Permits: what is required? Are they limited? What is the application process like?	What are the operational requirements or restrictions?	How are these regulations enforced?	Concerns
Los Angeles, CA	Allowed in public parking, but vendors have to follow parking rules and pay the meter	Not specified	Operators need a Public Health License; a parking permit is required. Applicants must submit: a Business License; food service wastewater report; site plans; health inspection approval; Commissary agreement	Certification sticker must be fixed to unit; must have a certified Food Handler on staff; 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	Street Vending Compliance Program: a team of 10 inspectors who investigate public complaints concerning food trucks	The proposition will build upon the public's current understanding of the restaurant grading program and will provide a means of distinguishing between permitted and non-permitted MFF
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; Trucks and carts must be at least 100' away from an established restaurant or fruit and vegetable market	Vending is permitted from 6AM to 10PM	Operator must have a Food Vendors License. Applicants must submit: a certificate of insurance; 2 photos of the vending mobile; base operation location; a menu; proof of insurance (\$1,000,000)	All items must be vended from a regulation size cart; services shall involve a short transaction period; items must be easily carried by pedestrians; must receive approval from the County Health Department; vehicles and carts must be mobile, but there is no requirement for them to move; vendors must display permit on vehicle; vendors must pick up all litter within 25' of conducting business; services shall not lead to or cause pedestrian traffic; shall not cause undue noise or offensive odors	Enforcement is complaint-driven; the City offered a 30 day time-out during which any unpermitted structures could be brought up to code or taken down without citation; the City Engineer may revoke/suspend permit if: (1) Vendor has violated or failed to meet any of the ordinance provisions; (2) If the cart has become detrimental to surrounding businesses and/or the public; (3) If any required permit has been suspended, revoked, or cancelled; (4) Or if the permitted does not have a currently effective insurance policy	Food carts/trucks are seen as an easy business opportunity; food carts/trucks can also be a community asset to neighborhoods by providing fresh and local produce; this has led to other pop-ups that are not just food related, such as vintage clothing, bike repair, and tailoring

Mobile Food Vending Research

City	Where are the trucks allowed? Are there buffers?	What are the days and hours trucks are allowed?	Permits: what is required? Are they limited? What is the application process like?	What are the operational requirements or restrictions?	How are these regulations enforced?	Concerns
Raleigh, NC	Conditional use allowed within commercial districts; must be 100' away from an established restaurant; 50' from another vendor; 5' from driveway, sidewalk, or emergency access; 15' from fire hydrant	6AM to 3AM; limited to 7AM to 10PM if located 150' away from any residential dwelling	Permits are required from both the truck owner and the property owner, and must be renewed annually The vendor applicant must submit: Business License; commissary location; County Food Vending Permit; Sales and Use certificate; copy of vehicle registration; location of grease disposal facility. The property owner applicant must submit: Business license; total acres of parcel and site plan; number of food trucks requested	Will not be left overnight; the vendor is responsible for waste disposal and trash; all equipment required shall be within 3' of the truck; all permits and licenses shall be clearly displayed on the food truck; the operator must be present at all times, except in case of an emergency; no free-standing signage; no audio amplification; outdoor seating permitted only on lots greater than 2 acres; shall not occupy required parking for the existing use	If the Wake County Environmental Services revokes or suspends the issued Food Vending Permit, the permit from the City is revoked simultaneously; if there is evidence of improper disposal of waste, the permit will be revoked; penalties for violating the ordinance- first offense: \$100; second offense: \$300; revoked after the 3rd offense	Mixed results: food truck operators welcome the ordinance, while restaurant owners are worried about their business, and would prefer for food trucks to not set up downtown. The City Council will review the results of the ordinance in 6 months
Asheville, NC (proposed ordinance)	Food sales must occur from a private permitted parcel, 10' spacing is required between mobile vendors	Closed between 2:30AM and 6AM	Permits must be obtained for both the parcel and the vendor; the vendor permit must be linked with an existing restaurant or commissary; the number of permits for vendors is limited downtown. Parcel applicants must submit a site plan for the parcel. Vendor applicants must submit compliance with Health Department regulations	The unit must leave the site each day for cleaning and storage; up to 5 mobile units are allowed on a single parcel; permits must be displayed on the vehicle; no roaming and vending is permitted; signage is allowed, but not unlimited; if more than 1 site is requested in the application, then a separate permit is required	Not specified	Vocal and politically connected restaurants are trying to push back the ordinance; tourism officials say truck vendors will cheapen the "Foodtopia" brand that has been built around local brick and mortar establishments

Mobile Food Vending Research

City	Where are the trucks allowed? Are there buffers?	What are the days and hours trucks are allowed?	Permits: what is required? Are they limited? What is the application process like?	What are the operational requirements or restrictions?	How are these regulations enforced?	Concerns
Houston, TX	Only allowed on privately-owned non-residential property	Vendors may designate a site for 24 hour use	The Mobile Food Unit must first be inspected by a health officer; vendors must also have a Food Dealer's Permit. Applicants must submit: address of the location at which the unit is stationed when not in use; business name and address of the commissary; description of Mobile Food Unit (make, model, registration)	The business name must be permanently affixed on 2 sides of the unit; a garbage can must be provided for patron use, to be attached to the unit; hand washing sink is required; a lighting plan is required; the Mobile Unit Operator must give written notice within 24 hours of adding a location to his/her route; single service article use only; menu changes must be submitted to the Health Department; cannot display the selling capacity of the vehicle; cannot provide a dining area	The Director of Health and Human Services Department may suspend a permit (with hearing) if the operation is a public health hazard; a medallion to operate a Mobile Food Unit may be revoked for up to 180 days if: (1) The permit holder interferes with health inspections; (2) If there are serious and/or repeated violations; (3) If the permit holder has not reported an accident within 24 hours	Unity between mobile food vendors and the Houston Restaurant Association is needed for food trucks to survive
San Francisco, CA	Allowed within the public right-of-way, out of residential districts. Vending within 1500' of any public middle school or high school during school hours is prohibited. Vendors cannot sell product/merchandise similar to a previously established business within 200'	Vending is prohibited between 3AM and 6AM daily	Separate permits are required from the Public Works Director, the Health Department, and the Fire Marshal, all with annual renewal. Applicants must submit: address of where the vehicle is stored during non-operational hours; description of the vehicle; picture of the permit applicant; a menu; specific locations of activity; proposed hours and days of operation. In no case may a single vendor have more than 7 Mobile Food Facility Permits	Any permits issued are not final until the vendor has obtained a Certificate of Sanitation and approval from the Fire Marshal within 3 months; proper storage and disposal of debris/garbage shall be provided; noise/odors shall be contained within the immediate area so as not to be a nuisance; employees of the Mobile Food Facility shall pick up trash left over 30 minutes after closing, within a 100' radius.	Permit may be suspended/revoked by the Director of Public Works if: (1) The Mobile Food Facility is selling product similar to a previously established business within 200'; (2) if the Mobile Food Facility has not operated in location for 6 months; (3) If the Mobile Food Facility is a public nuisance. Any person who shall violate any of the provisions of the ordinance shall be guilty of an infraction at each location where such violation occurs. First violation: \$100; second violation: \$200; third violation: \$500	Legislation is in the works to decrease the allowable distance from schools; there are issues concerning healthy food options and obese children; brick and mortar restaurants want to protect their profitability

Mobile Food Vending Research

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San Antonio, TX (pilot program)	Allowed on 3 designated sites that are located Downtown. Parking is prohibited within 50' of an intersection	HemisFair Park: Weekdays 11AM to 2PM. Historic Civic Center Annex: Weekdays 11AM to 2PM. Maverick Park: Thursdays 6PM to 9PM. Other locations and times must be approved by the City	Vendors must obtain a Downtown Mobile Food Truck Permit from the Downtown Operations Department; vendors must have all the required San Antonio Metro Health permits for a food establishment. Applicants must submit: Sales and Use Tax Permit ID number; a menu; color photos of the truck and its dimensions; completed criminal background investigation; must notify downtown operations of all employees; location of the approved site; location of available restrooms. Participants are selected based on food redundancy	All trucks will remain at the fixed location on the approved day and times as per the permit; vendors must remove their supplies, food truck, and equipment from the Downtown area at the end of each business day; waste and litter shall be disposed of safely and properly by the vendor; the vendor shall comply with any corrective actions asked by a Health Officer; the vendor shall make the truck available for inspection any time the unit is on public property; no alcoholic beverages; liability insurance must be purchased after application is approved (\$500,000); no loud speakers or amplified noise	The Committee that selects participants is made up of representatives of the Center City Development Office, Downtown Operations Department, the City Manager's Office, San Antonio Police Department, Metro Health, and the San Antonio Restaurant Association; the permit will not be given if the applicant is a registered sex offender; the permit will be revoked if the vendor transfers their permit rights; the San Antonio Police and Park Police will enforce codes in the CBD; Violations include not adhering to sound restrictions, solicitation, queuing and hawking laws and regulations	Food truck operators believe that the City and restaurant owners were previously working together to push food trucks out of downtown
Austin, TX	Restricted from City property unless authorized by a rental agreement and written permission of the Parks and Recreation Director is obtained. Parking is prohibited within 50' away from dwelling	Operation is prohibited between 3AM and 6AM	Permits are approved by the Health Authority. Applicants must submit: license number and type of vehicle; proof of sales/tax use; schedule; statement of use of central preparation facility	Must follow noise ordinance; Fire and Explosion Safety Standards; must use single service utensils; vehicle must be readily movable; if at a location for more than 2 hours, there must be restroom facilities within 150'. No non-food items, or not described in the permit; no seating for patrons is to be provided; alterations, removals, attachments, placement, or change that reduces mobility is prohibited	The Health Authority may suspend a permit if: (1) There is false information on the application; (2) If an employee is infected with or carries a communicable disease; (3) If the continuation of the establishment is a threat to public health; (4) If the Mobile Food Establishment violates a Health Authority code	Operators welcome more regulations so that competition is fair and the City can rise above problems and prevent accidents. Issues between truck vendors, and concern is to balance safety/health concerns and the ability of the vendors to provide services

Mobile Food Vending Research

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New Orleans, LA	Not allowed in CBD or French Quarter. Parking is prohibited within 600' from an established restaurant; trucks cannot stop at one site for more than 30 minutes	Vending is prohibited from 7PM to 7AM daily	Orleans Parish allocates 100 mobile vending permits annually. Applicants must submit: Business application; must pass fire and health inspection	The permit must be conspicuously displayed at all times; cannot impede vehicular or pedestrian traffic; all vendors must comply with City and State health laws and shall make Sales Tax return reports. 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. No sales shall be permitted at any other location other than that determined by the Department of Street	Rules and regulations will be enforced by the 8th District of the New Orleans Police Department under the supervision of the Downtown Development District (DDD); DDD will make quarterly reports to the City Council regarding enforcement activities; the DDD shall also report infractions to the Director of Finance, who shall take appropriate action as authorized under the terms of the ordinance	Vendors want to help rewrite the ordinance. They want: CBD access, a 300' distance from an established restaurant, expansion of hours of operation, more time allowed in one location, and an increase in the number of permits
Dallas, TX	May be located on public or private property in the Downtown CBD; may also be located on private property outside the CBD	Not specified	Operators must receive a permit provided by the Restaurant and Bar Inspection Division. Applicants must submit: license and proof of insurance; a signed commissary form; a registered food service manager certificate; An itinerary consisting of stops and schedules that are accurate within 30 minutes; a menu; provide restrooms where stopped for vending; agreement from property owners of vending locations	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; ventilation systems must meet Fire Department requirements; adequate lighting must be provided for and properly shielded; owners must have a commissary form. Cooking will not be conducted while the vehicle is in motion; must park only on improved surfaces; only fast-cooked food items may be prepared on the vehicle; fryers will be covered while the vehicle is in motion	Enforced by the Restaurant and Bar Inspection Division, the Director of which may impose additional restrictions to protect against public health hazards	Concerns that the Downtown Core is not concentrated enough to make it profitable. The public thinks trucks will be good for the late-night bar scene

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Boston, MA	Routes of operation have been developed throughout the City, in which the food truck operators must apply for a route. Trucks must be parked within 500' of restrooms and hand washing facilities.	A route with hours of operation at each stopped location must be approved in order to receive the required permits	Permits are required, numbers are limited by the Committee, made up of Public Works, Transportation, Inspection Services, Police, Fire, Director of Food Initiatives, and Assessing Department. Applicants must submit: proposed business plan; proposed service route and hours of operation; certification that the vehicle has passed fire and inspection requirements; proof that the truck will be serviced by a commissary; certification of Insurance, in which permits will be issued for only the effective insurance dates	Must use single-service utensils and articles; must provide a waste container for public use, to be emptied at the operator's expense; an accurate log of service trips to the commissary must be kept (at least twice daily); must have a permanent GPS located in the vehicle; permits are not transferrable. No operator of a mobile food truck shall park, stand, or move where unauthorized; no permit holder can keep their permit for a truck that is out of operation for more than 14 days (without approval); no dining area is allowed unless approved; no excessive noise; the truck cannot be parked on the street overnight; no more than 10% of the total permits distributed or 5 permits, whichever is greater, may be issued to a single person or business entity	Any truck being operated without a valid Mobile Food Truck Permit shall be deemed a public safety hazard and may be ticketed/impounded; a truck operating outside of an approved route/unauthorized location/beyond hours is subject to enforcement; a permit holder operating in violation of any rule or regulation is subject to a fine of \$300 per day. Each violation shall be a separate offense; a permit can be suspended for a maximum of 3 days without notice or hearing if it is in violation of public safety and health; enforced jointly by the Police and Transportation Department	Concerns with delays in getting licenses
Chicago, IL	Prohibited in certain districts in the Downtown Core. The unit must be at a 200' distance of any establishment that offers similar service; a 100' distance from any food establishment without owner consent	Must provide a sample route map for 5 business days, complete with times and length of stay at each stop, to be approved by the City	Applicants must submit: a plan of Mobile Food Facility; Health department approval; Name/address of commissary	Must be operated from a licensed commissary, and must be cleaned and serviced twice daily, as well as stored there; single service utensils only shall be used; hand washing sink and running hot water is required; all licenses must be posted conspicuous place. No food that is sold or served can be stored in a residential home; no seating for customers	The Board of Health has the authority to enact rules and regulations for the effective implementation; any person who violates provisions shall be fined; Fines range from \$50-\$500 for each offense	The proposed bill is stuck, as the area's brick and mortar establishments believe that trucks have an unfair advantage, that they hurt the City's celebrated restaurant scene, and have voiced health concerns.

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Virginia Beach, VA	No person shall peddle food from a cart, wagon, truck, automobile, basket, or tray within 300 ft. of 2 or more retail businesses	Operation between 9AM and 9PM is prohibited	Required Service Manager's Certificate and Food Service Establishment Permit. Applicants must submit: commissary location; location of stops; a menu; liability insurance of at least \$100,000 for personal injuries	Holder of a valid Service Manager's Certificate must be present a minimum of 8 hours per operating day; certification must be displayed; the vendor must notify the Health Department if there are any changes to the menu, hours of operation The vehicle operator shall not stop the vehicle to dispense food items on any street above with speed limits above 25 mph	The Director of Public Health is responsible for enforcement; any violations are considered a misdemeanor and are subject to a \$1,000 fine; each day a violation exists shall constitute a separate offense	Not specified
Washington, D.C. (zone proposal)	Vending locations are approved by the DOT Director that meet the standards of locations on streets, sidewalks, and other public spaces. Zones include: the Central Vending Zone, Neighborhood Vending Zones, the Old Georgetown Vending Zone, and the Nationals Park Vending Zone. The trucks can pay the parking meter and must leave when the meter runs out	Sunday-Thursday: 5AM to 10PM. Friday: 5AM to 1AM. Cannot operate past 10PM in residential communities	Vending Business Licenses; approved site permits; Health Inspection certificates; Food Protection Manager Certificate. Applicants must submit: plan review with Health Department (equipment and food); submit vending application and depot letter to the Health Department; DCRA license	The vendor will obey all posted traffic and parking signs; must have a fire extinguisher on board at all times; permits shall be openly posted on the vehicle; at least 1 employee must be vendor certified; vendors are responsible for their own waste disposal, and must provide a garbage receptacle for their patrons. Truck size must conform to 18.5' long, 10.5' tall, and 8' wide; no advertising is to be utilized, other than the name of the business and the menu; no vendor shall park where not assigned nor impede the pedestrian pathway	A person violating any provision of the ordinance may be issued a civil infraction. Any fines issued may be in addition to the revocation or suspension of a vendor's Business License or Site Permit. District of Columbia Public Works has created a team to crack down on vehicles that exceed the 2 hour meter limits	The zone proposal could reduce oversaturation of vendors in certain areas, although this does not address time limit issues.

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Chapel Hill, NC	Privately owned non-residential property, allowed on streets and sidewalks; permitted for special events. Must be 100' away from an established restaurant during the restaurant's hours of operation; must be located 15' away from any fire hydrant, driveway entrances, landscaping, site triangles, alleys, handicap accesses, and tree trunks	The hours of operation are to be approved in each individual application	Operators must have a valid Chapel Hill Business License; if operating on private property, the property owner must acquire a Zoning Compliance Permit. Applicants must submit: vending location; current principle use of the property; operation days/hours of the existing business and proposed vending; location of commissary restaurant; site plan; Fire department sign-off; other plans (lighting, noise, signage)	Grease will be disposed of properly at the commissary location; must have a fire extinguisher on board; the noise level must comply with noise ordinances; a trash receptacle shall be provided for customers; vendors shall comply with all Retail Sales Tax regulations, including Food and Beverage Tax. No temporary potable water connections are allowed; no taking up parking spaces of existing use; a food truck vendor shall not operate the food truck as a drive-in window; no signage is allowed	Permit may be revoked if the vendor violates any provisions in the article; the Town Manager may revoke the permit if they determine the vendor operations are causing parking, traffic congestion, or litter problems. Any violations constitute a civil violation (\$50 fine), each day that a violation continues constitutes as a separate violation. Enforcement by a code enforcement officer	The high cost of permits will keep vendors away. The costs also give the impression that food trucks are not welcome in Chapel Hill
Nashville, TN (pilot program)	Permitted only in specific zones, designated by signs; also allowed on private property with landowner permission. Buffer from 150' of brick and mortars; 20' from any structure built of combustible materials; 15' from any fire hydrant, fire escape, bus stop, intersection, driveway, or doorway. Parking is prohibited within a block of a school during school hours	Operation within the public right-of-way is prohibited between 3:30AM and 6AM	Operators must have a Mobile Food Vendor Permit. Applicants must submit: vehicle registration and photographs; a menu, site and unit plans; hours of operation; health permit; equipment list and proof of wastewater discharge; fire department check and approval; consent of the property owner; Business license copy, tax ID; solid waste/recycling plan	Must display permit on the vehicle; must obey noise and nuisance laws; must supply sufficient trash and recycling, and dispose of it themselves; must move vehicle outside of posted times; must park in the same direction as traffic and feed parking meters. The truck shall not obstruct sight distance for drivers; it cannot be fixed or drilled into place; there will be no dining area; food and beverage for sale only; for the program purposes, vending in the right-of-way is permitted only in specific zones that are identified by signs	Enforced by the Metropolitan Traffic and Parking Commission. Permit will be suspended/revoked if: (1) Misrepresentation in the permit application and in the course of conducting business; (2) Conducting business contrary to permit conditions; (3) Public nuisance; (4) If Health Department doesn't give authorization. Fines- first offense: \$250; second offense: \$350; third offense: \$500; fourth offense: \$500	The program is helpful to designate where and when food trucks can park