

AN ORDINANCE ENACTING NEW CHAPTER 722 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WEST LIBERTY TO PROVIDE REGULATIONS FOR MOBILE FOOD TRUCK VENDORS

**WHEREAS**, mobile food trucks have significantly grown in population in recent years and have become an expected component of many types of public and private events. This chapter will establish regulations in response to increasing interest from food truck operators and event hosts while protecting the health, safety, and welfare of the West Liberty community; and

**WHEREAS**, it is the recommendation of this Council to adopt regulations for food trucks to ensure compliance with health and safety regulations and to reasonably restrict the location and durations of such temporary facilities; and

**WHEREAS**, it is the desire of this Council to enact new Chapter 722 of the West Liberty Codified Ordinances entitled “Food Trucks”

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of West Liberty, State of Ohio, that:

**Section 1.** New Chapter 722 (Food Trucks) is hereby enacted for the purpose of establishing regulations for mobile food vendors and shall read as follows:

**CHAPTER 722**

**FOOD TRUCKS**

**722.01** Definitions

**722.06** Operation on Right of Way; Public Property

**722.02** Food Truck Permit

**722.07** Products for Sale

**722.03** License Required

**722.08** Restriction on Hours of Operation

**722.04** Fees

**722.99** Penalty

**722.05** General Requirements

### **722.01 DEFINITIONS**

- (a) “Food” shall mean a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or part for human consumption.
- (b) “Food Truck” means a vehicle or vehicle and trailer propelled by an engine that has been specifically designed or used for mobile food vending
- (c) “Food Truck Permit” shall mean the Permit issued by the Mayor or his/her designee pursuant to this Chapter
- (d) “Mobile Food Service License” and “Mobile Food Establishment License” means the official document issued by the Logan County Board of Health or other health department in the State of Ohio processing the appropriate licensing authority which allows the operation of a Food Truck in Logan County.
- (e) “Downtown Business District” means the 100 block of North Detroit Street. Specifically, the North Detroit Street between Baird Street and Columbus Street.

### **722.02 FOOD TRUCK PERMIT**

Food Truck operators shall apply annually for and receive a Food Truck Permit through the West Liberty Police Department prior to any operation within the village.

### **722.03 LICENSE AND PERMIT REQUIREMENTS FOR OPERATION**

- (a) No person shall offer any food from any food truck within the village without a current and valid Mobile Food Service or Mobile Food Establishment License issued by the Logan County Board of Health or any other health department in the State of Ohio processing the appropriate licensing authority.
- (b) A Mobile Food Service or Mobile Food Establishment License must be clearly and conspicuously displayed in the Food Truck during all times of operation for inspection by the Logan County Board of Health
- (c) A Food Truck Permit must be obtained by the operator of any Food Truck before the Food Truck may operate within the village.
- (d) All Food Trucks shall be subject to inspection during operation by the West Liberty Fire Department for compliance with local and state fire code laws and regulations.

(e) All Food Trucks shall comply with inspection requirements; including the possibility of random inspections as set forth in the permit packet issued by the village.

#### **722.04 FEES**

All Food Trucks operating in the village will be required to pay a fee in addition to the administrative fee based on the following schedule

- \$5.00 One Day Only
- \$10.00 One Date Monthly (June, July, August Only)
- \$30.00 Unlimited Dates Monthly (June, July, August Only)
- \$100.00 Unlimited Dates Yearly (January 1- December 31)

#### **722.05 GENERAL REQUIREMENTS**

(a) All Food Trucks operating in the Village of West Liberty must keep the surrounding area immediately adjacent to the Food Truck clean and must dispose of all waste generated from the operation.

(b) All Food Trucks must be constructed to internally store and contain all sewage and waste water for the proper disposal and to prevent ground water contamination. There shall be no discharge of any sewage and waste water onto the ground or into any storm water or sanitary sewers within the village.

(c) No Food Truck shall utilize loud speakers or other noise-making devices in such a way to create a nuisance, or in violation of the Village's Ordinances.

(d) No Food Truck shall be permitted to operate in the downtown business district between the hours of 7:30a-6pm as to not prohibit parking in the limited parking areas available.

(e) No Food Truck shall operate in residential areas unless permission is granted from the property owner directly abutting the parked Food Truck.

(f) A Food Truck which is owned and maintained by a business within the village may operate without a Food Truck permit within 100 feet of their business as long as all Health Department requirements are met. The business owner may operate the truck in accordance with all other regulations outlined in this chapter.

**722.06 OPERATION IN RIGHT OF WAY; PUBLIC PROPERTY**

- (a) Food Truck operators are prohibited from parking or operating in the public right of way or upon any village street unless in conjunction with a community event or a parade/assemblage as permitted in Section 311.02 of the Codified Ordinances.
- (b) Food Truck operators are prohibited from parking or operating on public property, including public parks, without prior written authorization from the Chief of Police.

**722.07 PRODUCTS FOR SALE**

Food Trucks shall only offer for sale Food.

**722.08 RESTRICTIONS ON HOURS OF OPERATIONS**

- (a) Food Trucks may not operate between the hours of 10:00pm and 7:30am except through the issuance of and extended hours permit as provided by section (b) herein.
- (b) The hours of operation may be expanded upon the issuance of an extended hours permit from the Chief of Police, or his designee in advance of any event in which the hours of operation violate those set forth in section (a) herein.

**722.99 PENALTY**

Whoever violates any provision of this chapter is guilty of a fourth degree misdemeanor