

ARUNDEL FOOD TRUCK ORDINANCE

SECTION I. FINDINGS AND PURPOSE

The primary purpose of this ordinance is to regulate the impact of said trucks on traffic and public safety and to minimize any detrimental effect on the use and enjoyment of abutting properties as a result of noise, fumes, odor or other causes generated by food trucks.

SECTION II. DEFINITIONS

FOOD TRUCK: A vehicle or cart primarily providing food and drink for members of the public on private property or in parking lots outside of the travel way, which is not stationary but is capable of moving from the site to site.

INTERSECTION: The area where two or more public or private ways serving more than 10 lots/units which intersect with a public street.

OPERATE: To sell food, non-alcohol beverages, and other permitted items from a food truck.

OPERATOR: Any person operating or permitted to operate a food truck.

SECTION III. LICENSE

Regardless of its location or hours of operation, no food truck may operate in the Town of Arundel without first obtaining a food truck license, which shall be issued conditional upon the licensee's adherence to the criteria set forth by this ordinance. Additionally, all such food trucks must comply with all applicable local, state, and federal rules and statutes, including but not limited to those rules pertaining to the preparation and sale of food.

SECTION IV. APPLICATION

An application for a food truck license shall be filed with the town clerk on forms provided by the town clerk containing the following information:

- a) Name, home and business address, telephone number, driver's license number, and proof of identity;
- b) A description of the nature, character and quality of food to be sold;
- c) The specific location in which the food truck intends to conduct business; along with written authorization from the property owner that in fact the truck operator has permission to operate on subject property.
- d) The name and business address of the company or organization permitting the food truck.
- e) Registration and license number of any vehicle used in the business;
- f) A complete listing of any other permits issued by other municipalities or state agencies.

SECTION V. HEALTH INSPECTIONS

Equipment used in the sale of food or beverages may be subject to health inspections by the Arundel Health Inspector prior to opening and periodically thereafter.

SECTION VI. LICENSE REVIEW & PERMITS

Once an application for a food truck license is deemed complete by the Town Clerk, the Board of Selectmen shall schedule a public hearing, after which the application shall be approved, approved with conditions, or denied. The Board of Selectmen shall issue a food truck license unless it finds that the standards of this ordinance are not met. Food Truck Licenses must be renewed annually.

SECTION VII. EXEMPTIONS

No license is required for a food truck that is rented, leased or otherwise retained for the purpose of operating at a one-time event, no more than fifteen (15) hours in duration that is to be held entirely on a private lot used exclusively for residential purposes.

SECTION VIII. FEES

Each Food Truck granted a license under this ordinance shall pay an application licensing fee established by the Board of Selectmen for daily, weekend, or seasonal permit approval.

SECTION IX. INSURANCE OR BOND

Food Trucks shall obtain and provide if, at a minimum, motor vehicle license as required by state law, and business insurance with a minimum coverage of \$1,000,000.

SECTION X. PERFORMANCE STANDARDS

- a) Food Trucks shall not impede access to any entrance or driveway of any building;
- b) Business hours are limited to 7 AM to 1AM
- c) All solid waste or debris accumulating from a food truck operation must be collected by the food truck operator and disposed of in a trash receptacle, and removed daily by the food truck operator.
- d) No food truck may operate within 500 ft. of a public-school during school days;
- e) No food truck may conduct business within 200 ft. of street intersections. (provided, however that the Select Board may, upon the request of an applicant, reduce this performance standard upon submissions to the Board of sufficient substantive evidence that the proposed reduction shall not affect the safety concerns promoted by the listed performance standard)
- f) Seating may be provided but is limited to 16 seats.
- g) Amplified music or sounds from any food truck is prohibited.
- h) Open flame cooking either within or outside the food truck is prohibited, except where such activity is specifically permitted by the Fire Department or other applicable licensing authority.
- i) Food Truck may connect to hardwire electrical service approved by the Arundel Code Enforcement Officer.
- j) All signage shall be permanently affixed to the Food Truck.
- k) No exterior lighting permitted on the site.

SECTION XI. REVOCATION OF LICENSE

The Code Enforcement Officer is authorized to revoke or suspend any license issued under the provisions of this ordinance for:

- a) Misrepresentation of information in the application;
- b) Fraud or misrepresentation in the conduct of the business;
- c) Creation of a public nuisance or a threat to the public's health, safety or welfare;
- d) Health inspection violation which is not corrected within 24 hours of notice.
- e) Any violation of the provisions of this ordinance

SECTION XII. APPEALS

Applicants whose licenses have been suspended or revoked may file a written appeal to the Board of Selectmen through the Town Manager. The Board shall consider and act upon any appeal within 30 days.

SECTION XIII. PENALTIES

Any person who violates any provision of this ordinance shall be subject to a fine of \$500. Each day a violation continues shall be considered a separate violation.

ARUNDEL FOOD TRUCK APPLICATION

Name: _____

Mailing Address: _____

Business location: _____

Telephone: () _____

Driver's License #: State _____ # _____

Proof of Identity verified: _____

Copy of lease or permission from property owner: _____

Describe nature, character and quality of food to be sold:

Give specific location(s) where the food truck intends to conduct business:

Times of operation:

Name & business address of any company or organization hired or employed by:

Registration /License number of any vehicle used in business: