

ORD. NO. 175

AN ORDINANCE ADDING CHAPTER 12 OF TITLE 3 OF THE MONTEVIDEO CITY
CODE, MOBILE FOOD TRUCKS/VENDORS

THE CITY OF MONTEVIDEO DOES ORDAIN:

1. Chapter 12 of Title 3 of the Montevideo City Code,
MOBILE FOOD TRUCKS/VENDORS, is hereby ADDED TO READ AS FOLLOWS:

3-12-1: DEFINITIONS:

For the purposes of this chapter, the terms
defined in this section have the meanings
ascribed to them:

MOBILE FOOD TRUCK/MOBILE FOOD VENDOR/MOBILE
FOOD UNIT: Any self-propelled vehicle or
fully contained trailer, licensed by the
State of Minnesota to operate on public
streets and roadways, which vends food
(either prepackaged, prepared in the Food
Truck, or at a commissary) at retail for
immediate consumption by the customer. Said
vehicle and/or trailer may be referred to
herein as "Food Truck".

VEND/VENDING: The process of the transfer of
a food product from the Food Truck operator
to a customer. Vending begins when the Food
Truck initially stops in a location at which
customers can access the Food Truck and
continues until the Food Truck leaves that
location.

3-12-2: LICENSING REQUIREMENTS:

A. License Required: No person shall vend from
a Mobile Food Truck without first having
obtained a license to do so from the City,
except as follows:

1. Food vendors on the Chippewa County Fairgrounds while participating in the Chippewa County Fair;
2. Mobile Food Trucks operating as part of a Community Event; and
3. Mobile Food Trucks operating as part of a one-time occurrence on private property for events such as birthday parties and similar events.

B. Application and Issuance: Licenses shall be granted by the City Clerk. Application for such license shall be made to the city clerk on a form supplied by the city. The application shall state:

1. The name, address, date of birth and driver's license number and state of issuance of the applicant and of all persons associated with the applicant in vending.
2. A general description of the food products to be sold.
3. Vehicle information for the Mobile Food Truck, including dimensions of the Mobile Food Truck.
4. Hours and duration of sales.
5. Proof of current licensing of the Mobile Food Truck from the appropriate authority.
6. For Mobile Food Trucks on City Property, proof of liability insurance in which the City is named coinsured which shall provide a limit of coverage

as established from time-to-time by the City Council for both bodily injury and for property damage. Written notice of cancellation of such insurance must be given to the City not less than thirty (30) days prior to actual cancellation.

7. Such other information as the city may reasonably request.

All applications shall be submitted to the city clerk at least seven (7) business days prior to the requested effective date of the licensee.

C. License Fees: Fees for licenses shall be set by resolution of the city council.

D. Duration of License: Each license shall expire December 31 of each year.

E. License Not Transferable: All licenses shall be nontransferable. No refunds shall be made on unused portions of licenses. Each Mobile Food Truck shall secure a separate license.

F. License To Be Available For Inspection: All licenses shall be carried by the licensee or conspicuously posted in the licensee's place of business and the license shall be exhibited to any officer or citizen upon request.

3-12-3:

RESTRICTIONS ON VENDING ACTIVITY

A. Location or Placement: Mobile Food Trucks must adhere to the following location and placement provisions:

1. No Mobile Food Truck may occupy more than two (2) parking spaces on public streets and in City public parks.

2. No Mobile Food Truck may vend while occupying a traffic lane, parked on a sidewalk, or in any location which obstructs or impedes traffic.
 3. The Mobile Food Trucks shall only vend from the side of the vehicle away from moving traffic and as near as possible to the curb side of the street and shall not vend to any person standing in the traveled portion of any public road.
 4. While on public streets, no Mobile Food Truck shall vend within sixty (60) feet of the intersection of two or more public streets, unless authorized by the City or the street is blocked off with City permission.
 5. No Mobile Food Truck shall vend while the Food Truck is in motion.
 6. Connection of any Mobile Food Truck to public utilities is not permitted.
 7. There shall be no parking of a Mobile Food Truck overnight on the public right of way.
 8. Mobile Food Trucks are permitted in all Districts within the City with the following exceptions:
 - i. Mobile Food Trucks operating in any Residential District may only vend between the hours of 7 a.m. and 10 p.m.
 - ii. In Residential Districts only one Mobile Food Truck is allowed at a time on each property unless
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authorized by the City considering the size and location of the lot and location of the Food Truck.

- iii. In Business or Industrial Districts there will be no limit on hours of operation or to the number of Mobile Food Trucks vending, so long as the minimum parking requirements of the property are complied with.

B. Prohibited Locations: Mobile Food Trucks are prohibited from vending activity in the following locations:

1. Any portion of any State or US Highway that is located in the City.
2. Any municipal parking lot, street, park or other municipal property without prior express permission for use of City property.
3. Any private property without being first authorized by the owner/manager/agent of the private property.
4. Within three-hundred (300) feet of a community event unless specifically authorized by the event sponsor to participate in the event.
5. At any location that may cause a safety hazard for other vehicles, pedestrians, or the general public.

C. Dimensions: No Mobile Food Truck shall exceed thirty-two (32) feet in length (meaning overall length for a self-propelled

vehicle and trailer length including the towing vehicle for self-contained trailers) or ten (10) feet in height.

D. Signs and Appurtenances:

1. Mobile Food Trucks shall not employ, utilize or affix to the vehicle any signs that project above the Food Truck, nor more than six (6) inches from the side of the Food Truck. No flashing, strobing or intermittent lighting is allowed.
2. No external seating shall be provided or utilized except as may be provided by the owner/manager/agent of any private property on which the Food Truck may be properly located.
3. While vending, operator may not call attention to the Food Truck by crying out, blowing a horn, ringing a bell, or playing music or other sounds discernible beyond the Food Truck. Amplified sound is not permitted outside of the Food Truck.
4. Waste receptacle(s) must be provided by the Food Truck operator and the vending site must be cleaned of all litter and garbage generated by the Food Truck and customers before the Food Truck leaves the location.

E. Food Trucks may not sell or vend intoxicating liquor, 3.2 percent Malt Liquor, Edible Cannabinoid Products or any other product requiring a license from the State of Minnesota or City of Montevideo. The terms in this section shall be defined according to the definitions set out in

Minnesota state law.

2. This ordinance shall take effect thirty (30) days from and after its passage and publication.

Passed and adopted this 6th day of March, 2023.



President - City Council

ATTEST:



City Clerk

The foregoing Ordinance is hereby approved this 6th day of March, 2023.



Mayor

