

CHAPTER 739

Food Trucks

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739.01 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" shall mean a retail food establishment that is not intended to be permanent and is a motorized wheel vehicle, or a trailer that is licensed for use on public roadways, designed and equipped to serve food and beverages. The sale of ice cream and similar products shall be excluded.

(c) "Food Truck Permit" shall mean the permit issued by the Fire Department as part of the registration process.

(d) "Mobile Food Service License" and "Mobile Food Establishment License" means the official document issued by the Stark County Board of Health or other health department in the State of Ohio possessing the appropriate licensing authority which allows the operation of a food truck in Stark County.

739.02 FOOD TRUCK PERMIT/ REGISTRATION.

Food trucks must register with the city before operating within the city corporation limits. Application for registration shall be made through the City Planning Department prior to any operation within the City. Registration requirements include proof of insurance, a copy of the current Stark County Food License issued to the vehicle and, a Fire Inspection Permit from the local fire department. Food truck operators shall apply annually for and receive a Food Truck Permit following a Fire department inspection which is part of the food truck registration process. The Planning department will work with the fire department to schedule the required fire inspection.

739.03 LICENSE AND PERMIT REQUIREMENTS FOR OPERATION.

(a) No person shall offer for sale any food from any food truck within the City without a current and valid Mobile Food Service or Mobile Food Establishment License issued by the Stark County Board of Health or other health department in the State of Ohio possessing the appropriate licensing authority.

(b) A Mobile Food Service or Mobile Food Establishment License must be clearly and conspicuously displayed on the food truck during all times of operation for inspection by the Stark County Board of Health.

(c) A Food Truck Permit must be obtained each calendar year by the operator of any food truck before the food truck may operate within the City.

(d) All food trucks shall be subject to inspection during operation by the Fire Department for compliance with local and state fire code laws and regulations. A fire permit must be obtained each calendar year by food truck operators. Required inspections will be performed prior to issuance of a permit.

739.04 GENERAL REQUIREMENTS.

(a) All food trucks operating in the City of Louisville must keep the surrounding area immediately adjacent to the food truck clean and must dispose all waste generated from the operation.

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

(c) No food truck shall utilize loudspeakers or other noise-making devices in such a way to create a nuisance, or in violation of the City's ordinances.

(d) Residential Districts - Food trucks shall not operate within a Residential Zone unless an annual permit has been issued as part of the registration process required by the city. Food trucks shall not operate in a residential zone unless the host is responsible for all food costs. Point of sale is prohibited.

(e) Non-Residential Districts - Food Trucks may operate on private property where there is a commercial, office or industrial use subject to the following conditions:

1. Permission. Food trucks selling to the public from private property shall have written permission of the property owner, which shall be made available to the City upon request.

2. A food truck cannot operate more than 3 times per year at the same location for no longer than 2 consecutive days if there is point of sale.

3. Unimproved Properties. Regardless of an agreement with the owner of the property, a Food Truck may not operate on an unimproved parcel unless that parcel is paved and has paved ingress and egress.

(f) Non-Residential Institutional Uses - Food trucks may operate on property where there is educational or place of worship with the following conditions:

1. Permission. Food trucks selling to the public from a property with a school or place of worship shall have written permission of the property owner, which shall be made available to the City upon request.

2. A food truck cannot operate more than 5 times per year at the same location for no longer than 3 consecutive days.

3. Unimproved Properties. Regardless of an agreement with the owner of the property, a Food Truck may not operate on an unimproved parcel unless that parcel is paved and has paved ingress and egress.

(g) Mobile Food Truck Vendors shall maintain comprehensive general liability insurance in an amount of at least one hundred thousand dollars (\$100,000.00).

739.05 Exemptions from a permit and required registration

(a) Ice Cream Trucks.

1 Rights-of-Way: An Ice Cream Truck may not operate from the right-of-way at any one location for more than fifteen (15) minutes without relocating to another location.

2 Ice Cream Trucks may operate during the time period of 11:00 a.m. until sunset.

(b) Children's lemonade/Kool-Aid stands

(c) Home delivery of pre-packaged and/or pre-made food

(d) Temporary produce stands located on private property

739.06 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 City street unless in conjunction with a community event or a parade/assemblage as permitted by the issuing of a special events permit.

(b) Food truck operators are prohibited from parking or operating on public property, including public parks, without prior written authorization from the City Manager or by the issuing of a special events permit.

(c) Food truck operators may park in the right of way during a neighborhood block party or activity where a temporary road closure has been approved.

739.06 PRODUCTS FOR SALE.

Food trucks shall only offer for sale food.

739.07 RESTRICTIONS ON HOURS OF OPERATION.

(a) Food trucks may not operate between the hours of 10:00 p.m. and 7:30 a.m., except during a Community Event.

739.99 PENALTY.

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

Section Two. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.