

INTRODUCED BY: _____ DATE: _____

ORDINANCE ENACTING CHAPTER 723 OF THE TIFFIN CODIFIED ORDINANCES TO AUTHORIZE AND REGULATE MOBILE FOOD VENDORS OPERATING WITHIN THE CITY.

The Council of the City of Tiffin, Ohio finds: Mobile food vendors which include food trucks are becoming increasingly popular around the country, state and local area and play a key role in the success of many community events promoting the economic development of Tiffin’s downtown and other parts of the City. Reasonable regulation of mobile food vendors is needed to ensure their operations are in compliance with standards of safety, sanitation and liability and to balance the interests of local restaurants. The Law and Community Planning Committee recommends passage of this Ordinance.

THE COUNCIL OF THE CITY OF TIFFIN, OHIO THEREFORE ORDAINS:

Section 1: Chapter 723 of Tiffin Codified Ordinances as hereby enacted to read as follows:

**CHAPTER 723
Mobile Food Vendors License**

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| 723.01 License Required. | 723.05 Revocation or Suspension of License. |
| 723.02 Exemptions. | 723.06 Severability. |
| 723.03 Licensing Procedure. | 723.99 Penalties. |
| 723.04 Vending Requirements on
City Property Including Areas and Hours. | |

723.01 LICENSE REQUIRED.

No mobile food vendor shall sell, offer for sale, barter or exchange food or drink products in the City without first obtaining from the City of Tiffin a license to do so. A mobile food vendor is defined as a food sales business that is operated from a mobile vehicle or portable structure or cart including but not limited to a food truck.

723.02 EXEMPTIONS.

A mobile food vendor selling food or drink products as a part of the Heritage Festival, Farmer’s Market, Taste of Downtown Tiffin, or any other event determined by the City Administrator shall be exempted from the license requirements and related regulations in Chapter 723.

723.03 LICENSING PROCEDURE.

Every person desiring a Mobile Food Vendor License shall file an application with the Tiffin Police Department upon a form provided by said office. A non-refundable application fee of \$50.00 for a one year license shall accompany the application. The application shall contain the following information and requirements:

- (a) The name, mailing address, telephone number, email address and employer identification number of the applicant.
- (b) A description of the products to be vended.
- (c) Proof of workers compensation and general liability insurance coverage with limits of at least \$1,000,000.00 covering any bodily injury or property damages which shall be maintained while the license is in effect. Any applicant requesting use of City property on which to locate its operations, shall name the City of Tiffin as an additional insured under said policy.
- (d) Any other information deemed necessary by the City Administrator.

723.04 VENDING REQUIREMENTS ON CITY PROPERTY INCLUDING AREAS AND HOURS.

- (a) All vending on City streets, sidewalks, parking lots, and other City property shall be conducted only in areas designated by the City Administrator. No vending shall take place anywhere else on property of the City of Tiffin. No vending shall take place on any on-street parking other than by the owner of the property directly adjacent to the parking spot.
- (b) In addition to the license required under section 723.01 of this Chapter, a mobile food vendor who desires to use public property designated by the City Administrator must obtain a mobile food vendor location permit from the Tiffin Police Department and pay, in advance, a fee of \$25.00 per week. Mobile food vendor location permits are issued on a first-come- first-serve basis for no less than one week and no more than one month.
- (c) Vending may only be conducted between the hours of 6:30 a.m. and 2:30 a.m. except Sundays when vending must end by midnight.
- (d) No vending equipment or vehicle shall be left unattended at any time during vending hours. Vending equipment or vehicles must be removed once the vendor has ceased operation. The City may immediately remove and impound any vending equipment or vehicles left unattended which shall be treated as an illegally parked vehicle pursuant to Tiffin City Code.
- (e) Each mobile food vendor during the period of vending shall provide adequate trash receptacles for its customers and keep the area with twenty (20) feet of its vending location free from all litter and debris arising from its operations, including the litter which arises from actions of customers disposing of wrapping or packaging materials on products sold by the vendor.
- (e) Vendors shall at all times exercise reasonable care that products, packaging material, display equipment, signs and other paraphernalia shall not create a safety or health hazard to customers or other persons using the sidewalks, streets and public property.

723.05 REVOCATION OR SUSPENSION OF LICENSE.

The City may revoke or suspend a mobile food vendors license for a violation of any provision of this chapter or other law, ordinance, or regulation relating to the operation of the vending business for which the license was issued, for any misrepresentation of any information given on the application discovered after the issuance of the license, and for any good cause shown as determined by the City Administrator.

723.06 SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this chapter, or any part thereof, is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity and enforceability of the remaining portions of this chapter or any part thereof.

723.99 PENALTIES.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor on a first offense; on a second offense and each subsequent offense within two years after the first offense, the person is guilty of a misdemeanor of the fourth degree.

Section 2: This Ordinance shall take effect and be in full force form and after the earlier date allowed by law.

Authenticated:

_____ and _____
President of Council Clerk of Council

_____ Date _____

Approved by:

_____ Date _____
Mayor

Effective date: _____