

Ordinance No. 09242018-300

City of Montevallo "Food Trucks Ordinance"

Mobile Food Vendors.

Section 1. Definitions

Definition: Mobile food unit- a self-contained vehicle, trailer or pushcart that serves prepared foods or prepares and serves food in various locations of the city.

Mobile Food Unit Park- more than one mobile food unit (a.k.a. food truck park) located on a site larger than $\frac{1}{4}$ acre.

Section 2. Guidelines

1. Mobile food vendors (a mobile food dispensing vehicle that sells prepared food products) and mobile units that sell agricultural produce may be permitted, subject to the approval of a mobile food vendor permit by the city clerk and the presentation of written permission from the property owner on whose property the mobile food vendor is to be located. All mobile food vending businesses shall be subject to the following criteria:
 - a. A mobile food vending business shall be treated and permitted as a Peddler Local and subject to the regulations thereof.
 - b. All mobile food units shall be self-contained.
 - c. All required Alabama Department of Public Health permits must be obtained and copies provided.
 - d. No mobile food vendor shall be allowed to operate in excess of four consecutive days in any one location, unless they have the Mayor or City Clerk's written approval to operate at one location for an extended period of time related to a special event lasting more than four days. During days of non-operation, the mobile food vendor and all associated vehicles, etc. must be removed from the premises.
 - e. **Only one mobile food unit shall be permitted on a site smaller than $\frac{1}{4}$ acre. A maximum of five mobile food units shall be permitted within a "mobile food unit park" – a.k.a. "food truck park" site larger than $\frac{1}{4}$ acre but smaller than a $\frac{1}{2}$ acre, unless approved otherwise in writing by the Mayor for a special event, community event or festival.**
 - f. Mobile food vendors shall only be located and operated in areas or districts zoned non-residential unless they are temporarily operated for specific events held at an institution (i.e church, school, etc.) that is located on a parcel zoned for residential.

- c. Obstruct adequate access to emergency and sanitation vehicles.
- d. Interfere with access to abutting properties.
- e. Sound any device that produces a loud noise or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention.

Section 3. Penalties

Any person violating any provision of this article may be issued a citation by the Montevallo Police Department or at the request of the Revenue Officer or his/her designee be issued a summons and shall be required to appear in the Montevallo Municipal Court. Upon conviction, any person shall be subject to any fines and other applicable court costs which may be assessed by the Montevallo Municipal Court.

Section 4. Exceptions

The Mayor or City Clerk may provide written approval, related to a special event, of the following exceptions: duration, location and hours of operation. Special events include Annual festivals such as the ArtWalk, Arts Fest, and other communitywide functions.

Section 5. Severability

If any part, section or subdivision of this resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this resolution, which shall continue in full force and effect notwithstanding such holding.

Section 6. Effective Date

This Ordinance Number 09242018-300 shall become effective October 1, 2018 following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 24th day of September, 2018.

Hollie C. Cost, Mayor

ATTEST:

Herman Lehman, City Clerk