

**CITY OF MAPLETON
MOBILE FOOD TRUCK VENDOR APPLICATION**

Date of Application: _____.

Applicant: _____, Phone: _____.

Home Address: _____.

Business Name: _____.

Address _____.

Email Address: _____.

This application is for (check one): ___ Mobile Food Unit ___ Pushcart ___ Trailer ___ Other.
Year: _____. Make: _____. Model: _____. License Plate Number: _____.
(Provide pictures of all sides including license plate).

Type of food and beverage to be sold: _____.

(no alcoholic beverages).

____ Single Use Permit Fee: \$25. For a specific Date, Time and Location. Expires at the end of
day at the time specified Date: _____, Time: _____ to _____.
Location (be specific) _____.

Expires at 2:00 a.m. the day after the date for which the permit was issued.

Issued permits are for a specific unit and are not transferable to another unit. If you have more than one unit to be operating on public property in Mapleton, each unit must have a permit. Issued permits are for a specific location of public property and is not transferable to another location of public property. A new permit application must be completed, and new permit must be issued for each location. Applicant must follow the attached Mobile Food Truck/Booth Requirements.

I hereby declare that all information contained in the Application is true and correct.

Applicant's Signature

Print Applicant's Name

Date

Attach a copy of approval required by the State of Iowa Department of Inspections and Appeals.
Attach copy of Iowa Retail Sales Tax Permit.
Photographs of unit including license plate.

MOBILE FOOD TRUCK / BOOTH REQUIREMENTS

FIRE EXTINGUISHERS.

1. Fire Extinguishers are required in all mobile food trucks or booths.
2. Vendors shall have a minimum of one 2A:10BC portable fire extinguisher, mounted in a visible and easily accessible location within the kitchen area.
3. All mobile food vendors who utilize deep fat fryers shall also have a Class "K" portable fire extinguisher for up to four (4) fryers having a maximum cooking capacity of 80 pounds each. For every additional group of four (4) fryers, an additional Class "K" portable fire extinguisher is required.
4. Carnivals with mobile generator(s) shall have a current 3A:40BC extinguisher outside of the generator(s) in addition to the other fire extinguishers.
5. All portable fire extinguishers shall have a current inspection tag, be fully charged, and mounted properly.

TYPE 1 COOKING HOODS (if applicable).

1. Hood shall be clean and all filters in place.
2. Hood suppression system must be inspected and tagged within the past year.

BAFFLES AND CLOSURES.

1. All deep-fat fryers shall have a steel baffle between the fryer and surface flames of any adjacent appliances. The baffle shall be no less than 8 inches .in height.
2. A positive closing lid shall be required on the fryers with latching mechanisms that secure it in the open or closed positions. EXCEPTION: Fryers installed under a Type 1 Hood with fire suppression system.

LIQUIFIED PETROLEUM GAS (LPG).

1. LPG containers shall be located and secured on the exterior of the mobile food booth, open • to the atmosphere, or, if containers are kept in a compartment, said compartment must be separate from the interior food preparation area. Access to the compartment must be from the exterior of the unit, and compartment floor and exterior door must be vented to the atmosphere.
2. All mobile food trucks or booths with propane shall post a "NO SMOKING" sign next to or directly above the propane bottle and visible to the public. Such sign shall be posted with a minimum of 4 inch lettering.
3. Any hose used to pipe LPG to a device shall be UL or FM listed specifically for LPG service. All couplings, fittings, and any other device shall meet requirements for LPG as outlined in the International Gas Code, NFPA 54 and NFPA 58, or be deemed unapproved and removed from service.
4. LPG tanks shall be located outside the mobile food truck a minimum of 3 feet from the primary means of egress.

EMERGENCY EGRESS.

1. Mobile food trucks and booths shall have a clear, unobstructed height over the aisle-way portion of the unit at least 74 inches from floor to ceiling and a minimum of 30 inches of unobstructed horizontal aisle space.
2. Should travel distance from any portion of the interior exceed 10 feet, the mobile food truck or booth shall have a minimum of two exits located remote from each other and so arranged as to provide a means of unobstructed travel to the outside of the booth.
3. The latch mechanism of any exit shall be openable by hand and shall not require the use of a key or special knowledge for operation from the inside. The Secondary exit shall be labeled with the word "EXIT" with a 2-inch minimum letters on contrasting background.

GENERATOR REFUELING.

1. The refueling of generators shall be performed in an approved location not less than 20 feet from the mobile food booth.
2. Fuel shall be stored in a UL or FM approved metal flammable liquid safety container in an approved location. Generators shall not be refueled in areas occupied by the public.
3. Generators shall be grounded in an approved method.

EXTENSION CORDS.

1. Extension cords shall be grounded, in good condition and free of damage or splices.
2. Total amperage should not exceed that for which the extension cord is designed for.
3. Extension cords shall not extend across aisles or paths of egress that may become a tripping hazard. (EXCEPTION): Cords that are protected by cable covers or other approved manner;

RESOLUTION NO. 2021-12

**A RESOLUTION SETTING LICENSE FEES
FOR MOBILE FOOD VENDORS**

WHEREAS, the City of Mapleton, Iowa (hereinafter "City") enacted Ordinance 469 for Mobile Food Vendors; and

WHEREAS, pursuant to Mapleton City Code §124.06, the City may set license fees in connection with Mobile Food Vendors by resolution; and

WHEREAS, the fees associated with the licenses for Mobile Food Vendors is \$25.00 per day; and

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Mapleton, Iowa, that the license fee for Mobile Food Vendors be set as \$25.00 per day at the time the permit application is submitted.

Councilperson Joe Hogan caused to be read and moved the adoption of the foregoing resolution.

Councilperson Dian Bleil seconded the motion to adopt. Upon due consideration by the Council, the Mayor put the question; and, upon the roll being called, the vote was:

Ayes: _Dian Bleil, Joe Hogan, Elizabeth Else, Abby Koenigs, Phil McGarr

Nays: ___None_____.

WHEREUPON, the Mayor declared the foregoing resolution duly adopted on June 9, 2021.

Brent Streck, Mayor

ATTEST:

Karla Uhl, City Clerk

ORDINANCE NO. 469

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF MAPLETON, IOWA BY ADDING CHAPTER 124,
MOBILE FOOD VENDORS**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MAPLETON, IOWA:

SECTION 1. NEW CHAPTER ADDED. Chapter 124, titled "Mobile Food Vendors", is hereby added to the Mapleton City Code to read as follows:

MOBILE FOOD VENDORS

124.01 DEFINITIONS.

1. "Mobile Food Unit" means a self-contained motorized vehicle, trailer, pushcart, or other similar implement, designed or used to prepare, sell, or serve food or beverages.
2. "Mobile Food Vendor" means a person engaged in the business of selling food or beverages from a mobile food unit.

124.02 PERMIT REQUIRED. It shall be unlawful for any person to prepare, sell, or serve food or beverages to the public from a mobile food unit within the corporate limits of the City without first obtaining a mobile food vendor permit from the City. This permit is in addition to any other State or federal permits, certifications, and licenses required of mobile food vendors. A mobile food vendor permit shall be subject to the following:

1. A mobile food vendor permit is required each day the mobile food vendor intends to operate within the City limits. Permits may be obtained in advance of the day the mobile food vendor intends to operate.
2. Permits expire at 2:00 a.m. CST the day after the date for which the permit is issued.
3. Mobile food units shall comply with the State of Iowa requirements for health inspections, licensing, safety, and fire code requirements and display its licensing in full view of the public in or on the unit.
4. The following shall be exempt from the requirements of this section:
 - a. Vendors granted permission in conjunction with a community permitted special event;
 - b. Nonprofit, community organizations, and individuals conducting not-for-profit or fundraising activities; and
 - c. Temporary booths or mobile food units operated by City residents earning \$2,000

or less in annual revenue, and where no alcoholic beverages are sold.

124.03 PERMIT APPLICATION.

1. Filing. Permit applications shall be filed with the City Clerk. No application request shall be accepted unless it conforms to the requirements of this chapter. This includes a completed application, all of the required materials and information prescribed, and the required application fee.
2. Application Contents. Application must include the following information:
 - a. Full name of the applicant
 - b. Applicant's contact information including mailing address, phone number, and email address.
 - c. State health inspection certificate with the classification level of the state license.
 - d. Photographs of the mobile food unit from the front, side, and back.
 - e. Make, model, and year of the vehicle to be used and license plate number.
 - f. Approvals, if any, of food establishment owners within one hundred fifty (150) feet of the expected operating area of the mobile food unit.
3. Nonconforming Applications. Applications not meeting the requirements of this chapter shall be rejected. If an application is rejected, the applicant may correct and re-submit the application during regular business hours.

124.04 LOCATION. A mobile food unit may be parked on public property or street as approved in the licensing application or as part of a City approved event. Mobile food units are prohibited from parking within one hundred fifty (150) feet on the main entrance of an establishment that sells prepared food or beverages from one (1) hour before the establishment's opening to one (1) hour after closing without approval from the food establishment owner.

124.05 OPERATING STANDARDS. Mobile food vendors must adhere to the following regulations:

1. Mobile food units within three hundred (300) feet of property used or zoned for residential purposes shall only operate between the hours of 7:00 a.m. and 10:00 p.m.
2. Mobile food units shall only serve patrons who are on foot; no drive-up service to the mobile food unit shall be provided or allowed.
3. All mobile food units shall maintain a minimum separation from buildings of ten (10) feet as measured to the closest building element including awnings or canopies, tents, or

membrane structures. Location of the mobile food unit shall not impede pedestrians entering or exiting a building.

4. The window or area where a patron orders and receives their purchase shall be located so as not to require a patron to stand, or create a line, that may cause pedestrians to be in the public right-of-way, vehicle travel lane, including parking lot drive aisles, or similar situation that may create a potential safety hazard. Adequate space for patrons waiting for their order must be available on the property where the mobile food unit is located.
5. Signs are limited to those that are attached to the exterior of the mobile unit and must be mounted flat against the unit and not projects more than six (6) inches from the exterior of the unit. No freestanding signs, banners, flags, or similar items are allowed. Off premises signs directing patrons to the mobile food unit are prohibited.
6. During business hours, the mobile food vendor shall provide a trash receptacle for use by customers and shall keep the area around the mobile food unit clear of litter and debris at all times.
7. All mobile food units shall be located in such a manner as to not create a safety hazard, such as blocking emergency access to buildings and the site, obstructing access to fire hydrants, impeding entering and exiting from a building, creating a visual impediment for the motoring public at drive entrances, intersections, pedestrian crossings, or similar movement and access.

124.06 LICENSE FEES. At the time of permit application, the applicant shall pay to the City the applicable application fee. The fee will be set by resolution of the City Council and may be modified from time to time as the Council deems appropriate.

124.07 DENIAL OF PERMIT. The City may deny a permit to a mobile food vendor for any of the following reasons:

1. The applicant has made fraudulent statements in his/her application for the permit or in the conduct of his/her business.
2. The applicant has violated this chapter or any other chapter of this Code or has otherwise conducted his/her business in an unlawful manner.
3. The applicant has conducted his/her business in such a manner as to endanger the public welfare, safety, order, or morals.
4. The City has received and investigated three (3) or more found complaints during the previous twelve (12) months related to the manner in which the licensee is conducting business.

124.08 APPEALS. The applicant may appeal the permit denial to the City Council at its next regularly scheduled meeting by filing with the City Clerk or the City Clerk's designee a written

request for an appeal to the City Council at least seven (7) days prior to the meeting. The City Council may affirm, modify, or reverse the decision to deny the permit. If denial is affirmed, no refund of any fee paid shall be made. Upon the denial of a permit, the applicant is not eligible for the issuance of a new permit under this chapter for a period of one (1) year from the date the permit denial is personally provided to the applicant or deposited in the U.S. mail to the address listed in the application.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof, not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Councilperson Joe Hogan introduced. the first reading. waived the second and third reading and moved the adoption of the foregoing ordinance.

Councilperson Dian Bleil seconded the motion to adopt the ordinance and moved that the Council dispense with the requirement that the ordinance be fully read on three different days.

The Mayor then put the question on the motion to dispense with the three readings, and, upon the roll being called, the vote was:

Ayes: Dian Bleil, Joe Hogan, Elizabeth Else, Phil McGarr and Abby Koenigs

Nayes: None

WHEREUPON, the Mayor declared the foregoing ordinance duly enacted on June 9, 2021

Brent Streck, Mayor

ATTEST:

Karla Uhl, City Clerk