

**ORDINANCE AMENDING
THE TOWN OF BUNN FOOD TRUCK ORDINANCE**

WHEREAS, the Town has previously adopted rules and regulations governing the operation of food trucks within the Town of Bunn.

WHEREAS, to more clearly regulate their usage and location, the Town Board of Commissioners desires to amend the ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Bunn, North Carolina that its food truck ordinance be amended as follows:

Section 1.

DEFINITIONS:

The purpose of this section is to regulate how mobile and non-mobile food vendors sell food and or non-alcoholic beverages to the general public within the corporate Town limits.

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOBILE FOOD TRUCK. A motorized vehicle or pushcart that is designed and operated for the purpose of preparing and or selling food and or non-alcoholic beverages to the general public on a recurring basis and is to be readily moved.

PUSHCART. Any non-motorized piece of equipment from which a vendor prepares and or sells food and or non-alcoholic beverages to the general public on a recurring basis and is to be readily moved.

VENDOR. A person, who hawks, peddles, sells or offers food for sale and profit, including both mobile and non-mobile food vendors. Restaurants, churches, clubs and other not-for-profit organizations are specifically exempted from the provisions of this ordinance.

MOBILE FOOD VENDOR. A person or persons that prepare or serve food and/or beverages for sale to the general public on a recurring basis from a vehicle-mounted, vehicle-towed or vehicle-carried food service establishment designed to be readily moved and shall be either a motorized mobile food vendor, pushcart mobile food vendor, nonprofit on-premises mobile food vendor, or a nonprofit off-premises mobile food vendor.

NON-MOBILE FOOD VENDOR. A vendor conducting outside sales of food or beverage, regardless of whether such sales are associated with an existing business, without the use or aid of a mobile food truck or pushcart.

Standards:

(A) Applicability. These regulations apply to all instances of Mobile Food Vendor and Non-Mobile Food Vendor operations except the following: 1) town- sponsored events, 2) a fair or festival operated by a non-profit organization, or 3) a permitted temporary or special event. Mobile Food Trucks and Vendors operating in events identified within this section shall comply with all conditions of the corresponding event permit.

(B) Location. Mobile food vendor operations are allowed with certain developmental standards in the C-1 and C-3. Overnight storage of mobile food trucks and pushcarts shall be on private property and shall conform to zoning regulations governing storage of a commercial vehicle.

(C) Waste. Mobile food and pushcart vendors are responsible for the proper disposal of waste and trash associated with their operation. Town trash receptacles are not to be used for disposal of Mobile Food Vendor waste. Mobile Food Vendors shall remove all waste and trash from their location at the end of each day or as needed to maintain the health and safety of the public. The Mobile Food Vendors shall keep all areas within twenty (20) feet of their truck or place of sale clean of grease, trash, paper, cups or cans associated with the vending operation. No liquid waste or grease is to be disposed into tree pits, storm drains or onto the sidewalks, streets or other public place. Under no circumstances shall grease be released into or disposed of in the Town's sanitary sewer system.

(D) Mobile Food Vendors shall not be located within 100 feet from the main entrance of any restaurant during business hours unless authorized by a restaurant to be closer.

(E) Mobile Food Vendors shall be parked on private property with permission of the property owner and shall not be parked within any public street, right-of-way or sidewalk unless the street has been closed for a special event.

(F) Public property other than street. Every Mobile Food Vendor operating on private or public property other than streets shall obtain the written permission of the owner or lessee of the property and must be fifteen feet from any fire hydrant, driveway or sidewalk, such distance to be measured from the closes point of the Mobile Food Vendors to the closest point of any fire hydrant, driveway, or sidewalk.

(G) Limits on number. Mobile Food Vendors shall be located at least 150 feet from any other Mobile Food Vendor.

(H) Permit required. It shall be unlawful for any Mobile Food Vendor to sell, or offer for sale, any food or beverage without first obtaining a peddler's license from the Town Clerk or his/her designee. This requirement shall be waived for mobile food vendors directly associated with Town-approved events.

(I) Permit application. Prior to the issuance of a permit, an application for peddler's license must be submitted and reviewed by the Town Clerk or his/her designee. The application shall be accompanied by approval from the Franklin County Health Department, proof of landowner permission, and an annual application fee in such amount as set forth in the Town's adopted Fee

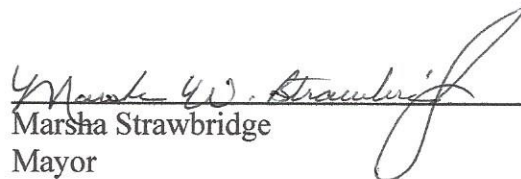
Schedule for each Mobile Food Truck or Vendor. The Town may also assess as per day fee in such amount as set forth in its adopted Fee Schedule. For Mobile Food Truck Vendors, the application shall also be accompanied by proof of general liability insurance for a Mobile Food Truck Vendor in the amount of \$1,000,000.

(J) Permit suspension and revocation. Any permit may be suspended or revoked for fraud or misrepresentation in the application for the permit or for conduct of the Mobile Food Vendor in such a manner as to create a public nuisance or constitute a danger to the public health, safety or welfare or which is contrary to the provisions of this chapter.

(K) Non-mobile Food Vendors shall not be permitted except as allowed during Town sponsored events, a fair or festival operated by a non-profit organization, or an otherwise permitted temporary, special, or exempt event.

Section 2. This ordinance is effective upon its adoption.

Approved this 3rd day of October, 2022.


Marsha Strawbridge
Mayor

ATTEST:

Pamela Perry, Town Clerk