



City of Petoskey

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 348-0350

APPLICATION FOR MOBILE FOOD VENDING LICENSE

The City of Petoskey Code of Ordinances requires that all mobile food vendors obtain a City license to operate on both private and public lands. After completing the information below, please return this form with your remittance to: City Clerk-Treasurer, City of Petoskey, 101 East Lake Street, Petoskey, Michigan, 49770.

BUSINESS INFORMATION	
Business Name:	
Name of Food Truck:	
Address:	
City, State, Zip Code:	
Telephone Number:	Email Address:

APPLICANT INFORMATION	
Contact Name Representing Business:	
Vending Address:	
Telephone Number:	Email Address:

VENDING UNIT INFORMATION	
Make of Vending Unit:	
Model of Vending Unit:	
Year of Vending Unit:	
Vehicle Identification Number (VIN):	
License Plate:	

GENERAL APPLICATION REQUIREMENTS			
Please confirm that the following items have been included with your application.			
YES		YES	
	If vending on City property, Certificate of General Liability Insurance required (Minimum \$1 Million per occurrence) with City named as additional insured		Copy of Michigan Sales Tax License
	Copy of Health Department License		Photograph of the mobile food vending unit
	Copy of State issued photo id for owner/applicant <i>(Required for purposes of a background check)</i>		\$100.00 Application Fee
	Contact the City's Public Safety Department to schedule an inspection based on the International Fire Code as adopted by the City. See enclosed inspection form for reference. Fire inspections are valid for the calendar year in which the inspection was completed.		

PARKING PLAN REVIEW

Any mobile vending unit that will be parked on private property (excluding residential properties) must include the following information. Parking requirements of Section 1704 of the Zoning Ordinance must be met for a mobile vending unit to be located on a site previously approved by the Planning Commission.

The following information must be provided on a dimensioned illustration that is included with this application for the request to be processed. Each item included shall be either checked or NA if not applicable. Incomplete applications will result in review delays.

	A scaled illustration that includes all property line dimensions for the lot on which you are placing the mobile vending unit. The property line is where the public right-of-way or neighbor's property begins (not the curb).
	Location of the mobile vending unit on the property in relation to existing buildings. Building entrances shall be identified.
	All drives, parking areas, loading areas, fire lanes and trash enclosures.
	Sidewalks and/or how pedestrians are to safely access the mobile vending unit.

SIGNATURES

As the applicant for a mobile food vending license, I hereby agree to comply with all requirements of the Petoskey Code of Ordinances and County and State regulations. I confirm that all information that I have provided in this application is accurate to the best of my knowledge. I further authorize City staff to enter the site for which this application is made. I understand this license is personal and non-transferable. I also understand this license may be revoked by the City Clerk.

I acknowledge that the City may be required from time to time to release records in its possession. I hereby give permission to the City to release any records or materials received by the City from myself as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

_____	_____
Applicant	Date

If the applicant is not the property owner, the owner must sign below.

_____	_____
Owner	Date

CITY USE ONLY

_____	_____
City Planner Approval	Date

_____	_____
Public Safety Approval	Date

_____	_____
City Clerk Approval	Date

License Issued: Denied:

License Number: _____ License effective through: _____



City of Petoskey

Department of Public Safety

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500 • Fax 231 347-2471

Mobile Food Vending Unit Fire Safety Inspection Checklist

All mobile food vending units are required to be inspected by the City of Petoskey Department of Public Safety prior to vendor's license being issued. This fire safety inspection checklist is based on the 2018 International Fire Code as adopted by the City of Petoskey.

Chapter 3 – General Requirements

	319.8.1 – Maximum LP gas container carried on the vehicle not to exceed 200 pound capacity
	319.8.2 – LP containers installed on vehicle must be securely mounted and restrained.
	319.8.5 – A listed LP gas alarm must be installed on the vehicle.

Chapter 6 – Building Service and Systems

	604.1 – Electrical wiring must be in good working condition
	604.4 – Multi-plug adapters are not allowed
	604.4.1 – Power strips must have over-current protection
	604.5 – Extension cords are not allowed as permanent wiring
	607.2 – Grease vapors are produced and exhaust hood system is required
	607.3.3.1 – Hood/duct system must be inspected every six months
	607.3.3.2 – Grease accumulation is to be cleaned

Chapter 9 – Fire Protection Systems

	906.4.2 – Class K fire extinguisher is required if cooking produces greasy vapors
	904.12 – An automatic fire extinguishing system is required if grease vapors are produced
	904.12.5.2 – Automatic fire extinguishing system is required to be inspected and tested every six months by licensed contractor
	906.3 – Minimum 2A10BC portable fire extinguisher installed
	906.5 – All fire extinguishers are in clear view
	906.7 – All fire extinguishers are mounted/secured on the proper hangers
	906.2 – All fire extinguishers are to be inspected annually by a licensed contractor

Chapter 10 – Means of Egress

	1003.3.4 – Protruding objects are not to reduce the minimum clear width of accessible egress
	1003.4 – Walking surfaces of the egress route are to have slip resistant surface and be securely attached

This checklist addresses the most common fire and life safety issues. There may be other code sections that apply to mobile food vending units that are not listed.

Business Name: _____

Name of Food Truck: _____

Approved

Denied

Inspected by Public Safety Officer: _____
Print Name

Signature: _____ Date: _____

ORDINANCE NO. 775

AN ORDINANCE TO AMEND CHAPTER 8 OF THE PETOSKEY CODE OF ORDINANCES, BUSINESSES AND BUSINESS REGULATIONS, REGULATING MOBILE FOOD VENDING

THE CITY OF PETOSKEY ORDAINS:

1. Article VIII, entitled "Mobile Food Vending" of Chapter 8 of the City of Petoskey Code of Ordinances is hereby amended in part and replaced by the following:
2. The introduction clause of Article VIII, Chapter 8, entitled "Mobile Food Vending" is hereby repealed and replaced with the following:

Article VIII Mobile Food Vending

An amendment to Chapter 8 Businesses and Business Regulations to regulate mobile food vending on public and private property.

3. Section 8-302 entitled Mobile Food Vending Locations is hereby adopted as follows:

Sec. 8-302 Mobile Food Vending Locations

- (a) Public Property – Mobile Food Vending shall only be allowed on public property when part of an approved public or private event.
- (b) Private Property – Mobile Food Vending on private property shall only be allowed in business or industrial districts and must include a parking plan review. In a residential district, mobile food vending on private property shall only be allowed as part of a private event and shall only serve food to event attendees and not the general public. Mobile food vending on private property shall not be allowed to utilize public property including but not limited to street rights-of-way.

4. Section 8-316 entitled Duration; non-transferability is hereby repealed and replaced with the following Section 8-316:

Sec. 8-316 Duration; non-transferability.

Licenses may be issued by the City Clerk expiring at the end of each calendar year. Any license issued under this chapter is non-transferable.

5. Section 8-317 entitled Application is hereby repealed and replaced with the following Section 8-317:

Sec. 8-317 Application.

Every vendor desiring to engage in mobile food vending shall make a written application to the City Clerk for a license under this chapter. The applicant shall truthfully state, in full, all information requested by the City Clerk and be accompanied by a fee established by resolution of the City Council. Additionally, the applicant shall provide all documentation as required by the City.

6. Section 8-319 entitled Requirements is hereby repealed and replaced with the following Section 8-319:

Sec. 8-319 Requirements.

Any vendor engaging in mobile food vending shall comply with the following requirements:

- (1) Provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other waste attributable to the vendor on a daily basis.
 - (2) If operating on city-owned or controlled property, vendor may only locate on such property in locations associated with a City-approved public or private event. All mobile food vending trucks operating at an event, whether on public or private property, will be required to obtain the appropriate license(s) and pay the fee established by resolution of the City Council.
 - (3) No vendor may operate on public property within one block of a City-authorized street fair, public festival, farmers market or event being conducted without authorization from the event sponsor.
 - (4) No vendor may use flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
 - (5) No vendor shall use loud music, amplification devices or "crying out" or any other audible methods to gain attention which causes a disruption or safety hazard as determined by the City.
 - (6) Comply with the City's Nuisance Ordinance, Sign Ordinance and all other City ordinances.
 - (7) Comply with all applicable federal, state and county regulations.
 - (8) Mobile food vending units shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended across any City street, alley or sidewalk.
7. **Conflicting Standards.**
If any of the standards set forth in this amendment conflict with any other standards of previous or further ordinances or amendments, the stricter standards shall apply.
8. **Repeal; Savings Clause.**
All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

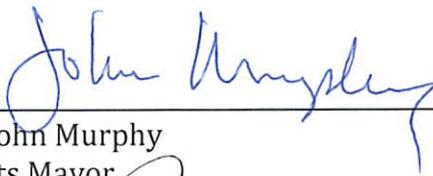
9. **Severability.**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

10. **Effect.**

This ordinance shall take effect fifteen (15) days following its enactment and shall be published once within seven (7) days after its enactment as provided by Charter.

Adopted, enacted and ordained by the City of Petoskey City Council this 6th day of January, 2020.



John Murphy
Its Mayor



Alan Terry
Its Clerk



WHEREAS, at the direction of City Council, the City Planning Commission was asked to research leading practices and make recommendations on possible regulations pertaining to mobile food vending businesses within the City of Petoskey; and

WHEREAS, the Planning Commission established a sub-committee that met with local representatives of food trucks and brick and mortar businesses and studied several examples of ordinances from communities who have successfully implemented mobile food vending programs in their communities; and

WHEREAS, the sub-committee recommended mobile food truck regulations and possible sites to locate food trucks on public property; and

WHEREAS, the City's Planning Commission felt that business regulations were the appropriate mechanism for regulating food trucks and recommended draft language amending Article VIII of the Code of Ordinances, Chapter 8 Businesses and Business Regulations after hearing no opposition to the draft regulations and proposed sites; and

WHEREAS, the City Council has taken public comments and discussed various aspects of the proposed food vending pilot ordinance including possible public sites and fee schedules associated with a mobile food vending program; and

WHEREAS, over the last two years the City mobile food truck pilot program has been in effect and the City Council desires to make changes to the mobile food vending program:

NOW THEREFORE BE IT RESOLVED, that the Petoskey City Council hereby adopts Ordinance 775 and sets the following fee schedule for a mobile food vending units.

MOBILE FOOD VENDING FEE SCHEDULE

Vendors shall obtain a mobile food vending license from the City Clerk in accordance with the City Code.

Vendors shall pay the following fee annually with each mobile food vending license expiring at the end of the calendar year on December 31.

If vending on City property or private property: \$100.00 annually

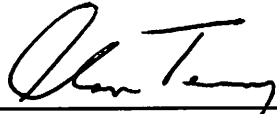
Vendors shall be required to comply with all Federal, State and local regulations including Ordinance 775.

NOW THEREFORE, BE IT RESOLVED, that the City of Petoskey approves Ordinance 775 along with the established fee schedule.

State of Michigan)
County of Emmet) ss
City of Petoskey)

I, Alan Terry, Clerk of the City of Petoskey, do hereby certify that the foregoing is a true copy of a resolution adopted by the City of Petoskey City Council at a regular meeting on the 6th day of January, 2020, and of the whole thereof.

In witness whereof, I have hereunto set my hand and affixed the corporate seal of said City of Petoskey this 7th day of January, 2020.



Alan Terry, City Clerk