

**CITY OF ARNOLD
APPLICATION FOR
MOBILE FOOD TRUCK PERMIT**

An application approval does not imply City of Arnold sponsorship. The applicant of this license has the responsibility to be aware of and comply with city ordinances and regulations, including, but not limited to, the city/county/state public health regulations, and police/fire/medical public safety requirements. This includes all building and fire codes adopted by the City of Arnold. Applicant must notify, apply and comply with any Jefferson County Health Department licensing or regulations. The City of Arnold is not responsible for any licensing required by the County Health Department. The fee for this permit is \$25.00 and the permit shall only be valid for a minimum of one (1) and a maximum of five (5) days. No mobile food truck will be authorized to operate within the City of Arnold for more than five (5) consecutive days at a time or for more than fifteen (15) days per month.

PLEASE PRINT

BUSINESS NAME _____

BUSINESS ADDRESS _____

PHONE _____ **FAX** _____

APPLICANT NAME _____

APPLICANT ADDRESS AND PHONE _____

NAME ADVERTISED ON FOOD TRUCK _____

NUMBER OF PEOPLE WORKING ON VEHICLE FOR YOUR BUSINESS _____

DATES/LOCATION/HOURS OF INTENDED OPERATION _____

IS THIS FOOD TRUCK BEING USED FOR A SPECIAL EVENT? _____

Signature of Applicant

Date

.....
FOR OFFICE USE ONLY:

APPROVED: _____

DENIED: _____

**CITY OF ARNOLD
MOBILE FOOD TRUCK PERMIT
CHECKLIST**

- COMPLETED MOBILE FOOD TRUCK PERMIT APPLICATION**
- NECESSARY NOTIFICATION TO JEFFERSON COUNTY HEALTH DEPARTMENT**
- COPY OF VALID FOOD AND BEVERAGE PERMIT FROM JEFFERSON COUNTY HEALTH DEPARTMENT**
- COPY OF DRIVERS LICENSE AND VALID VEHICLE INSURANCE CARD**
- A LETTER FROM THE PROPERTY OWNER GRANTING PERMISSION FOR USE OF THEIR PROPERTY TO OPERATE THE MOBILE FOOD TRUCK, INDICATING DATES AND TIMES APPROVED (not applicable if event is Arnold Days or Arnold 4th of July celebration)**
- FOR EVENTS HELD ON CITY PROPERTY ONLY - APPLICANT MUST PROVIDE PROOF OF LIABILITY INSURANCE NAMING CITY OF ARNOLD AS CERTIFICATE HOLDER AND/OR SIGN A HOLD HARMLESS AGREEMENT**

NOTICE

THIS APPLICATION DOES NOT EXEMPT ANYONE FROM OBTAINING PROPER LIQUOR LICENSING, IF APPLICABLE, NOR DOES APPROVAL OF THIS APPLICATION INCLUDE PERMITTING OF ALCOHOL OF ANY TYPE. IF ALCOHOL IS TO BE SOLD, A CATERING LIQUOR LICENSE MUST ALSO BE APPLIED FOR AND APPROVED BY THE CITY OF ARNOLD

**AN ORDINANCE ADDING CHAPTER 605.400 TO THE CITY OF ARNOLD
MUNICIPAL CODE PERTAINING TO MOBILE FOOD VEHICLES**

WHEREAS, the Mayor and City Council of the City of Arnold, Missouri wish to add language to the Municipal Code pertaining to the operation of mobile food vehicles within the City Limits; and

WHEREAS, the Arnold Planning & Zoning Commission has reviewed and discussed the proposed language regarding mobile food vehicles and has recommended adopting the language included herein; and

WHEREAS, the most appropriate way to add language about mobile food vehicles is to add a new chapter to the City of Arnold Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

Section 1. That the following language shall be added to the City of Arnold, Missouri Municipal Code as Chapter 605.400:

“Chapter 605.400 Mobile Food Vehicles

Section 605.400.010 Definitions

When used in this Chapter, the following words shall have the following meanings:

MOBILE FOOD VEHICLE

A motorized vehicle or a tow-behind trailer, sometimes referred to as a “food truck”, “catering truck”, “food vending cart”, or “mobile kitchen”, that may temporarily park in an area and engage in the service, sale, or distribution of ready-to-eat food for individual portion service to the general public.

MOBILE FOOD VENDOR

The registered owner of a mobile food vehicle or the owner’s agent, employee, operator, or representative; as used herein, “vendor” shall have the same definition.

VEHICLE

A machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, buggy, and wagon and any part thereof.

Section 605.400.015 Scope

The provisions of this Chapter apply to mobile food vehicles engaged in the business of cooking, preparing, and distributing food or beverage with or without charge upon or in public and private spaces. This Chapter does not apply to ice cream trucks as governed by Chapter 610 and may not apply to mobile food vehicles hired by the City for City-sponsored events, fairs, functions, or festivals.

Section 605.400.020 Permit Required; Application

- A. It shall be unlawful for any person or entity including, but not limited to, any religious, charitable, or non-profit organization, to operate a mobile food vehicle within the City of Arnold without a permit.
- B. All mobile food vehicle vendor permits issued under this Chapter shall be conspicuously posted on the vehicle at all times.
- C. Any mobile food vendor desiring to operate a mobile food vehicle within the City Limits shall submit an application for such permit to the City Clerk.
- D. The submitted application shall include all supporting documents as required by the City which may include, but shall not be limited to, proof of liability insurance, proof of any applicable health and safety inspections, written permission from the property owner on which the mobile food vehicle is to be located, and any other documents deemed necessary to determine the function and safety of the mobile food vehicle.
- E. Each permit shall be valid for a minimum of one (1) and a maximum of five (5) days.
- F. No mobile food truck will be authorized to operate within the City of Arnold for more than five (5) consecutive days at a time or for more than fifteen (15) days per month.
- G. The City shall reserve the right to revoke any approved permit for cause.

Section 605.400.025 Fees

- A. An application fee of \$25.00 is required for each permit. .

Section 605.400.030 Regulations

In addition to all other requirements of this Chapter:

- A. No mobile food vendor shall park, stand, locate, or conduct business at any location

where the permit holder has not been authorized to operate.

- B. Mobile Food Vendors shall only be permitted in the zoning districts where such use is specifically defined as a permitted use in the Arnold Zoning Ordinance, except as authorized per Section 405.050 (C)(21), *Special Events*.
- C. No mobile food vendor shall operate on private property without first obtaining written consent from the affected property owner. A private property owner shall not permit parking by a mobile food vehicle until a mobile food vehicle permit has been granted by the City.
- D. No mobile food vendor shall operate a mobile food vehicle within five hundred (500) feet of any fair, festival, special event, or civic event that has been approved by the City of Arnold unless the vendor has been approved as part of the event.
- E. Mobile Food Vendors shall be prohibited on vacant, unimproved, or unpaved lots.
- F. Mobile food vendors must, at all times, possess a valid Food and Beverage Permit from the Jefferson County Health Department.
- G. If applicable, Mobile food vendors must, at all times, possess a valid permit from the Rock Community Fire Protection District.
- H. Mobile Food Vendors shall comply with all applicable Federal, State, County, and local laws, rules, and regulations without limitation.
- I. Mobile food vehicles may begin selling or distributing products at 6:00 am and must cease selling or distributing products by 10:00 pm.
- J. All equipment and utensils used to prepare, process, and serve food shall be adequately secured while the mobile food vehicle is in transit. This shall include, but shall not be limited to, appliances, bowls, coolers, cups, knives, plates, and storage bins and containers.
- K. Auxiliary engines, batteries, battery chargers, compressors, generators, and other gas-powered and similar equipment shall be installed to be accessible only from the outside of the mobile food vehicle.
- L. Any power or fuel required for the mobile food vehicle shall be self-contained and mobile food vehicles shall not use utilities drawn from the public right-of-way. Mobile food vehicles located on private property may use electrical power from the property being occupied or an adjacent property, but only when the property owner provides written consent to do so. All power sources must be self-contained. No power cable or equipment shall be extended at or across any City street, alley, or sidewalk.

- M. Mobile Food Vendors' vehicles and other equipment shall not be stored outdoors overnight on any property within the City other than property owned by the operator of the Mobile Food Vendor on which such operator has a fixed-based food service operation.**
- N. The customer service area for mobile food vehicles shall be on the side of the truck that faces the curb, lawn, or sidewalk when parked. No food service shall be provided on the driving lane side of the truck.**
- O. No food shall be prepared, cooked, or assembled outside the mobile food vehicle.**
- P. Mobile food vendors shall provide a waste container with a self-closing lid for public use which the vendor shall empty at his/her own expense. All trash and garbage originating from the operation of mobile food vehicles shall be collected and disposed of off-site by the mobile food vendor at least each day and as often as reasonable to protect the public health, safety, and welfare. Spills of food or food by-products shall be cleaned up, and no dumping of gray water within the City shall be permitted. At the City's discretion, a refundable cash deposit may be required in order to ensure compliance with this provision.**
- Q. The use by a Mobile Food Vendor of any temporary structure other than a vehicle or cart described in this Chapter is prohibited.**
- R. Mobile Food Vendors may utilize outside seating consisting of one (1) portable table with a maximum seating capacity of four (4).**
- S. No mobile food vehicle shall make or cause to be made any public nuisance.**
- T. No mobile food vehicle shall sound or permit the sounding of any device which produces a loud and raucous noise or use or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public or otherwise causes a nuisance.**
- U. Signage is only allowed when permanently affixed on mobile food vehicles. No separate freestanding signs are permitted except for one (1) "A-frame or "sandwich board type sign.**
- V. All exterior lights shall be designed so that the light source is shielded with an opaque material and is not visible at adjacent businesses or residences at a height greater than five (5) feet.**
- W. No flashing, blinking, or strobe lights are allowed on mobile food vehicles or related signage when the vehicle is parked and engaged in serving customers.**

- X. Mobile food vehicles shall be parked in conformance with all applicable parking restrictions when parked on public streets.
- Y. Mobile Food Vehicles shall not be permitted to stand within public right-of-way or on the grounds of any government office, facility, public park, recreation area, or other similar public land within the City, which is under the control, operation, or management of the City except as authorized herein.
- Z. The issuance of a mobile food vehicle permit does not grant or entitle the vendor to the exclusive use of any street or parking space.
- AA. Mobile food vehicles shall not in any way restrict or interfere with the ingress or egress of the abutting property owner or tenant or otherwise hinder the lawful parking or operation of other vehicles.
- BB. Mobile food vehicles shall not increase traffic congestion or delay, constitute a hazard to traffic, life, or property, or constitute an obstruction to adequate access to ambulances, fire apparatus, police cars, sanitation vehicles, or other similar vehicles and equipment.
- CC. Mobile food vehicles shall not operate within:
 - a. Fifteen (15) feet of any entranceway to any building;
 - b. Fifteen (15) feet of any driveway entrance to a police station, fire station, ambulance shed, or other structure containing an emergency response vehicle;
 - c. Fifteen (15) feet of any other driveway;
 - d. One hundred (100) feet of a crosswalk or intersection;
 - e. Twenty-five (25) feet of any bus stop sign;
 - f. Two hundred fifty (250) feet of an existing restaurant during the hours when such restaurant is open for business unless given written consent from the restaurant owner.

Section 605.400.035 Enforcement/Failure to Comply

- A. Any person operating a mobile food vehicle in violation of any provision of this Chapter shall be subject to all other enforcement provisions of the Code.
- B. Each day that a person operates a mobile food vehicle in violation of this Chapter shall be a separate and additional violation.

C. Any permit issued under this Chapter may be revoked, suspended, or not renewed by the City Administrator or City Clerk for failure to comply with the provisions of this Chapter and any rules or regulations promulgated by the City of Arnold."

Section 2. That if any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinctive, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 3. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS 15th DAY OF April of 2021.

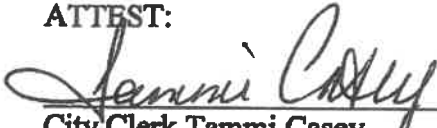


Presiding Officer of the City Council



Mayor Ron Counts

ATTEST:




City Clerk Tammi Casey

1st reading: 4/15/21

2nd reading: 4/15/21

APPROVED AS TO FORM:



City Attorney Robert Sweeney



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARNOLD, MISSOURI,
AMENDING CHAPTER 405 OF THE ARNOLD CODE OF ORDINANCES ADDING
PROVISIONS RELATED TO MOBILE FOOD VEHICLES AND SEASONAL FROZEN
TREAT STANDS.**

WHEREAS, the City Council of the City of Arnold recognizes that, when planned correctly, special events can play an important role in the life of a healthy and vibrant community; and

WHEREAS, the City Council desires to regulate special events and require that they undergo a permitting process so as to ensure that events are planned correctly, minimize substantial adverse impacts on surrounding neighborhoods, and to assure the safety and protection of the public that attends the event; and

WHEREAS, the Planning Commission has submitted its report and recommendation to the City Council on the proposed amendments to Chapter 405 of the Arnold Code of Ordinances; and

WHEREAS, the proper public hearings have been held, pursuant to City Ordinance and the laws of the state of Missouri.

WHEREAS, the City Council finds that this Ordinance protects and promotes the health, welfare and safety of citizens and visitors to the City of Arnold, Missouri; and

WHEREAS, the City Council also finds that this Ordinance should be construed liberally in favor of protecting and promoting the health, welfare and safety of the citizens and visitors to the City of Arnold; and

WHEREAS, the City Council has determined that it would be advantageous, beneficial and in the best interest of the City of Arnold to amend the City Code of Ordinances to address Mobile Food Vehicles, as set forth below.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

SECTION 1. Section 405.030(C) is hereby amended by adding the following definitions:

“FROZEN TREAT STAND, SEASONAL

A facility that primarily sells, dispenses, or serves frozen treats such as snow cone refreshments, ice cream, etc. and may include the accessory sale of beverages and bagged ice that may operate between March 1 and September 30 each year, and does not exceed one hundred and twenty square feet in gross floor area.

MOBILE FOOD VEHICLE

A motorized vehicle or a tow-behind trailer, sometimes referred to as a “food truck”, “catering truck”, “food vending cart”, or “mobile kitchen”, that may temporarily park in an area and engage in the service, sale, or distribution of ready-to-eat food for individual portion service to the general public.

OUTDOOR ENTERTAINMENT FACILITY

Outdoor entertainment locations including, but not limited to zoos, outdoor gardens, outdoor aquariums, outdoor theaters, outdoor stadiums, outdoor event spaces, outdoor arenas, amphitheaters, outdoor concert halls and other outdoor locations where entertainment activities open can the public occur. Such facilities may include structures and buildings accessory to the principal purpose of the use including but not limited to stages, commissaries, canteens, restrooms, storage, etc.

OUTDOOR

Any open-air space including any space which may have a temporary or fixed cover (e.g. awning or roof) and at least fifty percent of the square footage of its sides open for airflow such that open sides are not adjacent to each other.”

SECTION 2. Section 405.130(A)(1)(a), governing the “M-1” Industrial District, is hereby amended by adding the following permitted use:

“(5) Mobile Food Vehicles.”

SECTION 3. Section 405.130(B)(2), governing the “M-2” Industrial District, is hereby amended by adding the following permitted use:

“e. Mobile Food Vehicles.”

SECTION 4. Section 405.120(B)(1)(b), governing the “C-2” Commercial District, is hereby amended by adding the following conditional use:

“(27) Frozen Treat Stand, Seasonal.
(28) Outdoor Entertainment Facilities”

SECTION 5. Section 405.120(C)(1)(b), governing the “C-3” Commercial District, is hereby amended by adding the following conditional use:

“(32) Frozen Treat Stand, Seasonal.
(33) Outdoor Entertainment Facilities”

SECTION 6. Section 405.140(A)(1)(b), governing the “FP” Flood Plain District, is hereby amended by adding the following conditional use:

“(9) Outdoor Entertainment Facilities”

SECTION 7. Section 405.090(E)(1)(b), governing the “MHD” Mobile Home District, is hereby amended by adding the following conditional use:

“(7) Outdoor Entertainment Facilities”

SECTION 8. Section 405.150(A)(1) is hereby amended by adding the following to *Use and Zoning Performance Standards*:

“f. *Mobile Food Vehicles.* Mobile food vehicles, as defined in Section 405.030 of the Zoning Ordinance, shall be subject to the following conditions:

(1) Shall be subject to the requirements of Chapter 605.400, Mobile Food Vehicles, of the Arnold Code of Ordinances.

(2) Locations, Permitted:

(a) Properties within Zoning Districts where the use is specifically delineated in this Chapter as permitted or conditional; or

(b) Properties within all Zoning Districts when a *Special Event Permit*, as defined and regulated in this Chapter, has been granted by the Community Development Department.

(3) Locations, Prohibited

(a) Properties where the primary use occurring on that property meets the definition of a *Motor Vehicle Oriented Business* unless the Community Development Director has determined that the specific location on the property where the Mobile Food Vehicle is proposed to be placed will not result in unsafe conditions for either pedestrians or motor vehicles.

(b) Properties that are vacant and unimproved.

g. *Outdoor Entertainment Facilities.* Outdoor Entertainment Facilities, as defined in Section 405.030, shall meet the following standards in addition to all other zoning requirements in order to operate within the City of Arnold:

(1) Conditional Use Permit and associated Site Plan approval shall address adequacy of facility parking, loading, and circulation; traffic impacts in the vicinity of the facility; location of all uses, buildings and structures; fire hydrants and emergency access, location and adequacy of bathroom facilities; signage; noise; days/hours of operation; landscaping; and the screening and buffering of adjacent uses.”

SECTION 9. If any part of this Ordinance is found to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or effectiveness of the remaining provisions of this Ordinance or any part thereof and said Ordinance shall be read as if said invalid provision was struck therefrom and the context thereof changed accordingly with the remainder of the Ordinance to be and remain in full force and effect.

SECTION 10. All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed.

SECTION 11. This ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED ON THIS 20th DAY OF May, 2021.



Presiding Officer of the Council



Mayor Ron Counts

ATTEST:

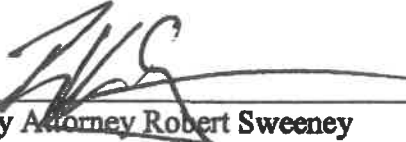


City Clerk Tammi Casey

First Reading: 5/20/21
Second Reading: 5/20/21



APPROVED AS TO FORM:



City Attorney Robert Sweeney