

City of Swartz Creek
Food Truck Policies & Regulations

I. Permitting Process

- a. Any vendor applying for a Food Truck Permit is required to submit documentation of possession of the following items:
 - i. A valid Genesee County Health Department Permit
 - ii. Valid automobile and general liability insurance
 - iii. Pictures of all sides of the food truck visible from the street with a time and date stamp from within the past week
- b. A non-refundable application fee of \$50 is required at the time of submittal for operations within the City.
- c. Complete applications shall include a Solicitation Permit and one or both of the following:
 - i. Zoning permit to vend on private property, including proof of ownership/permission, an accompanying map of the impacted area, and days, times, and locations
 - ii. Written request to vend on city property, in city parks, or in city right-of-way, including the days, times, locations, and a map of the impacted area.
- d. Each application will be reviewed by City staff. When staff has determined that the application is acceptable, the applicant will be given a hardcopy permit to display in a visible location on the service side of the permitted vehicle.
- e. A background check shall be performed on the operator of the food truck. Submission of related documentation and a photo ID to the City Clerk is required.
- f. A Food Truck Permit is only valid for a single vehicle. Food truck operators with more than one truck shall require a separate Permit for each truck.

II. Legally Operating Without a Food Truck Permit

- a. Food trucks may operate on private property at and under the discretion of permit holders for city-approved special events and festivals after receiving approval from the event or festival organizer, provided they are qualified to do so by the Genesee County Health Department.
- b. Food trucks operating under this provision shall only be allowed to vend at the event or festival as a vendor of the event or festival, within the geographic, date, time, and related provisions of the event or festival permit. Food trucks operating on public property and/or streets during such an event shall still be required to obtain a permit.

III. Permit Validity

- a. All permits issued shall be valid for one calendar year. New applications are required to vend within the city after expiration.
- b. Vendors must get additional permissions to vend within city parks, on city

property, or within city right-of-ways. Such permissions may be single use or extended operating permissions.

IV. General Rules and Regulations

- a. The City Manager is authorized to make changes to these policies and procedures at any time in order to ensure that the Food Truck Program is running efficiently, safely, fairly, and in a manner that achieves City of Swartz Creek goals and objectives.
- b. No food truck operator may operate anywhere in the City of Swartz Creek without a Food Truck Permit.
- c. Possession of a Food Truck Permit does not grant or entitle the holder to sole possession of a specific vending location or route, unless such a location has been granted by the City of Swartz Creek City Manager or City Council.
- d. It shall be the responsibility of the food truck vendor to be familiar with and understand all of the rules and regulations related to food trucks found in the City Code, the Zoning Ordinance, Park Rules and Regulations, and Public Place and Plaza Policies, as well as the rules and inspections associated with Genesee County and the State of Michigan.
- e. Food trucks may be temporarily prohibited from operating on public property, including in designated parking locations, or temporarily moved to a nearby location at the request of the City in cases of emergency purposes, construction, or other public benefit or service.
- f. Vendors must acquire a zoning permit to vend on private property in order to ensure ingress, egress, pedestrian access, traffic circulation, and parking are adequate at desired locations. Multiple locations can be requested with a single zoning permit.

V. General Operation Requirements

The following requirements shall apply to all food trucks and ice cream trucks while in operation:

- a. Food trucks shall sell food that is fresh and cooked-to-order. Therefore, food trucks shall not sell entrees such as hot dogs, pre-made sandwiches, food that is frozen until immediately before cooking, or any such similar items. This restriction shall not apply to side dishes such as french fries, onion rings, or other similar items, or to trucks selling a single, non-entree item like cupcakes or ice cream.
- b. Valid Mobile Food Service, Food Truck, and/or Special Events permits must be openly displayed on all approved food trucks.
- c. All food and ice cream trucks must carry at least \$1,000,000.00 in auto liability insurance for injury to or death of any person or persons in any

one incident, and \$100,000 for property damage. The policy shall list the city as an additional insured. The City of Swartz Creek shall not be liable for any damages caused by the location or operation of a food truck in the City of Swartz Creek right-of-way or on City of Swartz Creek property.

- d. All food trucks will be maintained in proper working order and will be free of visible damages, including but not limited to rust, dents, cracked or broken glass, and chipped paint.
- e. The Vendor must note any objects associated with the food truck that are to be placed around the vehicle in or on the street, right-of-way, sidewalk, or ground while the vehicle is in operation, including but not limited to chairs, tables, waste receptacles, heaters, fencing, or signs. The list of items and an illustrated configuration or map that details the location must accompany the application.
- f. A waste receptacle may be used, but it must be emptied regularly so that it is never completely filled and must be removed before the vehicle departs from the spot where it is operating.
- g. The vehicle shall be entirely self-sufficient, and shall not hook up to or attach to any water, sewer, gas, or electric utility unless explicitly approved by the city or private property owner. An electric generator may be used while the vehicle is stationary and operating as long as it does not generate noise that can be heard inside any building or otherwise violates the city's noise ordinance.
- h. All exchanges between vendors and customers shall take place from a single point of the food truck. When the food truck is parked on an open/active street, the point of sale must face towards a sidewalk or curb. If no sidewalk or curb is present, the point of sale shall face away from the nearest street. Under no circumstances shall customers be served while they are in or on a street that is open to vehicle traffic.
- i. No by-product of food truck operations, including but not limited to vendor created trash, grease, gray water, or excess food, shall be disposed of in or on any City of Swartz Creek property, including but not limited to City trash cans, curbs, gutters, manholes, storm drains, or sewer grates. Note that the city and its partners may provide trash amenities for vendors and their customers at their discretion.

VI. Violations

- a. The City Manager or the City Manager's designee shall have the ability to suspend or revoke a vendor's designated parking location, Food Truck Permit, or participation in the Food Truck Program for any violation of the City of Swartz Creek Code of Ordinances, Zoning Ordinance, or Food Truck Policies and Regulations.
- b. Any food truck that loses its Food Truck Permit for any such violation listed in subsection (a) above will be prohibited from reapplying for a new Food Truck Permit for a period of six (6) months from the date of the revocation of the original Permit.
- c. Food truck vendors who are suspended or removed from the Food Truck Program for violations listed above in subsection (a) will not be entitled to

a refund of any application, parking, or other such fees.

VII. Special Events

- a. Food trucks will be permitted to operate at various special City events. To participate in such events, vendors should apply directly to the City Manager.
- b. Food Truck Permits may be subject to 'black out' dates and/or locations in the City in which the vendor is not able to vend due to the conflict with other special event or festival permits.
- c. If food trucks are seeking to vend at or within 500 feet of a concert or special event at the Pajtas Amphitheater, the City Manager or their designee will confer with the Swartz Creek Fine Arts Association to establish acceptable times and locations where the truck or trucks can vend so as not to directly compete with food vendors working within or for the Amphitheater. A request for such an arrangement must be made by the food truck at least seven days prior to the concert or special event.
- d. The City Manager may waive any portion of this policy for special events on City of Swartz Creek property.

It is the responsibility of the Food Truck owner to ensure that all employees are made aware of the regulations that directly affect them and by signing this document hereby acknowledge that they have received a copy of these regulations and accept said responsibility.

By: _____
Food Truck Operator

For: _____
Legal Entity

Approved by City Council: April 25, 2022