



Food Truck Policy

P32-2017

CITY OF WARMAN

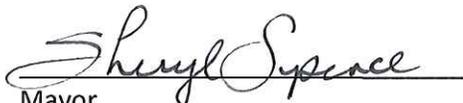
Food Truck Policy

Passed by Council at the

Regular Meeting of Council held on May 8th, 2017

Revision Date(s):

This policy shall come into force and take effect on the date of adoption.



Mayor



City Manager

May 15, 2017
Date

1.0 PURPOSE

The purpose of this policy is to allow for the operation of food trucks, confectionary trucks and food trailers within defined areas of the City of Warman through a business licensing process.

2.0 DEFINITIONS

- 2.1 Food Truck – a motorized, mobile, self-contained vehicle that is equipped to cook, prepare and or serve food and does not include trailers or carts.
- 2.2 Confectionary Truck - a motorized, mobile, self-contained vehicle that is equipped to serve confectionary goods such as ice cream and pre-packed snacks that do not require to be cooked and does not include trailers or carts.
- 2.3 Food Trailer – a trailer or cart that must be towed to and from a location that is equipped to cook, prepare and or serve food.

3.0 POLICY

For the purpose of this bylaw, “mobile food vendor” refers to food trucks, confectionary trucks, and food trailers unless otherwise stated.

3.1 General

- a) Only the sale of food items from a mobile food vendor subject to the conditions of this policy are permitted.
- b) The sale of food items from a mobile food vendor must be approved by the Saskatchewan Health Region.
- c) Periodic inspections of mobile food vendors may be conducted to ensure compliance.

3.2 Licensing

- a) All mobile food vendors shall be required to obtain a business license under Business Bylaw 2012-18.
- b) A business license must be obtained for each mobile food vendor operating and is valid from one year from the date of issuance.
- c) Mobile food vendors shall not operate if the business license has expired, been suspended, or revoked.
- d) A valid City of Warman business license shall be posted in an area visible to the public at all times.
- e) Applications for a mobile food vendor operation are subject to the approval of the

Development Officer. Proof that the following permissions have been obtained, and regulations met, must be provided prior to the issuance of a business license under Business Bylaw 2012-18

- i. Saskatoon Health Region Approval;
 - ii. Fire Inspection Approval (renewed annually);
 - iii. Proof of Motor Vehicle Insurance;
 - iv. Proof of Liability Insurance with a minimum liability limit of \$2,000,000. The City of Warman must be named as an additional insured; and
 - v. Discharge Management Plan that includes a description of how and where FOG (Fats, Oils, Grease) and grey water will be disposed.
- f) Periodic inspections may be conducted to ensure compliance.
- g) Proof of completing and passing a SaskPower Gas Inspection must be provided prior to the issuance of a mobile food vendor license. Annual proof of a passed SaskPower Gas Inspection is required.

3.3 Conditions of Operation

- a) The food truck, confectionary truck, or food trailer shall be no more than:
- i) 8,000 kilograms in weight;
 - ii) 2.5 metres in width; and,
 - iii) 9.75 metres in length.
- b) The mobile food vendor must be clean, well lit, and aesthetically pleasing in appearance.
- c) Mobile food vendors shall be permitted to operate between the hours of 10:00am and 9:00pm.
- d) The mobile food vendor shall supply its own power and water source. Generators are permitted providing that they do not cause a disturbance.
- e) Overhead canopies or doors shall not obstruct or hinder pedestrian traffic.
- f) Sign boards are to be placed against the food truck or food trailer to avoid any obstructions. Only one sign board is permitted per mobile food vendor, and shall comply with the regulations outlined in the Warman Zoning Bylaw. Confectionary trucks are not permitted to have sign boards.
- g) Placement of any furniture (i.e. tables, chairs, benches, counters, etc.) associated with the mobile food vendor operations is not permitted.
- h) Mobile food vendors shall be stored at an approved location when not in operation. Storage of the food truck, confectionary truck or food trailer on-street is prohibited.
- i) All elements associated with the mobile food vendor and its operations (including line-ups, signage and trash receptacles) shall not cause any vehicular or pedestrian obstructions or hazards.

- j) Mobile food vendors shall not create any disturbance or nuisance in terms of noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste. Lights, sounds, or actions which may be a distraction for motorists and/or pedestrians are not permitted.
- k) Operations shall be conducted in a manner that does not restrict or interfere with the ingress or egress of adjacent property owners or constitute as an obstruction to adequate access by fire, police, or sanitation vehicles.
- l) Service windows shall be oriented towards the sidewalk. Service windows that face the street are not permitted.
- m) Mobile food vendor operators shall provide proper trash and recycling receptacles for customers. Vendors shall clean up within a 6.0 metre radius after service at a location.
- n) Mobile food vendor operators shall attend their vehicle or trailer at all times while operating.
- o) Vending at one on-street location shall not exceed a period greater than five consecutive hours. Operators shall move the mobile food vendor truck or trailer to a different block face after the five hour duration has expired.

3.4 Locations

- a) Mobile food vendors shall not be operated within:
 - i) 20 metres (measured from the nearest edge of the mobile food truck to the property line) of an existing permanent food service establishment in all permitted locations;
 - ii) 30 metres of any primary or secondary school unless with permission for a special event;
 - iii) 20 meters of a park concession;
 - iv) 150 metres of a special event or festival, except where written permission from the event coordinator has been obtained and submitted to the City prior to commencement of the special event or festival; and
 - v) 10 meters of any intersection or crosswalk, and within 10 metres of any bus stop.
- b) Additionally to section 3.4 a), food trailers are not permitted to operate at on-street locations, including public on-street parking spaces.
- c) Only confectionary trucks shall operate within residential zoning districts and streets adjacent to residential zoning districts.
 - i) Confectionary trucks may operate in these areas for no more than 15 minutes, after which they must re-locate to an area at least one block away.
- d) Vending at one on-street location shall not exceed a period greater than five consecutive hours. Vendors shall move the food truck or confectionary truck to a different block face after the five hour duration has expired.

- e) Mobile food vendors shall not operate in angle, nose-in parking stalls or loading zones at any time.
- f) Mobile food vendors shall not block access to alleyways, driveways, fire hydrants or loading zones.
- g) No more than two mobile food vendors shall operate per block face at any given time.

3.5 Hours of Operation

- a) A mobile food vendor may remain parked, whether operating or not, at one on-street location for a maximum five consecutive hours. Upon expiration of the initial five-hour period, the mobile food truck shall relocate to different block face.

3.6 Legislation

- a) Vendors must abide by all laws and regulations, bylaws, and resolutions governing the mobile food truck operation and pertaining to traffic and the use of streets.

3.7 Contraventions

- a) Suspension or revocation of the business license may result if the vendor fails to meet one or more of the requirements outlined in this policy, or other laws, regulations or Bylaws.

4.0 **RESPONSIBILITIES**

4.1 Development Officer

- a) Review all food truck business license applications and approve or deny a business license.
- b) Use discretion and the definitions set out in section 2.0 of this bylaw to categorize the approved business as either a food truck or a confectionary truck.

4.2 Bylaw Officer

- a) Ensure all food trucks operating within the City of Warman are licensed and are operating in accordance with this policy as well Bylaw 2012-18 known as the Business Bylaw.