



# MOBILE FOOD DISPENSING VEHICLES

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FOOD TRUCKS

# FLORIDA STATUTES SECTION 509.102

Preemption in which a municipality, county or other local governmental entity may not require a separate license, registration, permit or fee from MFDVs and may not prohibit MFDVs from operating within the entirety of the jurisdiction



# EXISTING REGULATION

The City currently allows street vendors. Street Vendors - a person who sells or offers for sale any goods, services or merchandise from a location other than a permanent structure located in a commercially zoned area.

(Article VI)





# DRAFT AMENDMENT

- Defining Mobile Food Dispensing Vehicle (MFDV)
- Regulating the operation of Mobile Food Dispensing Vehicle (MFDV) within City limits
- Deleting Section 22-190
- Location Standards
- Safety
- Exemptions
- Enforcement



# DEFINING MOBILE FOOD DISPENSING VEHICLE (MFDV)

- A vehicle that is a public food service establishment and is self-propelled or otherwise moveable from place to place and includes self-contained utilities, regulated by the Department of Business and Professional Regulation (DBPR) requiring a mobile food vendor license subject to F.S. Section 509.102, and in compliance with Section 22-191 of the City Code. Mobile Food Dispensing Vehicles are stationary for periods greater than 10 minutes while foodstuffs are prepared, served and/or sold.



# PROPOSED REGULATIONS



## DOCUMENTATION

- The Department of Business and Professional Regulation (DBPR) mobile food dispensing vehicle license.
- A completed fire safety inspection report performed by a fire department within Volusia County.
- A notarized authorization of owner permitting the operations of a food truck on an eligible private property.
- Licenses associated with alcohol sale (if applicable)



## SITE PLAN

- A site plan at least a scale of 1" = 100' depicting the location of the truck in relation to all on-site improvements including buildings, drive aisles, parking places, pedestrian facilities, etc.
- The site plan shall depict all property boundaries, parking on site, driveway cuts, buildings and improvements.
- basis for the site plan can be a scaled aerial photo downloaded from the internet.





## FOOD SAFETY

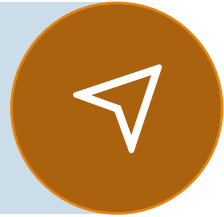


In order to provide a high level of food safety, the Vendor shall provide a menu of food being sold or a list of food stuffs being sold.



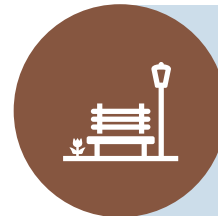
# LOCATION STANDARDS

## ZONING



- Existing, active commercial use in the C-1, C-2, or C-3 zoning districts.
- Vacant, undeveloped lots/parcels or non-active commercial use areas are not eligible.
- Commercially zoned properties used principally for residential are not eligible.
- MPUD, BPUD and IPUD zoned and commercially/industrially developed properties if a food truck is listed as a permitted use within the associated Development Agreement.
- Actively used and developed house of worship properties, regardless of zoning classification.

- Mobile food dispensing vehicles must be placed on a paved surface only.
- Shall not be located within any public right-of-way or obstruct any drive aisle, driveway throat, or cross access area associated with any parking facility, or obstruct any sight triangle, or be situated in an unsafe manner.
- May not be located at eligible facilities where parking is not adequate to serve the business facility as per the Land Development Code.
- May not occupy, obstruct/impede access to any handicapped parking stalls.
- Mobile food dispensing vehicles may not set up tents, chairs or tables.



## MFDV PARKING STANDARDS





# FIRE SAFETY



- Shall be not less than 10 feet from all buildings.
- Shall be not less than 10 feet from all other vehicles.
- Shall be not less than 10 feet from combustible materials.



- Access to fire lanes and/or fire prevention devices shall be maintained.
- L/P gas and generator storage and use shall be consistent with the Florida Fire Prevention Code.



- The location and/or operation of a mobile food dispensing vehicles inconsistent with any of the above provisions shall be enforced as per City Code.



# HAZARDS

Mobile Food Dispensing Vehicles shall not be associated with any hazardous or unsafe condition and shall not produce excess noise, vibration, electronic interference, excess heat or glare, electronic interference, etc. Noise levels from any generator must not exceed manufacture specifications.



# ADDITIONAL REGULATIONS



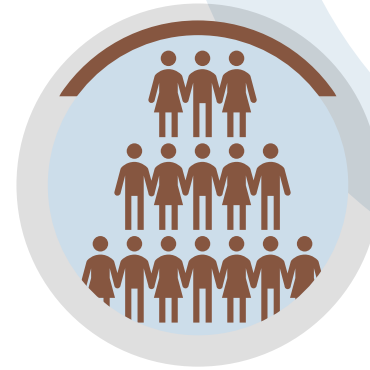
## DURATION

Hours of operation are limited to 8:00 am to 10:00 pm



## QUANTITY

- No more than one mobile food dispensing vehicles may operate on a property under unified ownership that is five (5) developed acres in size or less.
- Property over five (5) developed acres will be eligible for no more than two food trucks.



## BUSINESSES FTE

Businesses with 100 or more full time equivalent (FTE) employees per eight (8) hour shift, at a single, developed commercial or industrially used/zoned parcel, may have multiple food dispensing vehicles.



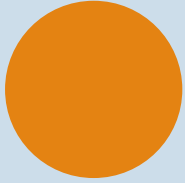
# MFDV ADVERTISING

- Limited to identifying copy depicted on a single vehicle or trailer engaged in the mobile vending activity. No signs, banners, flags, sandwich boards, or similar will be allowed in any City right-of-way or on private property - including all prohibited signs under Article 1, Chapter 102, Section 102-10.
- In no cases shall people hold signs, merchandise or attempt to advertise for a mobile food dispensing vehicle within the public right of way.
- No other attention getting devices such as lighting beyond normal illumination, music, noise or scintillating lights or material shall be used in conjunction with any mobile food dispensing vehicle.



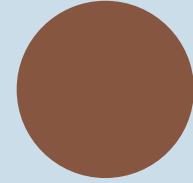


# MFDV REGULATIONS



## EXEMPTIONS

Any MFDV operating under an approved special event permit shall operate under the terms of the special event permit including date, hours of operation, location, and compliance with all codes as applicable.



## ENFORCEMENT

Any MFDV operating in non-compliance of any of the provisions of this section will be required to immediately cease all operations and leave the location.

Refusal to comply will result in a citation in the amount of no less than \$500.00 per infraction issued to the landowner and the City will bring forward a code compliance case against the underlying landowner with the intent of collecting the fine in accordance with City Code Compliance enforcement procedure.





# QUESTIONS

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