

**RULES PERTAINING TO
MOBILE FOOD SERVICE ESTABLISHMENTS AND MOBILE FOOD VENDORS**

Revised by the Board of Selectmen on September 22, 2014

Effective on September 23, 2014

Authority:

In accordance with Chapter 11, Article III, Section 11-52 of the Town of Madison Code of Ordinances, the Board of Selectmen hereby establishes the following rules applicable to peddlers that operate mobile food service establishments (hereby defined as mobile food vendors) operating within the Town of Madison.

Definitions:

Mobile Food Service Establishment: A self-contained food service operation, located in a vehicle or a movable stand, self or otherwise propelled, used to store, prepare, display or serve food.

Mobile Food Vendor: A person operating a mobile food service establishment.

License Requirement:

Any person engaging in the business of a mobile food service establishment shall be licensed in accordance with Chapter 11, Article III of the Town of Madison Code of Ordinances. A copy of such license shall be conspicuously displayed on the vehicle or stand utilized by the mobile food vendor.

General Requirements:

1. Adequate provisions shall be made to collect, store and dispose of, without nuisance, all used containers, wrappings and other disposables connected with the operation, and all other wastes or waste materials.
2. Generators, if utilized, shall be maintained in good working order and shall be shielded in a manner to effectively reduce noise levels emitted by their use.

Operating From the School Street and Academy Street Mobile Food Vending Areas:

The north side of School Street and the western side of Academy Street are hereby designated as preferred mobile food vending areas. A mobile food vendor may park and operate from the portions of School Street and Academy Street specifically delineated for mobile food vending in accordance with the following rules:

1. A mobile food vendor operating from the School Street and Academy Street mobile food vending areas shall, in addition to the required license fee, pay a parking fee of five-hundred dollars (\$500) annually.
2. The mobile food vendor shall be required to park at either of the specific locations defined below:
 - a) The north side of the School Street parking lot positioned between Academy Street on the east and Island Avenue on the west and further identified as containing thirteen (13) parking spaces; or
 - b) The western side of Academy Street within the area defined by “the shadow” of the Academy School building (i.e. between the northern and southern exterior walls of the building).
3. The mobile food vendor shall park so the vending window faces west towards the Academy School building. The vending window may not face School Street or Academy Street.
4. Spots within the designated mobile food vending area may be secured on a first-come, first-serve basis by the mobile food vendors. Once the designated mobile food vending area is full, mobile food vendors shall be prohibited from parking elsewhere along either School Street or Academy Street.
5. Permitted hours of operation shall be between the hours of 8:00am and 8:00pm, seven (7) days per week.
6. Mobile food vendors shall be prohibited from operating from the mobile food vending areas on Memorial Day, High School graduation, and July 4th. Further, the Board of Selectmen reserves the right to establish additional “blackout dates” or time periods for which mobile food service establishments are prohibited from operating from either location.
7. No tents, dining tables, or seating shall be permitted to be set up in conjunction with the mobile food service establishment. One (1) ancillary table may be located within five (5) feet of the vehicle or stand for the purpose of dispensing napkins, utensils, plates, or similar items but shall not be used for seating or dining purposes.
8. No additional signage shall be displayed other than that which is painted on or permanently affixed to the truck or trailer.

Operating From Other Public Right-Of-Ways:

A mobile food service establishment may park and operate from other public right-of-ways in accordance with the following rules:

1. The mobile food vendor shall be required to park in a location, and in such a manner, that travel upon the public street, vehicular access to any driveway, the view of drivers, or lawful movement of vehicles and pedestrians on the public street is not impeded.
2. The mobile food vendor shall only be permitted to operate from any single location within the public right-of-way for a period of time not to exceed one hour in duration. For the purposes of complying with this requirement, a mobile food vendor shall be deemed to have changed location when they have relocated at least a half-mile away from the prior location and may not return to the prior location any sooner than one hour after departure.

Operating From Private Property:

A mobile food vendor may park and operate from private property in accordance with the following rules:

1. The owner of the property shall sign the Vendor Permit Application.
2. The Zoning Enforcement Officer shall sign the application indicating that prior approval for operating a mobile food service establishment has been granted by the Planning & Zoning Commission for the specific location.
3. The Planning & Zoning Commission may establish conditions of approval for mobile food service establishments operating on private property. Any such conditions shall be noted on the Vendor Permit Application by the Zoning Enforcement Officer at the time of approval.

Operating in Conjunction with Town-Sponsored Athletic Events:

Mobile food vendors shall be permitted to park and operate from Town-owned property in conjunction with town-sponsored athletic events; however, mobile food vendors shall be excluded from parking at the Surf Club when the concession stand is in operation.

Exceptions for Special Events and Private Parties:

Mobile food vendors operating in conjunction with a special event or private party, as opposed to vending to the general public, shall not be required to adhere to the standards outlined herein; however, such vendors shall comply with any other relevant rules and regulations that may be applicable.

Violations:

Any person who violates the provision of these rules will be subject to the penalties set forth in Chapter 11, Article III, Section 11-53 of the Town of Madison Code of Ordinances. Further, the Board of Selectmen reserves the right to revoke a license issued to any mobile food vendor, if in the opinion of the Board, revocation of the license is required in order to protect the public safety and welfare of the community.