

CHAPTER 6: OTHER BUSINESS REGULATION AND LICENSING

6.22 Food Wagons

Subd 1. Purpose

The purpose of this section is to regulate the operations of "Food Wagons" within the City of Hallock.

Subd 2. Definition

Food Wagon shall be defined as any vehicle, stand, or device used for the purpose of selling food and/or drink ready to be consumed while parked on private property, public property, or right of way.

Subd 3. License Required

It is unlawful for any person to operate a Food Wagon without a license from the City. Operations meeting the definition of a Food Wagon and operating under a valid Food Wagon license do not need a peddler's license under Chapter 6, Section 6.20 of the City Code.

Subd 4. License Issuance Fee and Display

Licenses, including number and dates for which issued, shall be plainly visible on the outside of the food wagon. Licenses may be issued on an annual or per event basis. Applications shall be submitted on the form prescribed by the City.

Subd 5. Indemnification

Before a food wagon license is issued by the City, the licensee shall execute and deliver to the City Administrator, on a form prescribed by the City, an Indemnification Agreement holding the City harmless for any personal injury or property damage resulting from operation of the food wagon.

Subd 6. Restrictions

- A. Food wagons shall be allowed only at approved locations within the City and shall not travel from point to point around the City, unless specifically authorized to do so by Council action.
- B. No food wagon shall be allowed to dispense food on public property when there is a permit issued for another food or similar wagon in association with an organized and permitted event, festival, celebration or tournament at the same location, except when multiple permits are expressly issued by Council action.
- C. A person operating a food wagon may apply for and receive an annual license for different sites in the City at various times throughout the license period, provided that the food wagon is only operating in one site at a time and provided that the operator notifies the City Administrator's office of the location of the food wagon in advance of each specific time that food is sold from the wagon.
- D. The food wagon can operate no more than 15 days annually within city limits unless it is operated at the site of and in conjunction with a permanent food business licensed under MN Statutes, Chapter 157, Chapter 28A, or successor statutes as renumbered or revised.

Subd 7. Food Wagon Regulations

- A. No food shall be sold except directly from the food wagon.

- B. Radios and other audio devices shall be permitted only inside the food wagon. No music or noise shall be permitted that is audible 30 feet from the food wagon. No amplification device shall be permitted on the exterior of any food wagon.
- C. Food wagon sales shall be permitted only between the hours of sunrise and 10 pm, unless the City Council gives express permission to deviate from these hours.
- D. Food Wagons are prohibited from using utilities without obtaining permission from the property owner or agent. Cabling, hoses, and other instruments used to obtain utility service must be maintained in such a way to maintain the protection and safety of the public. Generators must be self-contained and screened from view.
- E. Food wagon owners shall clean up around their food wagon at the end of each business day.
- F. All food wagons shall be kept in good repair and order and shall have a neat appearance.
- G. There shall be no drainage of liquids allowed from the food wagon onto public property.
- H. No license shall be issued to any food wagon until proof of any appropriate and necessary licensures by the State of Minnesota is provided.
- I. Violation of this ordinance is considered a Misdemeanor under Chapter 6, Section 99 of the City Code.

Subd 8. Forfeiture and Revocation

A food wagon license may be revoked or forfeited for violation of any of the provisions of this Section or any other violation of the City Code or other applicable laws and regulations. Food Wagon licenses are not transferrable.

Subd 9. Council Discretion

At all time the City Council for the City of Hallock shall maintain sole and exclusive authority for issuance of a permit under this section. The City Council may consider past performance and past adherence to the regulations as promulgated in this section when considering a permit application.

Subd 10. Effective Date

This ordinance becomes effective upon passage and publication in the official newspaper.

Passed by the City Council of Hallock on March 4, 2019.

Approved:

Attested:



Dave Treumer, Mayor



Angela Grafstrom, City Administrator