

ORDINANCE

PURPOSE:

To amend the Ascension Parish Code of Ordinances, Chapter 15 – Parks and Recreation, Article I – In General, Section 15-3. – Mobile food units (food trucks) in Ascension Parish Parks, to provide for the operation and fees for the use of the Ascension Parish Government Parks or Ascension Parish Food Truck Court by a Food Truck and Trailer Vendor.

WHEREAS, the Parish of Ascension desires to implement rules, regulations and fees for the use of Ascension Parish Government Parks or Ascension Parish Food Truck Court by a Food Truck and Trailer Vendor.

NOW THEREFORE, BE IT ORDAINED by the Ascension Parish Governing Authority of the Parish of Ascension, State of Louisiana, that Chapter 15 – Parks and Recreation, Article I – In General, Section 15-3. – Mobile food units (food trucks) in Ascension Parish Parks be amended and supplemented as further described in Exhibit A attached hereto and made a part hereof:

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby and henceforth repealed.

SEVERABILITY: If any provision of this Ordinance is held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provisions, and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall be in full effect as permitted by law.

This ordinance having been submitted to a vote, the vote thereon was as follows:

Yeas: Oliver Joseph, Joel Robert, Travis Turner, Brett Arceneaux, Todd Varnado, Blaine Petite,
Brian Hillensbeck, Pam Alonso, Dennis Cullen, Tia Starr

Nays: None

Not Voting: None

Absent: Chase Melancon

And this ordinance was passed on this 6th day of March, 2025.

/s/ Cinnamon McKey
Secretary

/s/ Clint Cointment
President

(Deletions are in ~~strikethrough~~, additions are underlined.)

Exhibit A

Sec. 15-3. Mobile Food Units (Food Trucks) in Ascension Parish Parks.

(a) *Definitions.*

- (1) *Mobile Food Unit (Food Truck).* Food establishment which is on wheels, mobile and self-propelled as a licensed and operable vehicle or trailer which is enclosed and self-contained, independent with respect to water, sewer, power utilities, that contains equipment for the preparation and sale or service of food or beverages with or without charge which are designed for immediate consumption. This includes the sale of both prepared and pre-packaged foods (examples are food trucks, ice cream trucks, and mobile snowball stands).
- (2) *Mobile Food Unit Permit.* Written authorization from the Ascension Parish Recreation Department to operate a food truck or mobile food unit in Ascension Parish Parks.
- (3) *Operate.* To offer for sale food and beverage items from a mobile food unit to the general public for immediate consumption in designated areas; it does not mean either loading or unloading food or beverage items in bulk or other materials.
- (4) *Mobile Food Unit Vendor.* The registered owner of a mobile food unit or the owner's designated agent who holds a mobile food unit permit.
- (5) *Permittee.* The person who has been issued a mobile food unit permit by the Parish

(b) *Permit Required.* No person may operate a mobile food unit in an Ascension Parish Park without a mobile food unit permit as provided herein.

(c) *Application to Obtain a Permit.*

- (1) An application for a mobile food unit shall be filed with the Ascension Parish Recreation Department.
- (2) The permit shall require the permittee to assume all legal liability and pay on behalf of the Parish all sums which the Parish shall be obligated to pay by reason of any liability imposed upon the Parish for claims or damages of any kind resulting from use of public property, whether sustained by any person or persons, caused by accident or otherwise and the permittee shall defend at its own expense and on behalf of the Parish any claim against the Parish arising out of the use of public property.
- (3) The permit shall require the permittee to obtain insurance in an amount determined by the Parish.
- (4) The Parish may limit the number of mobile food unit permits granted.
- (5) Permits shall be issued for a period up to one (1) calendar year.
- (6) The permittee shall not offer tobacco or alcoholic beverages for sale.
- (7) The sale, transfer, or assignment of a permit is expressly prohibited.

(d) *Mobile Food Unit Permit Issuance and Fees.*

- (1) Prior to any Mobile Food Unit Permit being issued under the provisions of this ordinance, the Applicant shall have all applicable State permits and licenses and shall pay the required fee.
- (2) The operator of each Mobile Food Unit is required to obtain a Mobile food Unit permit for each operating Mobile Food Unit.

- (3) A permit shall remain in effect until December 31st of the year of issuance.
- (4) ~~The Ascension Parish Recreation Department shall note on the permit the time period for which it is effective. Upon the filing of the application, payment of the fee, and compliance with all requirements for a Mobile Food Unit Permit, the Parish shall issue a permit which shall authorize the permittee to do business for the time period for which it is effective. The permit shall be visibly posted on the Mobile Food Unit.~~
- (5) ~~The annual fee for a mobile food unit permit shall be set by Ordinance of the Parish Council~~
- (6) ~~The annual fee for a mobile food unit permit shall be \$100 per calendar year.~~
- (e) *Location of Mobile Food Vendor Operations.*
 - (1) *Permitted Locations.* Mobile food unit vendors may operate in designated areas within Ascension Parish Government Parks.
 - (2) *Prohibited Locations.*
 - a. ~~The mobile food unit permit does not apply to Veteran's Park, City of Donaldsonville, Town of Sorrento or City of Gonzales parks.~~
 - b. ~~Mobile food unit vendors shall not park or operate in a manner which prohibits others from parking in spaces or areas outside of the designated area.~~
 - c. ~~Mobile food vendors shall not locate or operate within fifteen (15) feet of any driveway or other main entrance to a building~~
 - d. ~~Mobile food vendors shall not block access to or use of, any public bench or any public utility pole or set up any chairs or tables on the public right-of-way~~
 - e. ~~Mobile food vendors shall not locate or operate within an area closed or not accessible due to an emergency~~
- (f) *Rules of Operation.*
 - (1) ~~The Mobile Food Vendor permittee shall display their permit at all times in a conspicuous place where it can be read by the general public on the mobile food unit.~~
 - (2) ~~Mobile food vendors shall maintain a clean space surrounding their mobile food unit and shall pick up all garbage left by their customers. Mobile food vendors shall be responsible for providing one private trash bin for public use with capacity of no less than 30 gallons and shall remove all refuse within 25 feet of the food truck.~~
 - (3) ~~Mobile food vendors shall not sell directly in front of any main entrance to an adjacent business.~~
 - (4) ~~No mobile food vendor shall sell food or beverages outside of park operating hours, typically dawn to dusk, without permission from the Ascension Parish Recreation Department for special events (examples are Parish sponsored tournaments and community events).~~
 - (5) ~~The mobile food vendor shall provide an accessible counter height to serve persons with disabilities or shall provide equal access to goods and services by modifications in policies, practices, and procedures; provision of auxiliary aids; and removal of barriers.~~
 - (6) ~~Mobile food units shall park in designated areas of the park as established on parking map provided by Recreation Department. Mobile food units shall park in a parallel manner within two (2) parallel or three (3) diagonal parking spaces.~~
 - (7) ~~All mobile food vendor operations shall be self-contained and shall not have access to Parish water, sewer, electrical or other utilities for operation.~~

- (8) ~~In addition to the mobile food unit permit, mobile food unit vendors will receive Approved Vendor signs to more easily identify permitted units. These signs shall be displayed prominently by the mobile food unit.~~
- (g) ~~*Health and Sanitation Requirements.* Mobile Food Vendors shall comply with the minimum public health and safety requirements as made and enforced by the Louisiana Department of Health.~~
- (h) ~~*Liability and Insurance.*~~
- (1) ~~Before any mobile vendor permit is granted, the Applicant shall sign a statement holding harmless the Parish, its officers and employees, for any claims for damages to property or injury to persons with may occur in connection with any activity carried on pursuant to any activities associated with mobile food vending.~~
- (2) ~~All Applicants shall furnish and maintain a policy of insurance protecting the Applicant and the Parish from all claims for damage to property or bodily injury, including death, which may arise from activities associated with mobile food vending. The insurance policy shall list or endorse the Parish as additional insured and carry minimum liability limits of at least \$1,000,000 per occurrence. The endorsement shall provide that the policy shall not be terminated or cancelled prior to the termination of the mobile food unit permit without 30 days written notice to the Parish.~~
- (3) ~~Any permit for mobile food vending shall be deemed void in the absence of a current insurance policy meeting the above criteria.~~
- (i) ~~*Revocation/Suspension.* Any permit issued under the provisions of this ordinance may be revoked for violation of any provision of this Code, State law or Parish ordinance by the Ascension Parish Recreation Department or designee. Upon the revocation, the permit shall immediately be surrendered, and failure to do so shall be a violation of this ordinance. In addition, the Ascension Parish Sheriff's Office is authorized to suspend a permit at any time in the event of prohibited conduct by a mobile food vendor. The mobile food vendor shall be provided an opportunity to remove the suspension following a meeting with the Director of Recreation and Sheriff's Office designee following the suspension.~~

(a) Regulations.

- (1) All regulations per section Chapter 13, Article XV of the Code of Ordinances shall be adhered to.

(b) Location of Mobile Food Vendor Operations.

- (1) *Permitted Locations.* Mobile food unit vendors may operate in designated areas within Ascension Parish Government Parks or in the Ascension Parish Food Truck Court.

(c) Rules of Operation.

- (1) The Mobile Food Vendor permittee shall display their permit at all times in a conspicuous place where it can be read by the general public on the mobile food unit.
- (2) Mobile food vendors shall maintain a clean space surrounding their mobile food unit and shall pick up all garbage left by their customers. Mobile food vendors shall be

responsible for providing one private trash bin for public use with capacity of no less than 30 gallons and shall remove all refuse within 25 feet of the food truck.

(3) Mobile food vendors shall not sell directly in front of any main entrance to an adjacent business.

(4) No mobile food vendor shall sell food or beverages outside of park operating hours, typically dawn to dusk, without permission from the Ascension Parish Recreation Department for special events (examples are Parish sponsored tournaments and community events).

(5) The mobile food vendor shall provide an accessible counter height to serve persons with disabilities or shall provide equal access to goods and services by modifications in policies, practices, and procedures; provision of auxiliary aids; and removal of barriers.

(6) Mobile food units shall park in designated areas of the park as established on parking map provided by Recreation Department. Mobile food units shall park in a parallel manner within two (2) parallel or three (3) diagonal parking spaces.

(7) All mobile food vendor operations within Parish Parks shall be self-contained and shall not have access Parish water, sewer, electrical or other utilities for operation.

(8) In addition to the mobile food unit permit, mobile food unit vendors will receive Approved Vendor signs to more easily identify permitted units. These signs shall be displayed prominently by the mobile food unit.

(d) Fees

(1) The Recreation Department shall charge a minimum of \$100 per month in 3 month increments or \$1,000 for a full calendar year for a food truck or trailer that wants to operate within one of the Parish Parks

(2) The Recreation Department shall charge a minimum of \$750 per month in 3 month increments for a food truck or trailer what wants to operate within our Ascension Parish Food Truck Court.