

Ordinance No. 2023-18

Be It Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 82 - Peddlers and Solicitors, Article IV - Mobile Food Vehicles, Sections 82-162, 82-163(b), and 82-164(n) and (o) regarding food truck requirements, be amended as follows.

Sec. 82-162. Scope.

The provisions of this article apply to mobile food vehicles engaged in the business of cooking, preparing and distributing food or beverages with or without charge upon or in public and private restricted spaces. This article does not apply to a religious, charitable or non-profit organization of which supplies food or beverages without charge. vehicles which dispense food and that move from place to place and are stationary in the same location for no more than 15 minutes at a time, such as ice cream trucks, or food vending pushcarts, harnesses, and stands located on sidewalks.

Sec. 82-163. License required.

(b) A person desiring to operate a mobile food vehicle shall make written application for such license to the city clerk. The application for a license shall be on forms provided by the city clerk and shall include the following:

(1) Name, signature, phone number, email contact and business address of the applicant.

(2) A description of the preparation methods of food product offered for sale, including the intended menu.

(3) Information on the mobile food vehicle, including the year, make and model of the vehicle and dimensions, which shall not exceed 36 feet in length or nine feet in width.

(4) Information setting forth the proposed hours of operation, plans for power access, water supply and wastewater disposal.

(5) Copies of all necessary licenses or permits required by the county health department.

(6) Insurance coverage:

a. Proof of general comprehensive liability insurance with limits no less than \$1,000,000.00 combined single limit coverage issued by an insurer licensed to do business in this state and which names the city as an additional insured.

b. Proof of a public liability and property damage motor vehicle policy with limits of no less than \$1,000,000.00 issued by an insurer licensed to do business in this state.

Sec. 82-164. Regulations.

(i) Mobile food vehicles shall be parked in conformance with all applicable parking restrictions and shall not hinder the lawful parking or operation of other vehicles. Food trucks are prohibited in public alleys.

(n) Any power required for the mobile food vehicle located on a public right-of-way shall be self-contained, or a mobile food vehicle shall obtain permission from the city to use utilities drawn from the public right-of-way and by paying an additional fee as set by the city's fee schedule. Mobile food vehicles on private property may use electrical power from the property being occupied or an adjacent property, but only when the property owner provides written consent to do so. All power sources must be self-contained. No power cable or equipment shall be extended at or across any city street, alley or sidewalk.

(o) Mobile food vehicles shall not be parked adjacent to an existing brick-and-mortar restaurant during the hours when such restaurant is open to the public for business without written approval from such owners and submitted to the city clerk.

All other sections remain unchanged.

A motion was made by Commissioner Clements, seconded by Commissioner Girard to adopt Ordinance No. 2023-18.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Burney, Brunner, Hilliker, Girard, Niedzwiecki, Clements, Morris, 9.

No, None.

Kathleen L. Newsham, Mayor

Tema J. Lucero, City Clerk

