

CHAPTER 8. BUSINESS REGULATION
ARTICLE II. LICENSING REQUIREMENTS
DIVISION 6. MOBILE FOOD UNITS

Sec. 8-166. Definitions.

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ice cream vending unit means a motor vehicle containing a commercial freezer from which a vendor sells or gives away frozen food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, and similar desserts, whether prepackaged, prepared, or prepared on-site. Such frozen food products are typically sold on city streets at intermittent locations.

Mobile food unit means a food and beverage establishment that is a vehicle-mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location.

(Ord. No. 20-0-004; 10-19-2020)

Sec. 8-167. Applicability.

(a) The provisions of this division shall apply to mobile *food* units engaged in the business of preparing, cooking and distributing food prepared on-site with or without charge from mobile *food* units on or in city-owned or private property within the City of Bremen, and any individual engaged in the operation of a mobile food unit.

(b) This division shall not apply to an ice cream vending unit so long as the unit is stationary in the same location for no more than 15 minutes at a time. An ice cream vending unit may sell or attempt to sell any item from an ice cream vending unit only on streets where the speed limit is 35 miles per hour or less. An ice cream vending unit shall not stop within 20 feet of an intersection or double park when attempting or making a sale.

(c) This division shall not apply to mobile food units operating in conjunction with a private party or event, in any district, where there are no retail sales or distribution to the general public.

(Ord. No. 20-0-004; 10-19-2020)

Sec. 8-168. Mobile food unit permit.

(a) No mobile food unit may be operated on city owned or private property within the City of Bremen without the mobile food unit owner or his/her designee having first been issued a permit pursuant to this section. Mobile food units are only allowed on non-residentially zoned.

(b) A permit allows the permittee to operate at a single, designated location only. An applicant may apply for more than one permit.

(c) Applicants for a permit authorizing a mobile food unit to operate on private property must provide:

(1) An occupation tax certificate issued by the City of Bremen.

(2) Depending on the location of set-up of the mobile unit, a valid food service permit from either the Carroll County or the Haralson County Board of Health stating the mobile food unit meets all applicable standards. A valid food service permit must be maintained for the duration of the business permit. If the mobile food service unit operates out of locations in both Carroll and Haralson Counties, then a valid food service permit shall be required from the Board of Health for each County, unless the Board of Health for one county agrees to accept the validation of the Board of Health of the other county as to the mobile food service operator.

(3) Written permission from the owner(s) or authorized agent of the owner of the private property upon which the permittee will operate.

(4) A sketch, subject to the approval of the Codes Enforcement Officer or designee of the property on which the mobile unit will set up its operation, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the mobile food unit, distance from property lines, garbage receptacles and any other feature associated with the mobile food unit.

(d) A mobile food unit permit is valid for one year from the date of issuance.

(e) A mobile food unit permit must be displayed in the unit along with the required occupation tax certificate and *food* service permit.

(Ord. No. 20-0-004; 10-19-2020)

Sec. 8-169. Placement and operation of mobile food units.

(a) A mobile *food* unit operator shall not:

(1) Sell anything other than food and non-alcoholic beverages and items incidental to the product and its consumption;

(2) Set up more than one covered ten-foot by ten-foot area to provide condiments to patrons;

(3) Play any music, sound effect or noise that is intended to attract attention to the food service unit and generally audible outside of the vehicle;

(4) Place or utilize any signage that is not permanently affixed to the mobile food unit;

(5) Occupy any minimum required parking spaces or obstruct fire lanes or access for emergency equipment;

(6) Fail to provide receptacles and properly dispose of all trash, refuse, compost and garbage that is generated by the use;

(7) Cause any liquid wastes to be discharged from the mobile food unit;

(8) Locate a mobile food unit within 30 feet of the right of way of a public street, within 100 feet of a single-family residential use as measured from its property line, or on the same property as an existing restaurant unless the owner of that restaurant owns the mobile food unit or has provided written consent.

(b) Mobile food units shall comply with the NFPA recommended checklist for food truck safety and all local requirements of the City of Bremen Fire Department.

(c) The following are requirements for the City of Bremen Fire Department. Each mobile food unit shall be checked for compliance at licensing and may be inspected annually.

(1) A fire extinguishing system designed for cooking operations shall be installed in accordance with NFPA 17A and UL 300 to cover cooking equipment which requires a mechanical exhaust ventilation system. The extinguishing system shall be serviced and tagged by a state licensed fire extinguisher business every six months.

(2) Mechanical exhaust ventilation system equipment shall be provided over all cooking equipment as required to affectively remove cooking odors, smoke, steam, grease, heat and vapors.

(3) All mechanical exhaust ventilation equipment shall be commercial and installed and maintained in accordance with NFPA 96 120-3-3 and any adopted local fire and/or building codes.

(4) A fire extinguisher is required for protecting Class ABC hazards and shall have at least one 2A20BC extinguisher mounted in an accessible location. The ABC extinguisher shall be serviced and tagged by a state licensed fire extinguisher business every 12 months or within two months of an application for an annual permit.

(5) A fire extinguisher is required for combating grease fires and shall have at least one K-Class fire extinguisher mounted in an accessible location. The K-Class extinguisher shall be serviced and tagged by a state licensed fire extinguisher business every 12 months or within two months of an application for an annual permit.

(6) "NO SMOKING" signs shall be posted.

(7) If a flammable gas tank is used inside the vehicle, there must be at least two ventilation openings venting to the outside. One located near the cylinder valve and one must be located at floor level.

(8) Tanks must be properly secured to a rigid structure.

(9) All supply hose for the tank shall be rubber, located off the floor, protected from physical damage and stamped "APPROVED FOR LP GAS" or "APPROVED FOR NATURAL GAS" as is applicable.

(10) The main shut off for gas must be marked.

(11) Extension cords shall not be substituted for permanent wiring. Extension cords shall be used only with portable appliances.

(12) Ground fault circuit-interrupter protection shall be provided for receptacles located near sink or water basin

(Ord. No. 20-0-004; 10-19-2020)

Sec. 8-170. Revocation.

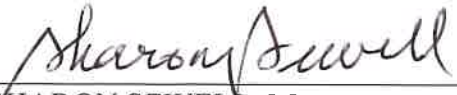
A permit may be revoked by the city manager at any time due to the failure of the permit holder to comply with any requirements of this chapter. Notice of revocation shall be made in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation to the city council.

(Ord. No. 20-0-004; 10-19-2020)

Sections 8-171---8-183 Reserved

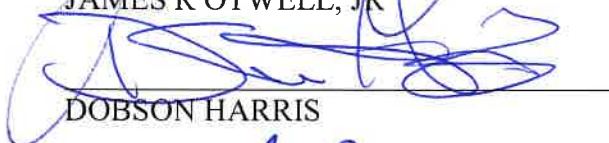
This ordinance shall become effective on the 20th day of October, 2020. Passed and adopted by the city Council for the City of Bremen, Georgia, this 19th day of October, 2020.

BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF BREMEN, GEORGIA .


SHARON SEWELL, Mayor


MEMBERS OF THE COUNCIL:

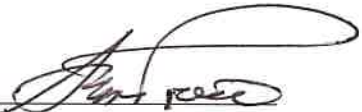

JAMES R OTWELL, JR


DOBSON HARRIS


SALLI THOMASON



JAMES LINDSEY CLAYTON

Attested: 
AMY RIDLEY, City Clerk

Approved as to form: 
SAM D. PRICE, City Attorney

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the city council, held on the 19th day of October, 2020.


Amy Ridley, City Clerk

City Seal