

ORDINANCE NO. 3413

***AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 12
OF THE THIBODAUX CITY CODE OF ORDINANCES SO AS
TO CREATE ARTICLE VI-MOBILE FOOD VENDORS***

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Chapter 12 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to create Article VI to read as follows:

Chapter 12 - Licenses

Article VI. - MOBILE FOOD VENDORS

Sec. 12-48. Purpose

The purpose of allowing mobile food vendors to operate, subject to particular regulations and limitations, is to benefit people living and working in The City of Thibodaux. This article recognizes the unique physical and operational characteristics of mobile food vending, establishes standards for mobile food vending, establishes standards for mobile vending operations, helps foster an aesthetically appealing streetscape, helps reduce potentially dangerous traffic conditions and promotes practices that intends to serve the health, safety and welfare of the public.

Sec. 12-49. Definitions

Commissary means an establishment or facility in a fixed location that is used for the storage of supplies for a mobile food service vehicle, the preparation of food to be sold or served at a mobile food service vehicle, or the cleaning or servicing of a mobile food service vehicle or the equipment used in conjunction with a mobile food service vehicle.

Designated Areas means specific locations within areas which are based upon criteria such as fixed-based restaurants, valid concerns by other businesses or private citizens, or other concerns that may be necessary to protect the rights of private citizens and land-based businesses. The City of Thibodaux retains the right to modify any issued permit to relocate a previously approved location, if the City of Thibodaux determines the original location is not suitable, with that determination to be in the sole discretion of The City of Thibodaux.

Food Truck/Trailer means a motorized vehicle designed to be portable and not permanently attached to the ground from which only prepared or pre-packaged food or beverages are peddled, vended, sold, displayed, offered for sale or given away to the general public, for on or off premise consumption. May also be referred to as a mobile vending unit.

Food Truck/Trailer Event means a coordinated and advertised gathering of more than two mobile service vehicles in one location with the intent to serve the public.

Food Truck Festival is an event where multiple food trucks gather in one location to offer a wide variety of culinary delights to attendees. These festivals create a vibrant culinary marketplace, allowing visitors to sample distinct dishes from different cuisines and cultures. They often feature live music, entertainment, and community engagement, making them a popular gathering for food enthusiasts and families alike.

Itinerant Vendors means all persons, both principals and agents, including those persons whose principal place of business is not in this State, who engage in a temporary or transient business in this State, either in one locality or traveling from place to place selling goods, wares, and merchandise from stock or by samples for future delivery, and who, for the purpose of carrying on such business, hire or occupy a temporary place of business.

Mobile Food Vendor/Operator means any person owning, operating, or permitted to operate a mobile food operation and collectively refers to all such persons.

Mobile Food Service Vehicle (Trailer) includes any portable unit that is attached to a motorized vehicle and intended for use in the operation of food vending.

Mobile Vending Cart means a non-motorized pushcart or stand designed to be portable and not permanently attached to the ground, from which prepared food and trinkets are peddled, vended, sold displayed, offered for sale, or given away to the general public, for on or off premise consumption is only allowed at Mardi Gras parades.

Operate means to sell food, non-alcoholic beverages, and other permitted items from a mobile food service vehicle.

Private Property is a legal designation for the ownership of property by non-governmental commercial entities.

Public Property refers to property owned by the government (or its agency), rather than by a private individual or a company. It belongs to the public at large.

Public Right-of-Ways means the entire strip of land lying between the property lines of the street of thoroughfare, alley, crosswalks way, or easement.

Self-Contained Food Truck/Trailer means the unit is not connected to fixed utilities (i.e. water, sewer, and electricity) and it is required to report to an approved servicing location (i.e. commissary) for food storage, as well as sewage and water disposal. Mobile retail food establishments must use a commissary approved by the Louisiana Board of Health.

Victuals means food of any kind that is prepared, packaged or in a form that is suitable for immediate ingestion or consumption by humans and shall not include any non-food items.

Sec. 12-50. Food Truck temporary use permit.

- (a) All vendors must submit a temporary use application and pay a fee of \$50.00 before operating within the City of Thibodaux limits. The temporary use permit is valid from January 1 to December 31 and must be renewed each operating year.
- (b) A mobile vendor permit may be renewed for the next 12 months provided that all applicable requirements are met, and the temporary permit is currently not suspended or has not been revoked within the preceding 12 months.
- (c) Mobile food vendor's permit provided for by this article shall be prominently displayed in a conspicuous place in the vehicle where any sale permitted by is being conducted and shall remain so displayed for so long as goods are being sold.

Sec. 12-51. Itinerant Vendor License

All vendors must submit an itinerant license application and pay a fee of \$100.00 before operating within The City of Thibodaux limits. This license will be required for public and private property. Itinerant License shall be displayed at all times. The Itinerant Vendor License is valid from January 1 to December 31, and must be renewed each operating year.

Sec. 12-52. Temporary use permit submittal documents.

- (a) Before a permit can be issued for a mobile food vendor, the following documents must be submitted:
 - (1) A menu or statement of the food and non-alcoholic beverages to be sold or offered for sale.
 - (2) Colored photo and description of the exterior front, sides, and rear of the vehicle, including license number, make, model and dimensions.
 - (3) A copy of the mobile vendor's health certificate.
 - (4) A copy of the charter if the food truck cart/truck vendor is a corporation, incorporated or a limited liability company organized under the law of Louisiana.
 - (5) Site plan may be requested.
 - (6) A copy of a valid driver's license of applicant. Applications for mobile vending carts are excluded from this requirement.

- (7) Written proof from the property owner(s), authorized agent, or representative of the mobile vendor's permission to use private property on which mobile vending unit will operate.
- (8) A copy of the certificate of insurance must be obtained and maintained at the time of application for, and throughout the period of validity of any permit issued to the applicant. The policy or policies must be in full force and effect, and must be underwritten by a carrier licensed to do business in the State of Louisiana. Such insurance coverage shall provide liability coverage of not less than \$500,000.00 for any and all claims against the applicant and/or The City of Thibodaux, or any way connected to, or associated with the vendor, or any operations, including, but not limited to bodily injuries, personal injuries and injuries to property, and name the City of Thibodaux as additional insured.
- (9) A hold harmless agreement executed by the vendor in a form approved by The City of Thibodaux
- (10) Provide a statement of where the commissary is located as well as a certificate of Louisiana Board of Health approval.
- (11) The City of Thibodaux may prescribe other such policies and procedures as to the issuance of permits as may be required to carry out the full intent and purpose of this article.

Sec. 12-53. Vehicle and location requirements.

- (a) A mobile food truck/trailer shall not be used for vending products unless the vehicle has been designed and constructed specifically for such purpose.
- (b) Food service vehicles must be licensed and equipped in accordance with requirements of state and local agencies having jurisdiction.
- (c) A food truck/trailer shall be enclosed except for doors and windows, shall be constructed of high-quality materials, and shall be kept clean and in good repair.
- (d) Only built in generators will be allowed in Food Trucks/Trailers. Portable generators will not be permitted.
- (e) All designated operating locations shall be kept clean and free of trash and debris. All mobile vendors shall be responsible for cleaning all debris and refuse generated by such operation within a 40-50 foot radius of any location upon ceasing operation. It shall be unlawful for any mobile vendor to leave any location without first picking up, removing, and properly disposing of all trash and refuse remaining at a location. A 55 gallon garbage can with bag shall be required, and be supplied by all Food Truck Vendors.

Sec. 12-54. Operating and permitted locations.

- (a) The sale of goods, wares, merchandise, or commodities of every description from locations not in permanent structures is hereby prohibited. Locations include mobile pushcarts, roadside displays, private property, temporary vans, trailers, pop-up tents, and vehicles which are mobile, unless event permitted.
- (b) Private Property
 - (1) A mobile vendor with a Special Event Permit, current temporary use permit, and itinerant vendor permit, shall be permitted to operate on private property with written permission of the property owner. A copy of written permission shall be presented to The City of Thibodaux before each event.
 - (2) Food vending operations shall be permitted as an accessory use on private property within all commercial and industrial zoning districts.
 - (3) Operation can only take place on property that has an operating primary use. Vendors will not be allowed to operate on vacant or unapproved areas.

- (4) Mobile food vendors may operate within residential subdivisions with written permission from an active and legal homeowner's association if applicable.
- (5) Any Food Truck/Trailer located on private property must be permitted and provide square footage of the location where the event is hosted. Only 1 vendor per 2,500 square feet will be allowed, providing space for patrons to remain within the permitted area and not on public right of ways.
- (6) All Food Truck/Trailers must be located no less than 40 feet from all public right of ways which include sidewalks, servitudes and streets.

(c) Public Property

- (1) Vendors shall not operate in un-designated areas on public property or public streets without prior written authorization and approval from The City of Thibodaux.
- (2) No vendor shall operate in undesignated areas.

Sec. 12-55. Hours of Operation.

- (a) Mobile vendors operating in designated areas may occupy the location one hour before the hours of operation for set up and one hour after the hours of operation for cleanup. Designated hours at specific locations will be issued to Food Truck/Trailer when application is approved.
- (b) Extended hours of operation may be granted to mobile food vendors participating in special events and festivals.
- (c) The Food Truck/Trailer shall be removed from the premises each day unless a temporary use approval is granted from The City of Thibodaux.

Sec. 12-56. Operating frequency

- (a) Mobile Food vendors are permitted only on designated property in different locations through-out the City of Thibodaux on a first come first served basis.
- (b) Food trucks/Trailers are not allowed at any fixed location. All Food Truck/Trailer must leave the location at the end of each day.

Sec. 12-57. Maximum number of mobile food vendors on a site.

Designated areas will be marked, and a map will be provided when applying for a permit.

- (a) 200 Block of Maronge St., Thibodaux, (2 locations)
- (b) 296 West 1st. St., Thibodaux, (2 locations)
- (c) 308 West. 1 St., Thibodaux, (1 location)
- (d) MLK Park, 1445 Martin Luther King Blvd., Thibodaux, (1 location)
- (e) Peltier Park, 151 Peltier Park Dr., Thibodaux, (1 location)
- (f) Midland Park, Eagle Dr. & Pelican St., Thibodaux, (1 location)
- (g) Eagle Park, 1531 Eagle Dr., Thibodaux, (1 location)
- (h) Warren J. Harang Auditorium, 310 N. Canal Blvd., Thibodaux, (1 location)
- (i) Andolsek Park, 1200 N. Canal Blvd., Thibodaux, (1 location)

Sec. 12-58. General operating standards and limitations

A. A Food Truck/Trailer shall:

- (1) Only be allowed (1) flag and/or sandwich sign per food truck/trailer.
- (2) Only operate within the vicinity of a restaurant when their hours are advertised as closed.
- (3) Be allowed to operate on property within a Special Event permitted area.

B. A Food Truck/Trailer shall not;

- (1) Sell any product from a mobile food truck at any location except in compliance with the requirements of the section.
- (2) Park, locate or operate within 300 feet from the entrance of an existing food establishment without the written consent of a food establishment.
- (3) Provide amplified music or loud speakers.
- (4) Occupy an area in excess of eight feet wide, or the width of a parking space, whichever is less, and 35 feet long, or in undesignated areas.
- (5) No verbally soliciting business from pedestrians or persons in vehicles and shall not sell to persons in vehicles.
- (6) Sell anything other than food and non-alcoholic beverages.
- (7) Place any chairs, stools, tables, fixtures, furniture, buildings, or any other construction at the service location or on any portion of a private or public street, sidewalk or right-of-way.
- (8) Be located in any area that blocks the view of traffic signals or signs, and may not be located within ten feet of any fire hydrant.
- (9) Operate within 15 feet of a private driveway, or wheelchair ramp.
- (10) Cause any grease or liquid waste to be released or discharged from the mobile food unit in storm drains, on sidewalks, or on streets. If at any time evidence of improper disposal of liquid waste or grease is discovered, the mobile vendor permit will be revoked, and the unit will be required to cease operation immediately. The operator may be issued a citation for the violation.
- (11) Fail to have the food truck/cart attended by an operator at all times.
- (12) Operate in a defective, unsafe, unsanitary condition, or operate in violation of any applicable law or regulation.
- (13) Use stakes, rods or any other method of support that must be drilled, driven or otherwise fixed into or onto asphalt, pavement, curbs, sidewalks or buildings.
- (14) Transfer a temporary use permit to another mobile food vendor.
- (15) Conduct business on a vacant or abandoned lot.
- (16) Be used for living or sleeping.

Sec. 12-59. Private Catering

A. Mobile food vendors may operate a private food and beverage catered event in accordance with the following;

- (1) The mobile food vendor must be parked entirely on private property
- (2) Service shall be limited to private guests of the catering event host only. No walk-up customers are permitted.

Sec. 12-60. Special events within residential subdivisions.

- (1) Mobile food vendors may operate a special event within residential subdivisions with written approval from a legally recognized Homeowners Association and may operate within the hours of the event.

Sec. 12-61. Suspension or revocation.

A. Permits issued under this section may be suspended or revoked by The City of Thibodaux Permits Department or authorized personnel from the City for any of the following reasons:

- (1) Authorized personnel from The City of Thibodaux may revoke a food truck and itinerant license if they determine that the vendor's operations are

violating any applicable ordinances, statutes, rules and regulations of The City of Thibodaux, Parish of Lafourche, and State of Louisiana.

- (2) Thibodaux Police Department may issue citations if it is determined that the vendor's operations are violating any applicable ordinances, statutes, rules and regulations of The City of Thibodaux.
- (3) Any food truck license will become void if the vendor's health permit has been suspended or revoked.
- (4) The City of Thibodaux is authorized to discontinue water service to property in violation of unauthorized connection to the sewer system and/or unauthorized dumping of grease into the City of Thibodaux's sewer system at public and private events.
- (5) Immediately upon such revocation, the permit to operate will be null and void.

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

YEAS: Crochet, Bimah, Naquin, Mire

NAYS: Taylor

ABSTAINED: None

ABSENT: None

And the above ordinance was declared adopted this 7 day of October 2025.

Jennifer Morvant, Council Adm.

Chad J. Mire, President