



CITY OF MARINETTE FOOD TRUCK LICENSE APPLICATION

APPLICATION FEE: \$100.00

(APPLICANT MUST COMPLY WITH ALL APPLICABLE FEDERAL, STATE & LOCAL LAWS.)

DATE OF APPLICATION: Click or tap to enter a date.

WISCONSIN SELLERS PERMIT NUMBER: Click or tap here to enter text.

APPLICANT NAME: Click or tap here to enter text.
(Last) (First) (Middle Initial)

DATE OF BIRTH: Click or tap here to enter text.

HOME ADDRESS: Click or tap here to enter text.
(Street) (City) (State)

PHONE NUMBER: Click or tap here to enter text.

PROPOSED SALES LOCATION: Click or tap here to enter text.

NATURE OF BUSINESS: Click or tap here to enter text.

VEHICLE MAKE/MODEL: Click or tap here to enter text.

LICENSE PLATE NUMBER: Click or tap here to enter text.

HAS APPLICANT EVER BEEN CONVICTED OF ANY CRIME, MISDEMEANOR OR VIOLATION OF LOCAL ORDINANCE: YES NO

IF ANSWER IS YES, NATURE OF OFFENSE: Click or tap here to enter text.

APPLICANT'S SIGNATURE:

APPROVED DENIED BY CITY OF MARINETTE POLICE CHIEF

§ 265-28. Scope.

This regulation applies to all mobile food trucks within the City of Marinette on public streets and public parks.

§ 265-29. Purpose.

To provide mobile food trucks with guidelines when desiring to provide food options within the City of Marinette.

§ 265-30. Definitions.

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

EDIBLE GOODS — Means and includes, but is not limited to:

- A. Prepackaged and prepared food, including, but not limited to, ice cream, hot dogs, desserts and pizza.
- B. On-site prepared food, including, but not limited to, shaved ice, sandwiches, and tacos.

ICE CREAM TRUCK OR VAN — Means a commercial vehicle that serves as a mobile retail outlet for ice cream, popsicles, frozen yogurt and/or other similar frozen treats usually during the summer months, where the vehicle remains stationary only as long as necessary to complete a sales transaction and in no case longer than 10 minutes, provided that the vehicle does not obstruct a normal traffic lane and is not operated in a manner which obstructs the normal flow of traffic.

MOBILE — Means the state of being in active, but not necessarily continuous movement.

MOBILE FOOD TRUCK — Is where food is served or sold from a movable vehicle, or trailer which periodically or continuously changes location.

MOBILE FOOD VENDOR — Means the registered owner of a mobile food truck or the owner's agent or employee, or any business which sells edible goods from a mobile food truck within the city.

SELL — Means the act of exchanging a good for profit or in return for a donation.

VEHICLE — Means any motor vehicle as defined by Wis. Stats. § 340.01(35) or trailer as defined by Wis. Stats. § 340.01(71). The term "vehicle" means every device in, upon, or which any person or property is or may be transported or drawn upon a highway, except railroad trains.

§ 265-31. License.

- A. Food truck license. Every mobile food vendor shall obtain an annual food truck license from the City of Marinette.
- B. Health Department approval. All mobile food trucks used for vending food shall be licensed for such use by all applicable health agencies.
- C. Fee. The fee for an annual food truck license shall be \$100.
- D. Renewal. Upon renewal of license, each applicant must provide a new application and the annual fee. If the applicant fails to submit the application and renewal fee within 30 calendar days after the expiration of the license, the applicant shall reapply as a new applicant.
- E. Transfer. A license issued under this article shall be not transferable from person to person. A license is valid for one vehicle only and shall not be transferrable between vehicles.
- F. Surrender; alteration; failure to display. On the expiration of a license issued under this article, the license holder shall surrender the license to the City Clerk. No person shall alter or change in any manner any license issued under the provisions of this article, and such alteration or the failure of the holder of the license to display the license in a conspicuous place on the mobile unit or his or her person or to exhibit the license upon demand of any officer or customer or prospective vendee shall be cause for revocation of such license.

§ 265-32. Single day permit.

Every mobile food truck vendor shall also obtain a single day permit from the City Clerk's office for use on public roads and in public parks. There is no fee for this permit.

§ 265-33. License application process.

- A. Application.
 - (1) Any person desiring to operate a mobile food truck must complete and return to the City Clerk, a registration form furnished by the City Clerk and pay the proper license fee for each mobile food truck managed by the person.
 - (2) The application shall be forwarded to the Police Department for review. If the Police Department approves the application and all other requirements are met, the Clerk shall

- issue the license to the applicant.
- B. Application denial. An applicant of a mobile food truck may be denied where:
- (1) The circumstances of a pending criminal charge against the applicant substantially relate to the licensed activity.
 - (2) The applicant has been convicted of any felony, misdemeanor or other offense, the circumstances of which substantially relate to the circumstances of the particular job or licensed activity.
 - (3) The applicant made a false statement on the application.
 - (4) The applicant is under 18 years of age.
 - (5) Any other reason provided under § 380-5.
- C. Appeal. If the license is denied, the applicant may appeal to the Personnel & License Committee.
- § 265-34. License suspension or revocation.**
A license issued under this article may be suspended or revoked by the City of Marinette Personnel & License Committee.
- § 265-35. Insurance.**
- A. Liability insurance. The license holder under this article shall have in force liability insurance for each mobile food truck.
- B. Proof of insurance. As evidence of liability insurance, the licensee shall furnish a certificate of liability insurance, for the vehicles for which licenses are sought, said certificate of liability insurance to be acceptable and approved by the City Clerk and issued by a company authorized to do business in the State of Wisconsin, indemnifying the applicant in the amount of \$50,000 for damage to property, and \$100,000 for injury to one person, and \$300,000 for injury to more than one person caused by the operation of said vehicles in the City of Marinette. The cancellation or other termination of any insurance policy issued in compliance with this section shall automatically revoke and terminate all licenses issued whenever such policy is cancelled, not renewed, or materially changed, the insurer and the licensee shall notify the City by first class mail.
- § 265-36. Sanitation requirements.**
- A. Mobile food trucks shall comply with all regulations of the state food code including, but not limited to, the time, temperature, plumbing, operation and maintenance for mobile food trucks.
- B. Mobile food trucks shall comply with all regulations of the state food code regarding preparation facilities, serving areas and operation areas.
- C. The licensees of the mobile food truck or employees thereof shall abide by the request of the city for an annual inspection of the mobile food truck at the City Clerk's Office.
- D. All mobile food units shall be cleaned and serviced as often as necessary.
- § 265-37. Conduct of business.**
- A. Regulations generally. The following regulations shall apply to mobile food trucks during the regular order of business:
- (1) A licensee shall not falsely or fraudulently misrepresent the quantity, character, or quality of any article offered for sale or offer for sale any unwholesome or tainted edible goods, nor intentionally misrepresent to any prospective customer the purpose of his or her solicitation, the name of the business of his or her principal, if any, the source of supply of the goods, ware or merchandise which he or she sells or offers for sale or the disposition of the proceeds of his or her sales.
 - (2) A licensee shall not use the license provided by the City after expiration or revocation of the license.
 - (3) A licensee shall keep the premises in a clean and sanitary condition and the edible good offered for sale well covered and protected from dirt, dust and insects. All food vendors shall comply with requirements of state and local authorities.
 - (4) A licensee may vend, sell or dispose of, or offer to sell, vend, or dispose of goods, ware or merchandise in the city between the hours of 7:00 am and 8:00 pm.
 - (5) No mobile food truck shall conduct business at a stationary location for a duration exceeding four hours per location per day. No mobile food truck shall be left unattended during operation.
 - (6) All persons conducting business on a sidewalk or terrace must maintain within 100 feet of their sales location, a clean, sanitary, and hazard-free condition, and shall not discharge any material onto the street, sidewalk, gutters or storm drain. Each person conducting business on a sidewalk or terrace under the provisions of this chapter shall carry a minimum thirty-gallon container for placement of such litter by customers or other persons.
 - (7) Food trucks operating for the purpose of selling food from the unit shall be operated by a person who has obtained a license or by the employee of the person who obtained a license under this article.
 - (8) No person may sell or vend any item upon any premises if there is place signage prohibiting the activity.
 - (9) All business activity relating to the mobile food truck in the public street right-of-way shall be conducted from the curbside of the vehicle at all times.
 - (10) No food service shall be prepared, sold or displayed outside the mobile food truck.
 - (11) No person shall provide or allow any dining area to the mobile food truck including, but not limited to, tables and chairs, booths, stools benches or stand-up counters.
 - (12) Signage may only be permitted when placed on the mobile food truck. No separate freestanding signs are permitted.
 - (13) Any special or civic event organizer desiring to hold five or more mobile food trucks on the property where the event will be held shall notify the City Clerk's Office at least 10 business days prior to the event.
- B. Vehicle regulations.
- (1) Mobile food trucks used for vending food in any public street must be designed and constructed specifically for the purpose of vending the product or products to be vended.
 - (2) Amplified music or other sounds from mobile food trucks shall comply with city noise regulations.
 - (3) All mobile food trucks shall be entirely self-contained in regard to gas, water, electricity, and equipment required for operation of the unit.
 - (4) All mobile food trucks must have a valid license plate and registration as provided by Wisconsin Statute Chapter 341.
 - (5) No mobile food truck may violate any traffic or parking statute or ordinance when stopping to make sales.
 - (6) No flashing or blinking lights or strobe lights are allowed on a mobile food truck or related signage when the truck is parked and engaged in serving customers.
 - (7) All mobile food trucks shall comply with all federal, state and local regulations regarding vehicle size requirements.
- C. Zoning restrictions.
- (1) The vendor of the mobile food truck shall not operate in a congested area where such operation impedes or inconveniences public use.
 - (2) The vendor of the mobile food truck may conduct business on any designated public street or public park.
 - (3) For City-owned locations, mobile food trucks may only park in designated signed locations specifically for mobile food trucks.
 - (4) Ice cream trucks or vans are permitted on public streets and public parks.
 - (5) Limited parking. There is limited parking in the following locations:
 - (a) Menekaunee Harbor Park.
 - (b) Stephenson Island.
 - (c) City Park.
 - (d) Marinette Recreation Center.
 - (e) Higley Field.
 - (f) Red Arrow Park.
Permits will be approved for their location on a first-come basis.
 - (6) Penalties. A licensee or vendor who violates any provision of this article or any regulation, rule or order made hereunder shall be subject to a forfeiture of not less than \$100 nor more than \$1,000 for each offense.