

COPY

**AN ORDINANCE ESTABLISHING CERTAIN STANDARDS FOR
OVERSIGHT AND PERMITTING OF MOBILE FOOD VENDORS
IN THE TOWNSHIP.**

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of the
Township of Point, Northumberland County, Pennsylvania, as follows

SECTION 1: PURPOSE AND INTENT

Point Township recognizes that the diversity of prepared food options can be enhanced by permitting mobile food vendors to serve prepared food within the Township limits. The Township further recognizes that mobile food vendors have the same responsibilities to their customers and the community as do food service establishments with fixed locations and should be required to abide by the local permitting process.

SECTION 2: DEFINITION OF MOBILE FOOD VENDOR

A readily moveable trailer or vehicle designed and equipped for the preparing, serving, and selling of food and operated at temporary locations.

SECTION 3: REQUIREMENTS FOR MOBILE FOOD VENDORS OPERATING IN THE TOWNSHIP

A. Vendors must have a current permit from the Pennsylvania Department of Agriculture, Bureau of Food Safety and Laboratory Services.

B. Vendors may operate only on private property with written permission from the property owners.

C. Vendors may operate only during daylight hours between 8 AM and 8 PM, unless the Township-issued Permit provides otherwise.

D. Mobile vending units shall be located at least 10 feet away from the nearest building, provided that a mobile vending unit may be located closer than ten feet to a building if the location has been approved in advance by the Township Fire Chief. Mobile Vending Units shall be located a minimum distance of 15 feet in all directions of a fire hydrant.

E. Vendors shall only serve walk-up customers, not customers in a motor vehicle.

F. Vendors shall not broadcast music or loud advertisements.

G. Vendors shall not provide customer seating.

H. No signage is allowed except signage affixed to the mobile vending unit identifying the vendors and menu/price information.

I. Vendor must display the Food Vendor license and Township Permit in a prominent location on the unit.

J. Only one mobile vending unit may locate on any parcel at one time.

K. Vendors must provide for adequate waste collection from their customers and remove waste from the site daily without using public waste receptacles.

L. Vendors must operate in a safe, sanitary, and non-offensive manner. Complaints of unsafe conditions, excessive waste or noise (from patrons or machinery), or other disruptive conditions to neighboring owners or occupants will be investigated and may be the cause for revoked permits

or denied permit renewal.

M. The mobile food vendor operator or his/her designee must be present at all times except in cases of an emergency.

N. No liquid waste or grease is to be disposed in tree pits, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances shall grease be released or disposed of in the Township's sanitary sewer system.

SECTION 4: PERMITS

Mobile Food Vendors must obtain a yearly permit to operate within the Township. The following information shall be provided with each application for a mobile food vendor permit:

- A. Name of Mobile Food Vendor
- B. Make, model, and license plate number of vending unit
- C. Owner's contact information
- D. Operator's contact information
- E. Type of vendor (street vending unit or sidewalk vending unit)
- F. Copy of approved permit from the Pennsylvania Department of Agriculture
- G. List of operating locations and times (calendar)
- H. Signatures from property owners indicating consent for the use of their property
- I. Signature by applicant indicating agreement to the listed requirements for operation of a mobile food vendor business in the Township
- J. Proof of valid insurance policy that provides minimum liability coverage of \$1,000,000 with the Township named as additional insured.

SECTION 5: INVESTIGATION OF APPLICANTS; GRANTING OF AUTHORIZATION

A. Upon receipt of an application for a permit, the Chief of Police or his or her delegate shall cause such investigation of the applicant, the applicant's business or organization and good moral character to be made as he or she deems necessary for the protection of the public welfare.

B. If, as a result of such investigation, the applicant, applicant's business or organization or good moral character is found to be unsatisfactory, the Chief of Police or his or her delegate shall endorse on such application his or her disapproval and the reasons for the same and transmit the application to the Zoning Officer.

C. If, as a result of such investigation, the applicant, business or organization and good moral character of the applicant are found to be satisfactory, the Chief of Police or his or her delegate shall endorse on the application his or her approval and transmit the application to the Zoning Officer.

D. Mobile food vendor permits shall be issued by the Zoning Officer. No permit shall be issued until such investigation is complete, but in no event shall authorization be granted sooner than three full business days from the date of receipt of the application by the Township Police Department.

SECTION 6: APPEALS

Any person aggrieved by the action of the Zoning Officer in denying a permit application or in the decision with reference to the revocation of authorization shall have the right of appeal to the Zoning Hearing Board. Such appeal shall be taken by filing an application with the Zoning Officer, within seven days after notice.

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SECTION 7: PERMIT REVIEW & FEES

Permit requests shall be submitted to the Zoning Officer for review and approval. The Township Board of Supervisors may by Resolution establish, and from time to time amend, a fee amount for a Mobile Food Vendor Permit. In the absence of said Resolution, the Permit fee shall be \$100.00.

SECTION 8: MAXIMUM NUMBER OF PERMITS

No more than twenty (20) active mobile food vendor permits shall be allowed at any given time. Permits shall be issued to qualified applicants on a first come, first served basis. The Township may refuse a permit if the Township determines that issuing the permit will negatively impact traffic flow, or will otherwise be detrimental to the general public health and safety, or if the number of issued Mobile Food Vendor Permits is already exhausted. Mobile Food Vendors will be encouraged to adjust the locations or times of their proposed sales to accommodate the Township's ability to ensure public health and safety. The Township may refuse a permit to anyone seeking a Mobile Food Vendor Permit if the entity has a poor record of conformance with permit requirements. No permit shall be issued until the permit fee established by the schedule of fees has been paid in full.

SECTION 9: VIOLATIONS AND REMEDIES

A violation of any part of this ordinance shall be considered a Summary Offense, subject to fines of up to \$500.00 per occurrence.

SECTION 10: All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

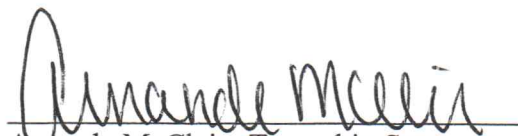
SECTION 11. The provisions of this Ordinance shall be severable. If any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the remaining provisions of the Ordinance.

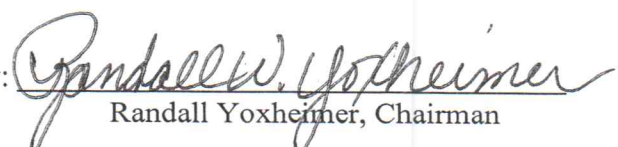
SECTION 12. This Ordinance shall become effective in accordance with applicable law.

DULY ENACTED AND ORDAINED, as an Ordinance of the Township of Point, Northumberland County, Pennsylvania, at a meeting of the Board of Supervisors held on the 14th day of June, 2022.

ATTEST:

Township of Point


Amanda McClain, Township Secretary

By: 
Randall Yoxheimer, Chairman