

CITY OF SIOUX FALLS MOBILE FOOD VENDOR GUIDELINES

REQUIREMENTS

It shall be unlawful for any person to engage in mobile food vending as a mobile food vendor on public or on private property within this city without first obtaining all applicable state and city permit and licenses.

MOBILE FOOD VENDING PERMIT ISSUANCE AND FEES

Prior to any mobile food vending permit being issued, the applicant shall have all applicable state and city permits and licenses, pay a fee of \$75, and submit to and pass a background check. The primary operator of the mobile food truck is required to obtain a mobile vending permit.

ISSUANCE RESTRICTED

No mobile food vending permit shall be issued to a corporation, partnership, or other impersonal legal entity. A permit is issued to the primary operator of the truck.

NONTRANSFERABILITY

Any permit issued is nontransferable to another mobile food truck.

BACKGROUND CHECK

A background check will be conducted annually by the Sioux Falls Police Department with all applicable information being provided to the city's licensing specialist. The applicant shall submit to photographing by the police chief.

No permit shall be granted to any person:

- Who has been convicted for a sex crime as defined by SDCL 22-24b-1 or any indecent exposure for which they are still subject to registration requirements.
- Who has a conviction or date of discharge from prison, jail, probation, or parole within the last five years for all other indecent exposure (Class 1 misdemeanor).
- Who has a conviction or date of discharge from prison, jail, probation, or parole within the last ten years of application for a crime of violence as defined by SDCL 22-1-2(9).
- Who has a conviction or date of discharge from prison, jail, probation, or parole within the last five years of application for felony possession/distribution of controlled substances.
- For any good cause.

Any conviction for an offense in another state which, if committed in this state, would be a violation of one of the offenses listed above shall be used to determine if applicant is eligible for a license.

DISPLAY OF PERMIT

Permits issued shall be displayed in a conspicuous place where it can be read by the general public on the mobile food truck.

REVOCACTION

Any permit issued may be revoked for violation of any provisions of city Code, state law, or city ordinance by the city's licensing specialist. Upon revocation, the permit shall immediately be surrendered, and failure to do shall be an offense.

ALLOWED MOBILE VENDING LOCATIONS

Mobile food vending is permitted on the public right-of-way and private property inside the Central Business District and is also permitted in the public right-of-way and private property abutting C-2, C-3, C-4, I-1, and S-2 zoning districts as per the official zoning map of the city of Sioux Falls. Mobile food vendors must be actively engaged in mobile food vending operations at all times while parked in any allowed mobile vending location. Refer to the attached map to view allowed vending locations throughout the City.

HOURS OF OPERATION

Mobile food vendors are not allowed to operate in the public right-of-way between the hours of 12 a.m. and 6 a.m. from Monday to Thursday and between the hours of 2 a.m. and 6 a.m. from Friday to Sunday. Hours of operation are not limited on private property.

HEALTH AND SANITATION REQUIREMENTS

Mobile food vendors shall comply with the minimum public health and safety requirements determined by the South Dakota Department of Health.

Mobile food vendors shall allow:

- The equipment used in vending be inspected upon application for a permit and shall be required to obtain a valid food service license and operating permit.
- Each mobile vending truck to be inspected at a minimum of twice per year by the Sioux Falls Health Department or similar agency so tasked with jurisdiction over this duty.

NOISE

Mobile food trucks must adhere to all noise ordinances found in city Code.

PARKING

- If operating from the public right-of-way, mobile food vendor shall only vend from legal parallel parking space in the public right-of-way.
- No mobile food vendor shall operate with the serving window facing street traffic.
- Mobile food vendors must adhere to established parking rules as found in city Code.

ADA ACCESS

All vendors must ensure that individuals with disabilities have comparable access to services offered. If existing designs cannot be modified to be accessible, the method of providing service must be modified.

FIRE SAFETY

- No mobile food vendor shall operate without proof of an annual third-party inspection or receipt of propane fill or gas-related capabilities.
- Mobile food vending is not allowed within parking garages, overhangs, or within 10' of any entrance to any property.

LITTER CONTROL

- Mobile food vendors are responsible for providing one private trash bin and one private recycling bin for public use with capacity of no less than 30 gallons each.
- All litter shall be removed within 25' of the mobile food truck upon closing.
- Litter shall be removed at mobile food vendor's expense and shall not be placed in an unauthorized private or city receptacle.

PROHIBITED CONDUCT

No mobile food vendor shall:

- Vend on the public right-of-way within 50 feet of a licensed restaurant property line or 50' from a sidewalk patio, whichever is greater, unless the restaurant is closed for business.
- Operate a mobile food truck or vending stand within 300 feet of any sanctioned event held in the Central Business District without obtaining permission from the event sponsor.
- Operate in or abutting a city park without proper permissions and permits from the parks and recreation department.
- Place any object that blocks the pedestrian pathway.
- Utilize signage in addition to what is already permanently displayed on the mobile food truck, unless additional signage is permitted through the Zoning division.
- Conduct mobile food vending from an unhooked concession trailer in the public right-of-way.
- Operate without commercial license plates.

LIABILITY AND INSURANCE

Before a mobile food vendor permit is granted, the applicant shall sign a statement holding harmless the city and shall indemnify the city, its officers, and employees, for any claims for damages to property or injury to persons, which may occur in connection with any activity carried on pursuant to any activities associated with mobile food vending.

All applicants shall furnish and maintain a policy of insurance protecting the applicant and the city from all claims for damage to property or bodily injury, including death, which may arise from activities associated with mobile food vending. The insurance policy shall list or endorse the city as additional insured and carry minimum liability limits of at least \$1,000,000 per occurrence.