

CITY OF SIOUX FALLS MOBILE VENDING REQUIREMENTS

REQUIREMENTS

It is unlawful for any person to engage in mobile food vending on public or on private property within the city limits of Sioux Falls without first obtaining all applicable State and City permits and licenses.

MOBILE FOOD VENDING PERMIT ISSUANCE AND FEES

Applicants must have all applicable State and City permits and licenses, pay a fee of \$75, and pass a background check to obtain a permit. The primary operator of the mobile food truck is required to obtain a mobile vending permit. A permit is valid for the calendar year regardless of the date obtained.

ISSUANCE RESTRICTED

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

NONTRANSFERABILITY

Any permit issued is nontransferable to another mobile food truck.

BACKGROUND CHECK

A background check is required by the Sioux Falls Police Department with all applicable information being provided when applying for a permit.

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.
- 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).
- 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).
- 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.

DISPLAY OF PERMIT

Permits issued shall be displayed in plain view visible by the general public.

REVOCAION

Any permit issued may be revoked for violation of State Law or City ordinance. Upon revocation, the permit shall immediately be surrendered to Police Records.

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 in the 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. Refer to the map at the following website to determine allowable vending locations:

<http://cityofsfgis.maps.arcgis.com/apps/webappviewer/index.html?id=1f63b0951ac04c208ac1c9c89ed7edd7>

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.

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.
- Mobile food trucks are inspected at least twice per year by the Sioux Falls Health Department.

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 spaces 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.
- Mobile food vendors must be actively engaged in mobile food vending operations at all times while parked in any allowed mobile vending location.

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

- An annual third-party inspection or receipt of propane fill or gas-related capabilities is required to obtain a permit.
- 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 must be removed within 25' of the mobile food truck upon closing and discarded at the mobile food vendor's expense; dumping in private or City receptacles is prohibited.

PROHIBITED CONDUCT

No mobile food vendor shall:

- Vend on the public right-of-way within 50 feet of a licensed restaurant or

50' from a sidewalk patio, whichever is greater, unless the restaurant is closed for business.

- Operate a mobile food truck within 300 feet of any sanctioned event held downtown without obtaining proper permission/permitting 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

Applicants must furnish and maintain a policy of insurance protecting the applicant and the City from all claims for damage from activities related to mobile food vending. The insurance policy must carry minimum liability limits of at least \$1,000,000 per occurrence and list the City of Sioux Falls as additional insured.

CONTACTS FOR QUESTIONS

Permitting

- For questions regarding the mobile food vendor permit application or process, please contact Police Records at 605.367.7226.

Operating Downtown and throughout the City on public property

- Questions directly related to mobile food vending on public or private property can be directed to Adam Roach at aroach@siouxfalls.org or via telephone at 605.367.8179.

Operating in City parks

- To learn more about limited opportunities to operate in the City parks, call Parks and Recreation at 605.367.8222.

Health Department

- For questions related to the health component of mobile food vending call the Health Department at: 605.367.8760.