

EL RENO
WE'RE PROUD OF OUR *routes*.

MOBILE FOOD VENDOR APPLICATION (FOOD TRUCK)

Owner(s)/Applicant: _____

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Phone: _____ **Alt. Phone:** _____

PARTNERS INFORMATION

NAME	ADDRESS	PHONE NUMBER

Company Name: _____
Type of Food: _____
Tag#/ Vehicle Description: _____

Staff Use

Copy of Ordinance:	<input type="checkbox"/>	Vehicular Insurance:	<input type="checkbox"/>
OK. Tax License:	<input type="checkbox"/>	License Fee:	<input type="checkbox"/>
Liability Insurance	<input type="checkbox"/>	Approval Date	_____

Annual License Fee:	\$150.00
3-Month License Fee:	\$50.00
Daily Fee:	\$20.00
Penalty Fee:	\$130.00

PLEASE PROVIDE THE FOLLOWING:

1. Proof of registration with Oklahoma State Tax Commission
2. Valid Health Department Permit
3. Proof of Liability Insurance
4. Proof of Vehicular Insurance

Applicant Signature: _____ **Date:** _____



El Reno Fire Department
2707 Faith Avenue
(405)262-2949

Business Name:

Date:

Mobile Food Truck Inspection Checklist

Inspection Description-

Mobile Food Trucks shall comply with all City of El Reno Fire Codes and Ordinances, the El Reno Fire Department has adopted the 2015 International Fire Code and 2009 Life Safety Code.

Pass Fail

- A certified Class ABC and Class K extinguisher is provided. IFC 906
- Ensure that main shutoff valve on gas containers is readily accessible. LPG58 6.24.4.1
- Ensure that portable gas containers are in the upright position and secured to prevent tipping over. Ensure flexible piping is installed between the regulator outlet and fixed piping system. LPG 58 6.26.3.4/ 6.26.5.1
- Electrical supply is in good condition. There are no extension cord used for permanent supply. There are no exposed wires and all connections are located in junction boxes. IFC 605

Additional
Comments:

Please verify that all items pass the requirements of the City of El Reno Fire Department adopted codes.

Owner or
Representative
Signature :

Email address :

Phone number:

ORDINANCE NO. 9109

AN ORDINANCE OF THE CITY OF EL RENO, OKLAHOMA, AMENDING THE CODE OF ORDINANCES, CITY OF EL RENO, OKLAHOMA, BY ENACTING A NEW CHAPTER 205, FOOD TRUCK SERVICES AND/OR MOBILE FOOD SERVICE; ADDING NEW SECTION 205-01 DEFINING TERMS; ADDING NEW SECTION 205-02 PROVIDING FOR LICENSE, FEE AND PENALTY; ADDING NEW SECTION 205-03 PROVIDING APPLICATION PROCEDURE; ADDING NEW SECTION 205-04 PROVIDING CONDITIONS OF LICENSE ISSUANCE; ADDING NEW SECTION 205-05 PROVIDING LICENSE TERM; ADDING NEW SECTION 205-06 PROVIDING FOR VEHICULAR SANITATION; ADDING NEW SECTION 205-07 PROVIDING FOR REVOCATION OR SUSPENSION OF LICENSE; ADDING NEW SECTION 205-08 PROVIDING FOR VIOLATIONS AND PENALTIES; ADDING NEW SECTION 205-09 PROVIDING EXEMPTIONS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL RENO, OKLAHOMA:

SECTION 1. ENACTMENT.

That the Code of Ordinances, City of El Reno, Oklahoma, is hereby amended by enacting new Chapter 205, to be titled "FOOD TRUCK SERVICES," and/or "MOBILE FOOD SERVICES" to be titled "Mobile Food Service License."

SECTION 2. MOBILE FOOD SERVICE LICENSE.

Section 205-01. - Definitions.

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

- (1) "Director" shall mean the Director of Community Development, or his designee.
- (2) "Food" or "food products" means any article used for food, drink, confectionery, or condiment by man or animal, whether the same be simple, mixed or compound.
- (3) "Prepackaged" means bottled, canned, cartoned, securely bagged, or securely wrapped, whether packaged in a food service establishment or a food processing plant. It does not include a wrapper, carryout box, or other non-durable container used to facilitate food protection during service and receipt of the food by the consumer.

- (4) **“Public right-of-way”** means any street or highway and property adjacent to streets and highways which is dedicated to public use and over which the Federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion; or any bridge, alley, sidewalk, pedestrian way, stairs or elevator which is dedicated to public use and over which the Federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion.
- (5) **“Vehicle”** means any wagon, trailer, cart, automobile, truck, pushcart, or any other mobile equipment.

Section 205-02. – License, Fee and Penalty.

- (a) No person shall sell, offer or expose for sale or have in his possession with intent to sell directly from a vehicle to the consumer any food product unless a license has first been obtained from the Director.
- (b) A license issued pursuant to this section may, at the option of the applicant, include special event licensing.
- (c) Persons required to obtain a license pursuant to the provisions of this article shall pay a fee (at the time of filing) to the City in the amount set forth *by Resolution*.
- (d) The format of such license will be approved by the Director, and such license shall be prominently displayed at the applicant's selling location.
- (e) Any person who shall manufacture, sell or distribute food or food products without the license required by this section shall be guilty of an offense and, upon conviction, shall be punished as provided *by Resolution*. Each day's continued violation of any of the provisions hereof shall be chargeable as a separate offense.

Section 205-03. - Application procedure for mobile food service license.

- (a) Contents of application. Applicants for a mobile food service license under this article must file with the City a (verified) sworn application in writing on a form to be furnished by the City, which shall give the following information:
 - (1) The name and residence of the applicant if an individual;
 - (2) The names and residences of the partners if a partnership;
 - (3) The names and residences of the principal officers if a corporation;
 - (4) A description in detail of the vehicle proposed to be used for which the license is desired, including license number or other identification of any vehicle used;
 - (5) Proof that the food services establishment is licensed by the Oklahoma Department of Health;
 - (6) Verification that the applicant is bonded as a group II vendor by the State Tax Commission or other proof that sales tax has been or is being paid on the merchandise sold or to be sold, if applicable;

- (b) Each applicant, if the applicant does not operate a fixed, permanent restaurant within the City of El Reno, shall file with the application a certificate of insurance from the appropriate insurer that the applicant has general liability and vehicular insurance in the amount required by the State of Oklahoma.
- (c) Each applicant shall have written permission of the property owner(s) giving the applicant the authority to use the location desired. The written permission must consist of the address where you will park, the date and time, the owner's name and phone number. This information must be accessible to show any city official if asked.

Section 205-04. - Conditions of license issuance.

- (a) A license must be obtained at least (48) forty-eight hours prior to any actual selling activity by the applicant.
- (b) No mobile food vendor may stop for longer than twelve (12) hours at a single location or address in a twenty-four-hour period.
- (c) All operators of vehicles from which food is sold under the provisions of this article shall comply with all traffic regulations.
- (d) That the chosen location for issuance of a mobile food service license is commercially zoned and does not extend onto the public right-of-way.
- (e) Shall not be allowed to conduct business in a residentially zoned district.
- (f) That applicant is aware of his responsibility to collect and pay sales tax and that applicant is properly registered with the Oklahoma Tax Commission. If applicant is not properly registered with the Oklahoma Tax Commission, the permit will not be issued.
- (g) That the applicant's business operation will not obstruct a safe line of sight from any street or private drive used to exit the subject property, or cause other sight-distance related problems.
- (h) No extra signs are allowed other than the permanent signs located on the side of the trailer or vehicle

Section 205-05. – License Term.

A license issued pursuant to Section 205 shall expire one year from its date of issue.

Section 205-06. - Vehicular sanitation.

Every vehicle used for the sale or distribution of food products to a consumer shall be well constructed and enclosed with top and sides. The interior walls and ceiling of the vehicle shall be of smooth, durable material capable of withstanding repeated washing and scrubbing. Each vehicle shall be kept well painted and in good repair, and in good sanitary condition, and shall not be used for any other purpose. Surfaces of all floors, walls and tops of compartments where foods are kept shall be smooth, nonabsorbent, washable and clean.

Section 205-07. - Revocation or suspension of license.

- (1) The Director may, without warning, notice, or hearing, suspend a license issued pursuant to the provisions of this article. Suspension is effective upon service of the notice as set forth hereinafter, and operations shall immediately cease thereafter.
- (2) The holder of the license shall be afforded an opportunity to appeal to the Director within ten days of receipt of notice. The holder of the license or the person in charge shall be notified in writing that the license is, upon service of the notice, immediately suspended, the specific reasons therefor, and that an opportunity to appeal to the Director within ten days by the owner/holder of license. The Director may end the suspension at any time if the reasons for suspension no longer exist.
- (3) A notice provided for in this section is properly served when it is delivered to the holder of the license, or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the license. A copy of the notice shall be filed in the records of the regulatory authority.

Section 205-08. - Violations and penalties.

Any person who shall violate any provisions of this article shall be guilty of an offense and, upon conviction, shall be punished as provided for *by Resolution*. Each and every day such violation continues shall constitute a separate offense.

Section 205-09. - Exemptions.

The provisions of this article shall not apply to:

- (1) The acts of merchants having a permanent place of business or their employees, in taking orders at the homes of their customers for goods held by such merchants in stock at their places of business; nor to the acts of such merchants or their employees in handling goods so ordered at the homes of their customers;
- (2) Food sales at events that are not open to the general public or are sponsored, catered, or hosted by a business or group
- (3) Farmers or truck gardeners who offer for sale or sell, or who peddle and sell from house to house, fresh fruits, vegetables, butter, eggs and farm products produced and raised by such farmers and gardeners from lands owned and cultivated or controlled by them;
- (4) Food sales permitted under a Special Event Permit.

SECTION 3. REPEALER.

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

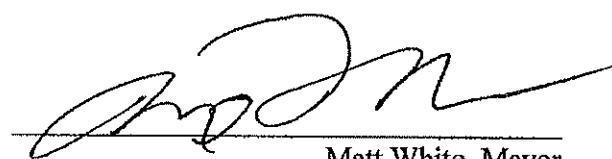
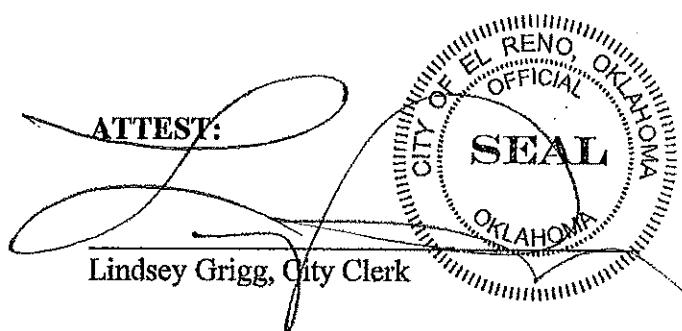
SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance. The City of El Reno hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases are declared unconstitutional.

SECTION 5. EMERGENCY.

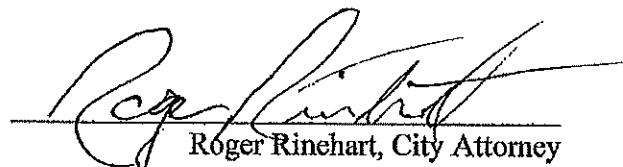
It being immediately necessary for the preservation of the public health, peace, and safety of the City of El Reno and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this ordinance shall be in full force and effect and after its passage and approval, as provided by law.

PASSED AND APPROVED and Emergency Clause voted upon separately and passed and approved this 13th day of June, 2017.



Matt White, Mayor

APPROVED as to legal form this 13th day of June, 2017.



Roger Rinehart, City Attorney