

FOOD TRUCKS (Section 116.02, adopted April 14, 2015, amended June 14, 2016)

Section 116.02 Permitting and Regulation

Food trucks, as defined herein, shall be allowed to operate within the Town Center Area of the Town of Dallas, but only pursuant to a permit to operate issued by the Town of Dallas, and only in such location(s) and at such time(s) as is/are consistent with the following:

A Permits, Fees and Approvals:

- (1) The food truck shall be subject to any and all permit and/or inspection requirements imposed by the Gaston County Health Department, the State of North Carolina and its Division of Health Services, and/or the County Health Department, if other than Gaston County, in which the food truck's associated commissary restaurant is located.
- (2) Food truck operators must apply for and receive either a yearly-renewable, or single-event, permit to operate from the Town of Dallas' Development Services Department. The Town shall limit the issuance of such yearly permits outstanding to no greater than six (6), at any one time; single-event permits, when issued to food trucks not holding yearly permits, shall be limited to no greater than four (4) for any single event. Permits will be issued on a first-come/first-served basis.
- (3) The Town of Dallas shall require applicants for food truck permits to submit a standardized application form, signed by the food truck owner and evidencing unexpired possession of required health department permit(s) and liability insurance coverage, along with the following permit fees:

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| Yearly permit: | \$400.00 |
| Single-event permit: | \$ 25.00 |

B. Location:

Food trucks shall be allowed to operate, subject to a permit as issued by the Town of Dallas, when positioned and fully contained within the public parking spaces along the East side of North Holland Street, between West Trade Street and West Main Street; and the North side of West Main Street, between North Holland Street and North Gaston Street. The food truck must not block or limit access to fire hydrants or access walkways into the Town Square. Only the food truck itself may occupy such space. No support vehicles, tow-vehicles, trailers or storage containers shall be allowed. When issued by the Town of Dallas, food truck permits shall designate the specific area that the food truck is allowed to occupy within the parking spaces described herein. Spaces are available on a first-come/first-served basis. During special events

sponsored and sanctioned by the Town, Food Truck permit-holders may be asked to occupy alternate public locations as determined and directed by the Chief of Police or his designee.

C. Days and Hours of Operation:

(1) Food trucks who hold a single-event permit may operate only on the day of the event (parade, festival, etc.) and only during the actual hours of the event, as well as one hour preceding the event, and one hour following the event. Single-event permit holders may operate between the hours of 7:00 am and 10:00 pm the day of the event.

(2) For yearly permit holders, days and hours of operation shall be limited to Mondays through Saturdays, between the hours of 7:00 am and 10:00 pm; as well as on the days of Town-sponsored and sanctioned special events, between the hours of 7:00 am and 10:00 pm.

D. Operational Standards and Clean-Up:

- (1) The noise level produced from the food truck, motor, generator, or any other on-site activity must comply with the Town's noise Ordinance.
- (2) A trash receptacle shall be provided for customers. The food truck operator shall be responsible for daily clean-up and proper off-site disposal of all trash and litter produced. Grease and liquid waste shall not be disposed of in any lawn areas, tree pits, storm drains, sanitary sewers, or on public streets or parking areas.
- (3) No signage shall be allowed other than that which is either painted on or permanently affixed to the food truck; and a single sandwich-board-style portable menu no more than 6 square feet in display area which is to be placed on the ground in the customer waiting area.
- (4) Customers shall not be allowed to line-up, park, or act in any manner which causes a traffic hazard or a threat to safety of the motoring public or to other customers or non-customer pedestrians. The food truck may not be operated as a drive-up window, and all food vending must be to the curb-side of the parking space(s) designated not to the street-side.
- (5) If the food truck is to be operated after dark, the operator shall propose, and the development services director shall approve, an appropriate lighting plan which shall become a condition of the permit. Any such lighting plan shall not allow any source of

illumination to be directly visible from any residential district and shall be properly shielded so as to minimize light spill-over to adjacent properties.

- (6) All utilities utilized by the food truck are to be provided by the permit-holder. Temporary connections to either potable water or sanitary sewer are prohibited.

E. Taxation:

Food truck permit-holders shall comply with all local, County, and State retail sales tax regulations, including prepared food and beverage tax regulations.

F. Insurance and liability: Food truck yearly permit-holders shall, at all times during the effective date(s) of their permit, maintain general liability insurance coverage on their operations and facilities and name the Town of Dallas as additionally insured, in a minimum coverage amount of \$500,000.

Section 116.03 PENALTY:

The violation of any provision of this chapter shall be a misdemeanor punishable by a fine of \$50.00 and imprisonment of up to 30 days. The existence of this penalty is in addition to any and all provisions for permit revocation as detailed herein.