

CITY OF GRANDVIEW

BILL NO. 7391

ORDINANCE NO. 7139

AN ORDINANCE AMENDING THE CODE OF LAWS OF THE CITY OF GRANDVIEW, MISSOURI, TO ESTABLISH REGULATIONS FOR MOBILE FOOD TRUCKS, MOBILE FOOD TRAILERS AND PUSHCARTS.

WHEREAS, mobile food trucks, mobile food trailers and pushcarts have gained in popularity and acceptance throughout the metropolitan Kansas City area; and

WHEREAS, other cities allow for and regulate mobile food trucks, mobile food trailers and pushcarts; and

WHEREAS, the Board of Aldermen (“Board”) of the City of Grandview, Missouri (“City”) desires to allow mobile food trucks, mobile food trailers and pushcarts to operate in the City; and

WHEREAS, the Board directed staff to research how other metropolitan communities are regulating mobile food trucks, mobile food trailers and pushcarts and report their findings; and

WHEREAS, after considering staff’s report, the Board directed staff to develop an ordinance allowing and regulating mobile food trucks, mobile food trailers and pushcarts within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF GRANDVIEW, MISSOURI, AS FOLLOWS:

Section 1. Regulations for Mobile Food Trucks, Mobile Food Trailers and Pushcarts Adopted. A new section of the Code of Laws of the City of Grandview, Missouri, to be codified at Section 30-6, is hereby adopted to read as follows:

Sec. 30-6. Mobile food trucks, mobile food trailers and pushcarts.

(a) **Intent of section.** It is the purpose and intent of this Section 30-6 to provide regulations for the lawful operation of mobile food trucks, mobile food trailers and pushcarts within the City of Grandview, Missouri.

(b) **Definitions.** For the purposes of this Section 30-6, the following words and phrases shall mean:

a. *City*: the City of Grandview, Missouri.

b. *Director*: the director of community development of the City or his designee.

- c. *Fire Marshal*: the director of the fire prevention bureau within the Fire Department.
- d. *Health Department*: the Health Department of Jackson County, Missouri.
- e. *Mobile Food Trailer*: a self-contained unit that stores and prepares fresh food and drinks that attaches to and is pulled by a separate vehicle.
- f. *Mobile Food Truck*: a vehicle, capable of being driven, that contains equipment to store and produce fresh food and drinks and permanently affixed to the vehicle frame.
- g. *Pushcart*: a manually propelled mobile food trailer.

(c) Licensing requirements.

- a. All operators of mobile food trucks, mobile food trailers and pushcarts shall apply for and obtain an occupational license from the City of Grandview Finance Department as required by Chapter 13 of the Code of Laws before operating within the City. Failure to obtain an occupational license shall constitute a violation of this Section 30-6 and make the operator subject to the enforcement and penalties as provided for in Chapter 13.
- b. All operators of mobile food trucks, mobile food trailers and pushcarts shall apply for and obtain a sales tax identification number from the State of Missouri and shall remit all sales tax collected to the appropriate authorities.
- c. All operators of mobile food trucks, mobile food trailers and pushcarts shall obtain all required permits and/or inspections from the Fire Marshal of the City of Grandview. In lieu of permits and/or inspections from the City of Grandview, the Fire Marshal will accept documentation of permits and/or inspections performed by any other Fire Department within the defined Kansas City metropolitan area in a reciprocal manner.
- d. All operators of mobile food trucks, mobile food trailers and pushcarts shall obtain all required permits and/or inspections from the Jackson County, Missouri Health Department. In lieu of permits and/or inspections by the Jackson County, Missouri Health Department, the Director will accept documentation of permits and/or inspections performed by the City of Kansas City, Missouri Health Department.

(d) Licensing and registration fees.

- a. The provisions of chapter 13 of the Code of Laws notwithstanding, the occupational license fee for mobile food trucks, mobile food trailers and pushcarts, for both new and renewal applications, shall be \$25.00 without regard to annual gross receipts and shall be paid with the initial occupational license application or annual renewal.
- b. Throughout the year, the City will be the sponsor and operator of certain community events. These events will include the participation of mobile food trucks, mobile food trailers and pushcarts and will, in most cases, take place on City-owned property. Each event will have a registration fee for participation. The registration fees for each event will be determined during the planning for each event. Mobile food trucks, mobile food trailers and pushcarts participating in a City-sponsored event will be exempt from the occupational license requirement. All other requirements, such as health department inspections and fire department inspections, listed in this section shall remain in full force and effect.

(e) Operating regulations. All mobile food trucks, mobile food trailers and pushcarts shall adhere to the following operating regulations, except when participating in a City-sponsored event or another privately sponsored event:

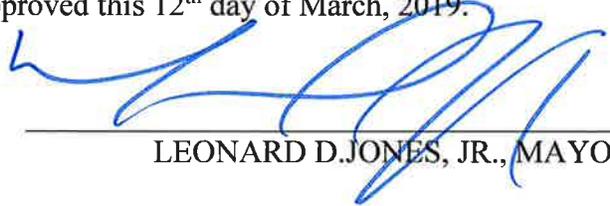
- a. If the mobile food truck, mobile food trailer or pushcart is to be located on private property, the operator shall obtain written permission from the property owner prior to locating and operating.
- b. If the mobile food truck, mobile food trailer or pushcart is to be located on public property or public right-of-way, it must be parked in such a manner that it complies with all other provisions of the Code of Laws which includes, but is not limited to, the following:
 - i. The mobile truck/trailer/pushcart is wholly contained within designated on-street and off-street parking spaces. Parking in accessible parking spaces is expressly prohibited.
 - ii. The mobile truck/trailer/pushcart must be attended at all times, whether serving food or not.
 - iii. The mobile food truck/trailer/pushcart shall not obstruct the flow or vehicular or pedestrian traffic.

- iv. The mobile food truck/trailer/pushcart shall not block any street, alley, accessible parking space or loading zone.
 - v. The mobile food truck/trailer/pushcart shall operate only on paved surfaces.
 - vi. The mobile food truck/trailer/pushcart shall be allowed to operate between the hours of 6:30 a.m. and 9:00 p.m.
- c. When a City-sponsored and operated event is occurring, any mobile food truck, mobile food trailer or pushcart that is not a part of said event, must locate their operation at least one thousand (1000) feet away from the nearest participating mobile food truck, mobile food trailer or pushcart.

Section 2. Effective Date. This ordinance shall be in full force and effect from and after its passage.

Passed this 12th day of March, 2019.

Approved this 12th day of March, 2019.



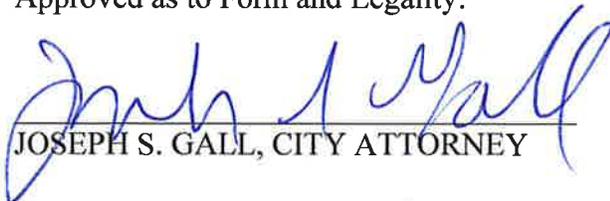
LEONARD D. JONES, JR., MAYOR

ATTEST:



BECKY SCHIMMEL, CITY CLERK

Approved as to Form and Legality:



JOSEPH S. GALL, CITY ATTORNEY

