

ARTICLE 4 – SUPPLEMENTAL USE REGULATIONS

4.35.9 Mobile Food Vendors (Adopt. 6-20-16; Ord. 2016-12)

This section establishes standards for mobile food vending in designated areas of the City to provide additional dining options to supplement traditional brick and mortar food services. These standards are designed to ensure that the location and operation of mobile food vending is safe, functional and compatible with existing and proposed development. Approved mobile food vendors may operate for a period not to exceed a total of one hundred fifty-six (156) days in any calendar year per approved location.

4.35.9.1 Food Trucks – Food trucks shall comply with the following standards:

- a. Health and Safety:
 1. Food truck owners/operators must obtain and maintain any and all required state health and restaurant approvals and licenses as they relate to food trucks.
 2. Each food truck owner/operator must obtain a Certificate of Zoning Compliance, conditional use permit, a Certificate of Occupancy, if applicable, and a North Augusta business license prior to opening for business.
 3. Required approvals and licenses shall be kept on file in the food truck.
- b. Maximum Number of Trucks per Property:
 1. For commercially zoned parcels less than $\frac{1}{4}$ acre, up to two food trucks are permitted on the property at the same time.
 2. Commercially zoned properties between $\frac{1}{4}$ and $\frac{1}{2}$ acre in size are permitted up to three food trucks at the same time.
 3. For commercially zoned parcels over $\frac{1}{2}$ acre in size, a maximum of four food trucks is permitted on the property at the same time, except for City-sponsored special events.
 4. For public spaces, the number of food trucks shall be determined by the Department of Parks, Recreation and Tourism in consultation with the Director.
 5. Temporary outdoor seating and set up associated with a food truck is only permitted within twenty (20) feet of the food truck or in locations determined by the Director.
- c. Food Truck Locations, Minimum Separation:
 1. Permitted on commercially and industrially zoned properties only.
 2. One hundred (100) feet from any customer entrance of any brick and mortar restaurant and/or outdoor dining area, unless annual written permission is obtained from the restaurant owner. Such written permission must be displayed or readily available in the food truck at all time.
 3. Fifteen (15) feet from any fire hydrant, driveway, utility box or vault, handicap ramp, and building entrance or exit.
 4. Fifty (50) feet from any residential zoning district.
 5. Must comply with all dimensional standards (setbacks) for the zoning district.
- d. Parking of Food Trucks:
 1. The proposed location for food truck parking and any associated outdoor seating must be shown on a sketch plan that is subject to review and approval by the Director.
 2. Food Trucks may not be parked in an approved location after the hours of operation specified in this section.
- e. Hours of Operation:
 1. 7:00 a.m. to 10:00 p.m. for food trucks in commercially and industrially zoned properties.
 2. In public spaces, hours are to be determined by the Department of Parks, Recreation and Tourism in consultation with the Director.
- f. Operational Standards:
 1. No audio amplification.
 2. City trash receptacles may not be used to dispose of trash or waste. Adjacent dumpsters may be utilized with written permission of the property owner.
 3. All areas within the approved property must be kept clean by the food truck vendor.

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4. Grease and liquid waste shall not be disposed in tree pits, storm drains, the sanitary sewer system or public streets.
5. Food trucks are subject to the City noise ordinance. Sound absorbing devices may be used to contain or deflect noise from external generators.
- g. Public Spaces – City Owned Property
Food trucks:
 1. Must have written permission from the Department of Parks, Recreation and Tourism to locate on City-owned properties.
 2. Must locate at least one hundred (100) feet from the entrance to any park.
 3. Shall not occupy any handicap accessible parking space(s).
 4. Shall not otherwise interfere with the movement of motor vehicles in a parking lot.
 5. Shall be positioned such that the truck does not block drive aisles, other access to loading/service areas or emergency access or fire lanes.
 6. The food truck must be located at least fifteen (15) feet from fire hydrants, any fire department connections, driveway entrances, alleys, handicap parking spaces and trees.
- h. Private Property:
Food trucks:
 1. Are permitted on commercially and industrially zoned properties.
 2. Must be located at least one hundred (100) feet from any customer entrance of any brick and mortar restaurant or outdoor dining area, unless annual written permission is obtained from the restaurant owner. Such written permission must be displayed or readily available in the food truck at all times.
 3. Shall not occupy any handicap accessible parking space(s).
 4. Shall not otherwise interfere with the movement of motor vehicles in a parking lot.
 5. Shall be positioned such that the truck does not block drive aisles, other access to loading/service areas or emergency access or fire lanes.
 6. Must be located at least fifteen (15) feet from fire hydrants, any fire department connections, driveway entrances, alleys, handicap parking spaces, and trees.
- i. Special Events – Nothing in this section should be read to prohibit the City from conducting special events that feature food trucks. Food truck vendors may operate as part of special events if approved by the City.
 1. Food trucks and mobile vending are prohibited from operating on any street, sidewalk, alley, trail or other right of way unless approved by the City as part of a permitted special event or contracted with the Department of Parks, Recreation and Tourism within the assigned dates and times.

4.35.9.1.1 Suspension and Revocation –

- a. The City business license for any food truck may be revoked if the vendor violates the provisions contained in Section 4.45.9 or if the food truck vendor's SCDHEC permit to operate as a mobile food truck is suspended or revoked.
- b. The Director may halt an approved food truck's operation if it is determined that the food truck operations are causing parking, traffic congestion or litter problems, either on or off the property where the use is located, or that such use otherwise threatens public health or safety.

4.35.9.2 Mobile Food Units – A mobile food unit is a temporary food service vehicle that is movable and has no fixed location. Examples include, but are not limited to, ice cream trucks, beverage or hot dog carts on wheels, and pre-packaged snack item vendors. Mobile food vendors, as defined, are considered "peddlers" and are subject to the requirements of Article IV of the Municipal Code. Mobile Food Vendors are required to hold a North Augusta business license.