

ORDINANCE NO. 1035

AN ORDINANCE CREATING CHAPTER 5.13 IN TITLE 5 OF THE CITY OF BELLEVILLE MUNICIPAL CODE FOR THE PURPOSE OF REGULATING MOBILE FOOD VENDORS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELLEVILLE, KANSAS:

Section 1. Definitions. The term “Mobile Food Vendor” as used in this chapter, shall mean any business which sells pre-packaged food, prepared food, or on-site prepared food or edible goods from (1) a mobile food truck or other vehicle equipped with a self-contained motorized unit; (2) a concession cart or other mobile vending unit that must be moved by non-motorized means; or (3) a concession trailer or other mobile vending unit which is pulled by a motorized unit and has no power to move on its own. Catering or delivery vehicles used merely for delivery of food or edible goods to a residence or place of business pursuant to pre-order shall not constitute a Mobile Food Vendor.

Section 2. This chapter shall not apply to concessionaires, exhibitors or those occupying space on the Fair Grounds under arrangement with the Fair Board or Chamber of Commerce, in connection with the annual showing of the North Central Kansas Free Fair, entertainment held in the Fair Grounds of Republic County, or the Farmers Market.

Section 3. It is unlawful for any person to engage in the business of a mobile food vendor within the corporate limits of the city, without then having an unrevoked and unexpired license therefor in his or her possession and issued as hereinafter provided.

Section 4. Applicants shall give the following information:

- A. The name and description of the applicant;
- B. The permanent home address and local address of the applicant;
- C. The applicant’s Kansas Sales Tax number;
- D. The applicant’s Kansas Food Establishment license

Section 5. At the time of filing the application, a fee of \$25 shall be paid to the City for the license, which will be valid for the current calendar year. An additional \$25 will be required if the vendor will be connecting to the City’s electricity.

Section 6. No vendor shall conduct a business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, or create or become a public nuisance, increase pedestrian or vehicle traffic congestion or delay, or constitute a hazard to traffic, life or property, or an obstruction to adequate access to fire, police or sanitation vehicles.

Section 7. Any person, firm or corporation violating any provision of this chapter shall be deemed guilty of a Class C misdemeanor, and upon conviction thereof, shall be fined accordingly.

Section 8. This Ordinance shall be effective from and after its passage and publication in the official City Newspaper.

Passed by the Governing Body and approved by the Mayor this 26th day of April, 2021.

Adam Robertson, Mayor

Attest:

Russell Piroutek, City Clerk