

SIKESTON
PARKS AND RECREATION



#6283

FOOD TRUCK ORDINANCE

2022

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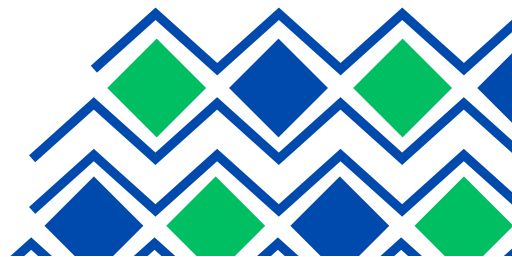
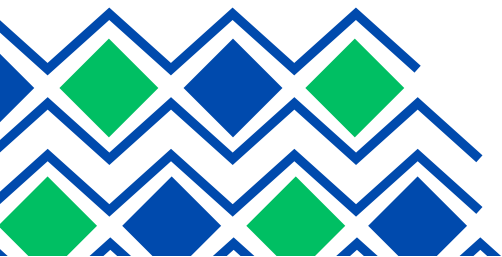
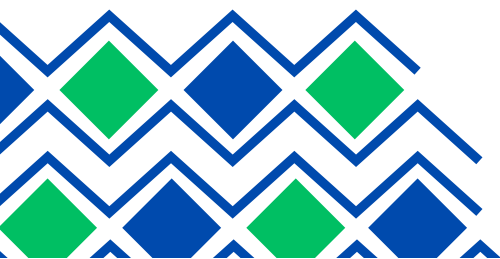


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BILL & ORDINANCE DETAILS

UPDATED
DECEMBER 22, 2022

BILL NUMBER 6283. ORDINANCE NUMBER 6283.

SECTION I: This Ordinance shall be codified in the City Municipal Code.

ALSO FIND IN THIS INFORMATIONAL BOOKLET THE FOLLOWING:

SECTION II: STREET VENDING
SECTION III: ITENERANT VENDORS
SECTION IV: FOOD TRUCKS

SECTION II

STREET VENDING

Section 605.025 Street Vending — Restriction.

- A. It shall hereafter be unlawful for any person to vend or sell from a vehicle any goods, wares or merchandise of any type or kind on and along the streets of the City within one hundred (100) feet from the front door or main entrance of any licensed business establishment in any part of the City except the zone which sells or vends any goods, wares or merchandise which is similar to or like the particular goods, wares and merchandise sold by the particular street vendor.
- B. Nothing in this Section contained shall relieve any street vendor from being licensed as required by Title VI.
- C. This Section shall not apply to the operation of Food Trucks, which are separately governed by Chapter 655.



SECTION III

ITINERANT VENDORS

Section 607.130. Use of Streets.

No licensee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he/she be permitted to operate in any congested area where his/her operations might impede or inconvenience the public. For the purposes of this Chapter, the judgment of the Public Safety Officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced. This Section shall not apply to the operation of Food Trucks, which are separately governed by Chapter 655.





SECTION IV

FOOD TRUCKS

CHAPTER 655

FOOD TRUCKS

CHAPTER 655.010

PERMIT AND LICENSE REQUIRED

It shall be unlawful for any individual, vendor, corporation, business, or other organization to operate a Food Truck as defined in Section 655.030 within the corporate limits of the City of Sikeston, Missouri, without first obtaining a permit and license therefore in compliance with the provisions of this Chapter.



SECTION IV

FOOD TRUCKS

CHAPTER 655.020

EXCEPTIONS

A. The provisions of this Chapter shall not apply to the following:

1. Tax exempt not-for-profit persons, associations or corporations (i.e., Kiwanis, Lions, Elks, churches, Scouts BSA and like organizations).
2. Trucks which drive around neighborhoods or public areas selling ice cream or frozen treats while 3. In City parks, with the following conditions:
 - a) Food trucks may only locate in parking lots, not on streets, within the park.
 - b) Any use of a park by a food truck operator shall be a non-exclusive use, and use of any particular location shall be on a first come, first served basis.
 - c) A food truck may only operate in a particular park up to 4 hours per day and no more than 4 days per week, and food trucks may not be parked overnight in a city park unless part of an approved event.



SECTION IV

FOOD TRUCKS

d) Food trucks may not operate in the following parks except during approved events with permission from the Parks and Recreation Department:

- i) Legion Park,
- ii) Veterans Park,
- iii) Clinton Building parking lots.

e) Food trucks may not operate in the following parks during the following events, unless granted written permission from the Parks and Recreation Department:

- i) VFW Field during any baseball games.
- ii) The Sports and Recreation Complex during any high school, recreational league or tournament baseball, softball, tee ball, football or soccer games.

f) If event organizers have rented a specific park or area of a park for a certain time period, then food trucks are not permitted in those areas during those times without permission of the event organizers.

g) It is a privilege, not a right, to operate a food truck in a public park, and that privilege may be revoked by the City Manager or Parks and Recreation Director at any time, upon written notice to the food truck operator.



SECTION IV

FOOD TRUCKS

B. Food trucks shall not sell from the following locations:

1. On public streets or rights-of-way, including sidewalks, except in the following circumstances:

a) Hand pushed or pulled, non-motorized carts may be operated on sidewalks in non-residential zoning districts, under the following conditions:

i) Carts must not be parked adjacent to any single property more than 4 hours per day, 4 days per week.

ii) Cart owners/operators must have permission from the adjacent property owner, unless the cart is simply moving across the right-of-way and only stops momentarily to make a sale.

iii) Cart location must not impact pedestrian, bicycle, or motor vehicle traffic circulation or cause other safety issues.

b) Food trucks may operate on public streets or rights-of-way when said areas have been closed to vehicular traffic as part of a special event, provided the food truck operator has permission from the event organizer.



SECTION IV

FOOD TRUCKS

2. In residentially zoned districts, except as part of a city-approved event, stopped on the public right-of-way, more commonly known as ice cream trucks, shall be licensed under Chapter 607, Itinerant Vendor.
3. Vendors who are operating within an established farmers' or flea market or are sellers of fresh fruits and vegetables.
4. Neighborhood refreshment stands operated by children (e.g. lemonade stands).



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CHAPTER 655.030

DEFINITION OF FOOD TRUCK

A Food Truck shall be defined as any vehicle, trailer, cart, or other conveyance (whether under its own power or towed, pushed, or pulled by another vehicle, person, animal or device) from which ready to eat food or beverages are sold.

CHAPTER 655.040

APPLICATION

A. Applicants for license under this Chapter, whether a person, firm, corporation, or other entity, shall file a written sworn application signed by the applicant, on a form supplied by the City, showing:

1. The name or names of the person or persons having the management or supervision of applicant's business during the license period.
2. The permanent address or addresses of such person or persons while engaged in such business.
3. The capacity in which such person or persons will act (that is, whether as proprietor, agent or otherwise); the name and address of the person, firm or corporation for whose account the business will be carried on, if any; and if a corporation, under the laws of what State the same is incorporated.
4. A brief description of the nature of the business and the goods to be sold.
5. If a vehicle is to be used, a description of same, together with license number or other means of identification.
6. Proof of a valid and current New Madrid County or Scott County health inspection certificate.



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CHAPTER 655.045

CITY INSPECTION

Food trucks must pass a City inspection per current applicable municipal codes and fire codes prior to issuance of license.

CHAPTER 655.050

FEES

A license fee, which shall be charged by the City of Sikeston for such license, shall be twenty-five dollars (\$25.00) per year per vehicle, trailer, cart or conveyance.



CHAPTER 655.060

EXHIBITION OF LICENSE

Licensees shall post conspicuously in or on the licensed vehicle, trailer, cart, or other conveyance a copy of their license.

CHAPTER 655.070

PERMITTED LOCATIONS

A. Food trucks are permitted to operate only in the following locations:

1. On private property, with property owner permission, in non-residential zoning districts.
2. In City-designated food truck parking stalls during posted times.

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CHAPTER 655.080

OTHER OPERATIONAL STANDARDS

A. In carrying on business within the City of Sikeston, all food trucks licensees shall adhere to the following operational standards:

1. All applicable local, state and federal laws shall be obeyed, including, without limitation, building and fire codes related to their equipment and operations, and applicable health regulations. Food truck operations shall not endanger or be detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the food truck, given the nature of the activity, its location on the site and its relationship to it.
2. A food truck shall not be parked on the street overnight. Any food truck found to be unattended shall be considered a public safety hazard and may be ticketed and impounded.
3. The customer service area for food trucks shall be on the side of the truck that faces a curb, lawn or sidewalk when parked. No food service shall be provided on the driving lane side of the truck.

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4. Customers shall be provided with single service articles such as plastic utensils and paper plates and a waste container for their disposal. All food truck operators shall offer a waste container for public use which the vendor shall empty at its own expense. All trash and garbage originating from the operation of mobile food vehicles shall be collected and disposed of off-site by the operators each day. Spills of food or food by-products shall be cleaned up, and no dumping of gray water on the streets is allowed.

5. No food truck operator shall make or cause to be made any unreasonable or excessive noise. No loud music, other high-decibel sounds, horns, or amplified announcements are allowed.

6. No flashing or blinking lights, or strobe lights are allowed on mobile food vehicles or related signage when the vehicle is parked and engaged in serving customers.

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CHAPTER 655.090

REVOCATION OF LICENSE

A. Any license issued pursuant to this Chapter may be revoked immediately by the City Manager of the City of Sikeston, Missouri, for any of the following causes:

1. Any fraud, misrepresentation or false statement contained in the application for license;
2. Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares or products;
3. Any violation of this Chapter;
4. Conviction of the licensee of any felony or of a misdemeanor involving moral turpitude; or
5. Conducting the business licensed under this Chapter in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

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B. The license of a Food Truck operator shall be suspended until such time as may be heard publicly and reinstated by the City Council.

C. Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee, at his/her last known address, at least five (5) days prior to the date set for the hearing.

607.180

EXPIRATION OF LICENSE

All licenses issued under the provisions of this Chapter shall expire on June 30 of each year.



CONTACT INFORMATION

FOR:

CITY TAXES
BUSINESS LICENSE FEES
LIQUOR LICENSE FEES
CARNIVAL/CIRCUS LICENSE FEES
ITENERANT VENDOR LICENSE FEES

COLLECTOR'S OFFICE

COLLECTORSOFFICE@SIKESTON.ORG
573.471.2193

FOR:

BUSINESS LICENSE
BUSINESS LICENSE INSPECTION

COMMUNITY DEVELOPMENT

COLLECTORSOFFICE@SIKESTON.ORG
573.475.3743

FOR:

PERMISSION TO SELL IN PARKS

PARKS & RECREATION

ALINDSEY@SIKESTON.ORG



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