

VILLAGE OF WILLIAMSVILLE

LOCAL LAW NO. X of 2016

A Local Law Amending Chapter 73 (Public Order) to Regulate Mobile Food Vehicles

Section 1. Title

This Local Law shall be referred to as, "Mobile Food Vehicle Regulation Law of 2016".

Section 2. Purpose

The purpose of this Local Law shall be to amend Chapter 73 (Public Order) to regulate mobile food vehicles (a/k/a "food trucks") in the Village of Williamsville.

Section 3.

Chapter 73 (Public Order) is amended as follows:

§ 73-2 Definitions.

MOBILE FOOD VEHICLE – A self-contained mobile food unit in which ready-to-eat food is prepared, cooked, wrapped, packaged, processed or portioned for service, sale, or distribution.

MOBILE FOOD VENDOR – The owner or owner's agent of a mobile food vehicle

§ 73-4 Activities Requiring Permit from Mayor.

- A. The following activities when conducted by any individual or private organization shall be permitted only upon issuance of a permit by the Mayor:

(12) Mobile Food Vendor.

§ 73-6 Mobile Food Vendor.

- A. No mobile food vendor shall vend on the public street unless a permit has been first issued by the Mayor. The permit shall be produced by the mobile food vendor upon the request of any individual solicited.

- B. (1) No mobile food vendor shall vend on the public street without a valid permit issued pursuant to Section 73-4(A)(12).
- (2) In order to obtain such permit, the mobile food vendor shall:
- (i) present the mobile food vehicle for inspection by the Code Enforcement Officer, or provide proof of an equivalent inspection from another municipality performed within the previous 6 months;
 - (ii) provide proof of current and valid insurance;
 - (iii) provide proof of current and valid vehicle registration; and
 - (iv) provide proof of current and valid Erie County Health Department inspection
- C. Mobile food vending shall not be conducted before 9:00 a.m. or after 11:00 p.m. on a residential property.
- D. Mobile food vending shall not be conducted before 7:00 a.m. or after 11:00 p.m. on a non-residential property or in a right-of-way adjacent to a non-residential property.
- E. Within non-residential zoning districts, it shall be unlawful for a mobile food vendor to conduct business at a single location within a public right-of-way for a duration exceeding three (3) hours.
- F. At all times, mobile food vendors must abide by the New York State Transportation Law and all applicable Parking, Vehicle and Traffic Laws, Ordinances, Rules and Regulations.
- G. All signage associated with a mobile food vendor must be permanently affixed to the mobile food vehicle. No accessory signage shall be placed outside or around the mobile food vehicle.
- H. All mobile food vendors must provide trash receptacles of sufficient capacity to contain all trash and waste generated in association with the business of the mobile food vendor. All waste and trash shall be placed in the trash receptacles. All trash, waste, litter and debris shall be removed from the site of the vending operation at the end of each daily operation.
- I. It shall be unlawful to discharge liquid waste, fats, oils or grease on the land. Such discharges shall be held in appropriate containers and then disposed in a legally permissible manner.
- J. Mobile food vendors shall not conduct operation from a site that contains a gasoline service.

- K. Each mobile food vehicle shall be inspected annually by the Building Department for fire-safety code compliance, unless proof of an equivalent inspection performed by another municipality within the previous 6 months is provided.
- L. All required permits shall be posted conspicuously on the mobile food vehicle.
- M. Each mobile food vehicle shall be registered as a commercial vehicle with the New York State Department of Motor Vehicles.
- N. When parked on a public or private right-of-way, products shall not be dispensed from the street side of the mobile food vehicle.
- O. A mobile food vehicle shall not be operated in reverse in order to attempt or make a sale.
- P. When parked on a public or private right-of-way, a mobile food vehicle shall not be parked within sixty (60) feet of an intersection with another public or private right-of-way boundary.
- Q. The following fees shall be paid to the Village Clerk with an application for a mobile food vendor permit:
 - (1) Mayor's Permit fee as determined from time to time by the Village Board of Trustees
 - (2) Inspection fees, if applicable, in amounts as determined from time to time by the Village Board of Trustees
- R. A permit granted hereunder shall not be transferable and shall expire on the first day of June of each year.

§ 73-67 Offense Odors.

Section 4. Effective Date

This Local Law shall take effect immediately and shall be filed in the Office of the Secretary of State.