



TOWN OF SUNDERLAND POLICY Mobile Food Vendor

A Mobile Food Vendor is defined for these purposes as any person who travels from place to place upon public ways and dispenses food from a food truck, food cart, ice cream truck, canteen truck, catering truck, breakfast truck, lunch truck, lunch wagon, or any other Mobile Food Vehicle which is designed and equipped to cook, prepare and serve food.

APPLICATION REQUIREMENTS

Any person wishing to apply for a Mobile Food Vendor License shall complete and submit a Massachusetts Hawker and Peddler License application to the Police Department/Board of Selectmen (Town Bylaw §91-1), including a Personal Criminal Record Request Form (CORI) and a Sex Offender Registry Board (SORB) check. A Hawker and Peddler License for each employee must be obtained before a Mobile Food Vendor License application is submitted to the Selectmen's office with the required application fee.

Initial plan reviews and preliminary approvals are required from the Board of Health, Building Commissioner, Fire Department and Police Department during the application review process, prior to scheduling a Board of Selectmen's hearing on the application at a public meeting.

Mobile Food Vehicles shall be licensed by the Board of Health and Fire Department before issuance or renewal of the Mobile Food Vendor License from the Board of Selectmen. All licenses must be prominently displayed on the Mobile Food Vehicle.

GENERAL CONDITIONS FOR MOBILE FOOD VENDOR LICENSE

Mobile Food Vendors shall to operate only in designated Commercial or Industrial zones approved by the Board of Selectmen.

Mobile Food Vendors shall not block drive entrances, exits, access to loading and/or service areas, emergency access and fire lanes. Vehicles must be positioned at least 20 feet away from fire hydrants, any fire department connection, driveway entrances and handicapped parking spaces.

Connections to potable water supplies and public sewer are prohibited.

Use of municipal trash receptacles is not allowed. Licensees must provide trash and recycling receptacles for customers. Receptacles must be removed from the site daily, and the contents privately disposed of in accordance with State and local regulations.

Licensees shall not be permitted to operate within 200 feet of a licensed Common Victualler without their written permission which must be presented with application.

Licensees shall not erect any free-standing signs unless specifically approved by the Board of Selectmen and a permit obtained from the Building Commissioner.

No Mobile Food Vendor may set up tables, chairs, umbrellas or similar facilities, except standing counters and tables without chairs or stools.

Mobile Food Vehicles shall not operate as drive-in/drive-up/drive-through operations. All service must be walk-up by customers.

Mobile Food Vehicles shall not be positioned so as to expose clients to vehicular traffic, or otherwise in an unsafe manner. Any directive of a Police Officer in this regard shall be immediately complied with.

If a Mobile Food Vehicle is proposed to operate after dark in accordance with approved hours of operation, the vendor must provide appropriate lighting for customer safety.

Grease and grey water shall be contained and disposed of in accordance with state Sanitary Code.

Mobile Food Vehicles shall not make or cause to be made any unreasonable or excessive noise or odor.

Licensees shall not sell non-food novelty items, noise makers or toys.

Mobile Food Vendors shall comply with all local, state and federal tax regulations, including but not limited to retail sales applicable to food and beverages.

Mobile Food Vendors shall obtain requisite insurance, bonding and workers compensation as required by the Board of Selectmen.

RENEWALS

Mobile Food Vendor Licenses are subject to annual license renewal. It is the responsibility of the Licensee to file for a renewal at least 60 days prior to expiration of the current license. Failure to renew prior to expiration shall result in a loss of license, and any subsequent renewal request shall be treated as a completely new application.

TOWN REQUIREMENTS

Mobile Food Vendor License fees shall be set by the Board of Selectmen.

The Board of Selectmen may grant/deny any application, and may stipulate additional conditions, or modify or waive any general conditions or requirements of this Policy if it determines such to be in the best interests of the community.

Violations of any of the provisions of this Policy may result in revocation, suspension or modification of the permits and licenses issued to the vendor to operate in the Town of Sunderland.

This Policy shall not apply to canteen or coffee trucks that move from place to place and are stationary for no more than thirty (30) minutes at a time or ice cream trucks which move from place to place and are stationary for no more than ten (10) minutes.

BoS Approved: 3.17.14

DRAFT Amendments: 5.27.14

BoS Amended: 6.16.14

TOWN OF SUNDERLAND CHECKLIST

Mobile Food Vendor Licenses

- ☐ An interested party must first apply for and obtain a Massachusetts Hawker and Peddler License from the Police Department (Town Bylaw §91-1).
- ☐ Applicant submits application for Mobile Food Vendor License to Board of Selectmen with application fee, Massachusetts Hawker and Peddler License, and insurance, bonding and workers compensation certificates as required by the Board of Selectmen.
- ☐ Board of Health issues Food Permit and Mobile Food Permit, reviews and signs approval on Mobile Food Vendor License Application.
- ☐ Fire Department reviews Mobile Food Vendor License Application for fire code compliance, issues Propane Tank Permit (over 25#) if applicable, and signs approval on Mobile Food Vendor License Application.
- ☐ Building Commissioner reviews Mobile Food Vendor License Application for Zoning Bylaw and building code compliance, and signs approval on Mobile Food Vendor License Application.
- ☐ Police Chief reviews Mobile Food Vendor License Application, makes public safety recommendations and signs off on approval Mobile Food Vendor License Application.
- ☐ Board of Selectmen Mobile Food Vendor License hearing is scheduled on receipt of all local official approvals and recommendations.
- ☐ If approved by Board of Selectmen, Mobile Food Vendor License is issued, including conditions, if any. All licenses must be prominently displayed on the Mobile Food Vehicle.

The Board of Selectmen has the right to deny applications, set hours, days and locations of operation, and stipulate any other License conditions.

All provisions of the Town's Mobile Food Vendor Permit Policy must be complied with.

BoS Approved: 6.16.14

BoS Amended: