



City of SANDWICH, ILLINOIS

144 E. Railroad St – Sandwich, IL 60548

Phone: (815) 786-9321 Fax: (815) 786-7012

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Mobile Food Truck Permit Application

() – Annual Fee \$100.00 (valid from January 1st thru December 31st)

() – Single Event Permit \$25.00 (Date: _____)

A **mobile unit** is defined as a food dispensing operation on wheel with its own source of electrical power, being 100% self-contained, and able to perform its intended function while in compliance with all local, county, state and federal statutes. The same sanitation standards shall apply to a mobile unit as to a brick-and-mortar restaurant or other retain food establishments. **NO ALCOHOLIC BEVERAGES CAN BE SERVED.**

OWNER INFORMATION: a copy of a valid driver's license is required

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BUSINESS NAME	PHONE NUMBER
HOME ADDRESS	
EMAIL ADDRESS	IL TAX ID#
CERTIFIED FOOD HANDLER	
DESCRIPTION OF FOOD / BEVERAGE TO BE SERVED	
APPLICATION MADE BY: () Sole Proprietor () Partnership/LLC () Corporation	

VEHICLE INFORMATION: permits are issued to an operator and vehicle. Permits ARE NOT transferrable between operators and another vehicle. Copy of vehicle registration and limited liability insurance is required upon application.

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VEHICLE MAKE	YEAR / MODEL #
VIN	LICENSE PLATE #

I, the undersigned, acknowledge that I have received a copy of Ordinance 2022-06 "An Ordinance Amending Chapter 54 "Peddlers & Solicitors" by Adding a New Article V "Mobile Food Vendors".

Signature: _____

Date: _____

(see reverse side)

(FOR OFFICE USE ONLY)

- Checklist: Copy of Driver's License
 Copy of vehicle registration
 Copy of liability insurance policy covering the subject vehicle / trailer
 Copy of IL State Dept of Public Health food handler's certificate for each employee
 Copy of County Dept of Public Health food handler's certificate for each employee

Optional: Random vehicle inspection by City / Fire Department

Approved _____ (date) Denied _____ (date)

Payment: Check # _____ Cash _____ Date _____

ORDINANCE 2022-06

AN ORDINANCE AMENDING CHAPTER 54 "PEDDLERS AND SOLICITORS," BY ADDING A NEW ARTICLE V. "MOBILE FOOD VENDORS," OF THE CITY OF SANDWICH MUNICIPAL CODE.

WHEREAS, the City of Sandwich ("City") has mobile food vendors park on public streets and participate in special events throughout the City; and

WHEREAS, the City wants to ensure the mobile food vendors are following all recommended health and safety guidelines while preparing and selling food; and

WHEREAS, the Council of the City believes it to be in the best interest of the health, safety, and welfare of the community to regulate mobile food vendors within the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Sandwich, Illinois, as follows:

Section 1. That Chapter 54, "PEDDLERS AND SOLICITORS," be amended by adding a new article thereto as follows:

ARTICLE V. – MOBILE FOOD VENDORS

Sec. 54-159. - Definitions

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Brick-and-mortar business shall be defined as a business lawfully operating at a fixed location within a building within the city limits.

Business shall be defined as all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of organizations that are in the business of providing entertainment or recreation, together with all devices, machines, vehicles, and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, within the boundaries of the City.

License and Licensee shall be defined to include the words "permit" or "permittee," or the holder for any use or period of time or any similar privilege, wherever relevant to any provision of this chapter or other law or ordinance.

Mobile Food Vendor shall be defined to mean a self-contained motorized vehicle or trailer from which cooked, wrapped, packaged, or processed foods (excluding all forms of alcohol) are sold for immediate consumption and conducts all or part of its operations on premises other than its

own and is readily movable, without disassembling, for transport to another location.

Premises shall be defined to mean all lands, structures, places, equipment, and appurtenances connected or used therewith in any business, and any personal property that is either affixed to or is otherwise used in connection with any other such business conducted on such premises.

Special event shall be defined as an event or festival within the City sponsored by the City of Sandwich and/or an event publicized by the City of Sandwich.

Sec. 54-160. – Requirements

All mobile food vendors that operate within the City of Sandwich, regardless of the length of time or type of event, must comply with all of the following regulations:

- a) *License.* The mobile food vendor must have a City of Sandwich mobile food license as provided for in this Article. If a mobile food vendor operates more than one vehicle or trailer, each vehicle or trailer will require its own separate license. A mobile food vendor may apply for an annual license or a single event license.
 - 1) An annual license will be valid in the city limits from January 1st to December 31st each year and may be used at any permitted location within the City or for any special event.
 - 2) A single event license is valid for any special event, or any event hosted on private property. A single event license is valid for the duration of the special event or the day of the event on private property and may not be used for any other event. A mobile food vendor may apply for more than one single event license throughout the calendar year, but each single event license requested will require a separate application and a separate license fee.
- b) *Locations.* Mobile food vendors may operate on private property with the permission of the owner or tenant. Mobile food vendors may not operate on public property absent prior Council approval
- c) *Special event restrictions.* If a special event is occurring, then mobile food vendors may not operate on any property within the city limits unless the mobile food vendor is an approved food vendor of the special event.
- d) *Service and traffic.* All service to customers must be located on the curbside if parked next to a curb and must not obstruct or congest bicycle or pedestrian traffic on the sidewalks. If not parked next to a curb, service must not block, obstruct, or interfere with vehicular, bicycle, or pedestrian flow. If a Sandwich Police Officer finds the location and service of the mobile food vendor are blocking, obstructing, or interfering with vehicular, bicycle, or pedestrian flow and requests the mobile food vendor to relocate, the mobile food vendor must comply with such request and move to another permitted location to avoid congestion or obstruction of traffic.
- e) *Trash receptacles.* Trash receptacles must be provided, and the food truck vendors must not leave until picking up, removing, and disposing of all trash.

- f) *City's ordinances and fire department regulations.* The mobile food vendor must comply with all of the City of Sandwich's ordinances, including all health, safety, and parking regulations applicable to mobile food vendors, and must comply with all fire department guidelines. A designated individual from the City and/or the fire department will be permitted to randomly inspect mobile food vendors to ensure all ordinances and regulations are being complied with while operating within the city limits. Failure to permit an inspection by a designated individual from the city and/or fire department may result in the suspension of the mobile food vendor license.
- g) *County ordinances and regulations.* The mobile food vendor must ensure they are following all DeKalb County, LaSalle County, and Kendall County Health Department regulations, including the DeKalb County Health and Sanitation Ordinance, the LaSalle County Food Sanitation Ordinance, the Kendall County Food Protection Ordinance, and all other health, safety, or sanitation codes applicable to mobile food vendors.
- h) *State regulations.* The mobile food vendor must ensure they follow the Illinois Department of Public Health Food Service Sanitation Code and all other state health, safety, or sanitation requirements applicable to mobile food vendors.
- i) *Sales and use taxes.* All sales by the mobile food vendor that are subject to the sales and use tax and occur within the City must be reported, the required payment made to the State of Illinois, including any applicable municipal taxes, and must identify the City as the point of sale.

Sec. 54-161. - License Required; Application; Fee

To receive a City of Sandwich mobile food vendor license, the vendor must supply the City with the following items:

- a) *Application.* An application on a form prescribed by the City, which must contain the following information:
 - 1) Name, address, phone number, and email of the individual that operates the vehicle or trailer;
 - 2) The name of the mobile food vendor, a description of the vehicle or trailer, and the type of food and/or beverages (non-alcoholic only) that will be served to customers;
 - 3) Name, if any, of the limited liability company or corporation that owns or operates the vehicle or trailer, if different from the name of the mobile food vendor;
 - 4) The license plate number of the vehicle or trailer used to serve customers; and
 - 5) Whether the applicant desires an annual license or a single event license. If a single event license is desired, the applicant must state or describe what event the license is being requested for.

- b) *Documentation.* The following documents must be submitted with the application, and the failure to submit any of the following documents will result in the denial of the food vendor license:
- 1) A copy of the driver's license of the individual that will be operating the vehicle or trailer;
 - 2) A liability insurance policy covering the subject vehicle or trailer;
 - 3) A copy of the vehicle or trailer's registration;
 - 4) A copy of the food handler's certificate for each employee as required by the Illinois Department of Public Health; and
 - 5) A copy of the proper mobile food license issued by the appropriate County Health Department.
- c) *Fee.* The application must also include the fee of \$100.00 for an annual license or \$25.00 for a single event license. This fee is non-refundable in the event the application is denied.

Sec. 54-162. – Annual License Renewal

In all subsequent years, the applicant must file a new application to cover such vehicle or trailer and provide all the necessary documents and application fee.

Sec. 54-163. – License Nontransferable

The mobile food vendor's license issued hereunder is not transferable to any other individual, partnership, firm, corporation, trust, association, or other entity.

Sec. 54-164. – Suspension; Revocation of License

An annual license or single event license issued under this Article may be suspended or revoked by the Mayor if the Mayor finds:

- a) The mobile food vendor failed to permit an inspection by a designated individual from the City and/or fire department.
- b) After an inspection, the City and/or fire department personnel determined that the mobile food vendor was not operating in a manner safe for the public's health, safety, and welfare.
- c) The mobile food vendor operates in a location within the City of Sandwich that is not permitted.
- d) The mobile food vendor failed to abide by a Sandwich Police Officer's request to relocate due to the mobile food vendor blocking, obstructing, or interfering with vehicular, bicycle, or pedestrian flow.

- e) An operator of the vehicle or trailer of the mobile food vendor is convicted of moving violations while operating under the mobile food vendor license and in the City of Sandwich.
- f) If the mobile food vendor has failed to maintain all the certificates, licenses, and permits required by state, county, or local ordinances or is not in compliance with the state, county, or City's laws and regulations, including but not limited to the DeKalb County Health and Sanitation Ordinance, LaSalle County's Food Sanitation Ordinance, Kendall County Food Protection Ordinance and the Illinois Department of Public Health Food Service Sanitation Code and any other state, county or city regulations that apply to mobile food vendors.

Appeal. If the Mayor suspends or revokes the mobile food vendor's license, city staff will mail a notice of suspension or revocation to the address listed on the license application and state the reasons for the suspension or revocation. A licensee may appeal a decision of the Mayor to the city council within 14 days of the mailing date. The decision of the city council will be the final decision.

Sec. 54-165. – Violations; Penalties

- a) *Operating without a valid license.* In addition to other penalties provided for in this Article, any person, partnership, firm, corporation, trust, association, or other entity who operates without a valid food vendor's license will be fined not less than \$100.00 and not exceeding \$750.00. A separate offense will be deemed committed each day the violation occurs or continues to occur
- b) *Other violations.* Except for an operating without a valid license violation, any person, partnership, firm, corporation, trust, association, or other entity who violates any of the other provisions of this Article will be fined as established elsewhere in this Code. A separate offense will be deemed committed each day the violation occurs or continues to occur.

Section 2: Each section, paragraph, sentence, clause, and provision of this ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance nor any part thereof, other than the part affected by such decision.

Section 3: That except as to the amendments heretofore mentioned, all chapters and sections of the Municipal Code of Sandwich, Illinois shall remain in full force and effect.

Section 4: That this Ordinance shall, by authority of the City Council of the City of Sandwich, Illinois, be published in pamphlet form. From and after 10 days after said publication, this ordinance shall be in full force and effect.

PASSED BY THIS CITY COUNCIL of the City of Sandwich, Illinois, at a regular meeting thereof held on May 23, 2022, and approved by me as Mayor on the same day.

AYE: Aldermen Fritsch, Holcomb, Johnson, Killey, Kreinbrink, Littlebrant, Robinson & Whitecotton

NAY: None

ABSENT: None



Todd Latham, Mayor

ATTEST:



Denise Li, City Clerk

