
Town of Shelby
Local Law __ of the Year 2019
A Local Law to Regulating Mobile Food Vehicles

Be it enacted by the Town Board of the Town of Shelby as follows:

Section 1. Title

This Local Law shall be referred to as the "Mobile Food Vehicle Regulation Law of 2018".

Section 2. Purpose

The purpose of this Local Law is to regulate mobile food vehicles (a/k/a "food trucks") in the Town of Shelby.

Section 3. 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. A Mobile Food Vehicle may include any car, truck, van, or other vehicle, as well as any trailer or any other unit that is or can be towed behind such vehicle.

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

Section 4. Activities Requiring Permit from Town Supervisor

- A. Operation of a Mobile Food Vehicle or conducting business as a Mobile Food Vendor shall be permitted only upon the issuance of a permit by the Town Supervisor.

Section 5. Mobile Food Vendor

- A. No mobile food vendor shall vend on the public street unless a permit has been first issued by the Town Supervisor. 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 4.

(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 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. 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.
- F. All signage associated with a mobile food vendor must be permanently affixed to the mobile food vehicle. Only one accessory sign shall be placed outside or around the mobile food vehicle.
- G. 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.
- H. 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.
- I. Mobile food vendors shall not conduct operation from a site that contains a gasoline service.
- J. 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.
- K. All required permits shall be posted conspicuously on the mobile food vehicle.
- L. When parked on a public or private right-of-way, products shall not be dispensed from the street side of the mobile food vehicle.

- M. A mobile food vehicle shall not be operated in reverse in order to attempt or make a sale.
- N. 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.
- O. The following fees shall be paid to the Town Clerk with an application for a mobile food vendor permit:
 - (1) Supervisor's Permit fee as determined from time to time by the Town Board
 - (2) Inspection fees, if applicable, in amounts as determined from time to time by the Town Board
- P. A permit granted hereunder shall not be transferable and shall expire on the first day of January of each year.

Section 6. Effective Date

The Town Clerk is hereby authorized and directed to cause a certified copy of this article to be recorded and filed with the Secretary of State pursuant to the Town Law. This local law shall be effective immediately upon filing with the Secretary of State