

3-1-1: DEFINITIONS:

As used in this title:

BUSINESS: Means and includes all activities engaged in within the city carried on for the purpose of gain or economic profit, except that the acts of employees rendering service to employers shall not be included in the term "business", unless otherwise specifically provided.

EACH SEPARATE PLACE OF BUSINESS: Each separate establishment or place of operation, whether or not operating under the same name, within the city, including a home or other place of lodging if the same is held out by advertisements, listings or otherwise as the establishment or place of operation of a person engaging in the business of selling tangible, personal property at either retail or wholesale, or both, in the city.

EMPLOYEE: The operator or manager of a place of business and any persons employed in the operation of said place of business in any capacity and also any salesperson, agent or independent contractor engaged in the operation of the place of business in any capacity.

ENGAGING IN BUSINESS: Includes, but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation or other calling, except the rendering of personal services by an employee to his employer under any contract of personal employment.

FOOD TRUCK: Means a "Food truck" as defined in Utah Code 11-56-102(3)

PLACE OF BUSINESS: Each separate location maintained or operated by the licensee within the city from which business activity is conducted or transacted.

WHOLESALE: A sale of tangible personal property by wholesalers to retail merchants, jobbers, dealers or other wholesalers for resale, and does not include a sale by wholesalers or retailers to users or consumers not for resale, except as otherwise specified.

WHOLESALE: A person doing a regularly organized wholesale or jobbing business and selling to retail merchants, jobbers, dealers or other wholesalers, for the purpose of resale. (Ord. 91-5-22-11, 5-22-1991, eff. 5-22-1991; amd. 2003 Code)

3-1-13: FOOD TRUCKS

A. Licensing

1. The city shall grant a business license to operate a food truck within the city to a food truck business that has obtained a business license to operate a food truck in another political subdivision within the state if the food truck business presents:
 - a. a current business license from the other political subdivision within the state; and
 - b. for each food truck that the food truck business operates:
 - (1) a current health department food truck permit from a local health department within the state; and
 - (2) a current approval of a political subdivision within the state that shows that the food truck passed a fire safety inspection that the other political subdivision conducted.
2. No additional license qualification requirements will be imposed on the food truck business before issuing a license to operate within the political subdivision

B. Location of Operation

1. Food Trucks **generally** may not operate within a:
 - a. Residential Zone (R-1-15,000; R-1-20,000; and R-1-12,000);
 - b. Residential And Livestock Raising Zone (RR-1, and R&L-1-20,000); and
 - c. Residential And Environmental Zone (HR-1, and CE-2)
2. Food Trucks or Food Trailers may operate on private property **within a residential zone only** if:
 - a. the vendor has permission of the property owner and/or his or her designee **and**;
 - b. **the property owner has obtained a conditional use permit from the city authorizing the food truck to operate in the residential zone.**
3. **While not within a residential zone**, Food Trucks or Food Trailers may operate on public property if:
 - a. the food vending vehicle is not parked within twenty (20) feet of an intersection.
 - b. A mobile food vendor may operate from legal parking spaces, including metered spaces upon payment of appropriate fees, on the public right of way.

- c. When operating on public property, a mobile food vendor is subject to the same parking rules, restrictions, and obligations that a commercial vehicle would be subject to if not used by a mobile food vendor.

C. Operational Standards

1. Food Trucks or Food Trailers operating in the Right-of-Way must comply with all applicable parking and traffic regulations. No operation shall extend into vehicle travel or bicycle lanes.
2. Food Trucks or Food Trailers operating in the Right-of-Way must orient the vending window to face away from the Right-of-Way.
3. Food Trucks or Food Trailers shall be constructed in a way that they may be easily removed on a daily basis and shall not be left overnight or stored on the subject property or in a Right-of-Way.
4. Trash Receptacles. All Food Trucks or Food Trailers shall provide at least one trash receptacle meeting Utah County Health Department standards. The trash receptacle shall be removed with the Food Truck or Food Trailer on a daily basis.
5. All Food Trucks or Food Trailers are required to clean the area occupied by the Food Truck or Food Trailer and the surrounding area within a 25 foot radius on a daily basis.
6. All Food Trucks or Food Trailers are required to comply with Utah County Health Department regulations.
7. Hours of Operation. All activity related to Food Trucks or Food Trailers shall be temporary. Food Truck or Food Trailer operation shall not exceed eighteen (18) hours within a twenty-four (24) hour period at any one location.
8. Business operations shall not create any public nuisance, including: (1) noises audible from within an enclosed vehicle or from within an enclosed Building; (2) accumulations of litter; (3) obstruction of pedestrian and vehicle access or travel areas; (4) reduction in required Parking Stalls or other similar activities; and (5) any violation of City, County, or state regulations.