



**** ATTACH A COPY OF YOUR DRIVER'S LICENSE TO THIS APPLICATION****

CITY OF MARQUETTE

MOBILE FOOD VENDING LICENSE APPLICATION

City Code, Chapter 35 (Ordinance 624)

Annual fees stipulated by resolution of the Marquette City Commission

City-controlled property available for vending stipulated by resolution of the Marquette City Commission

Applicant Name: _____

Applicant Address: _____

Phone Number: _____ DOB: _____

Email Address: _____

Name of Business: _____

Food Products Offered for Sale: _____

Description of Food Preparation Methods: _____

Description of Vending Unit (Include Size): _____

Proposed Hours of Operation: _____

Intended Areas of Operation: _____

Plans for Electrical Access, Wastewater and Trash Disposal: _____

Does applicant own a brick-and-mortar restaurant in the City? Yes No

If yes, what is the name of the brick-and-mortar establishment? _____

Applicant must include copies of all applicable licenses and/or permits issued by the Marquette County Health Department, as well as proof of comprehensive liability insurance, with a limit of at least \$2 million combined coverage, and which names the City of Marquette as additional insured.

APPLICANT SIGNATURE

DATE

This section for office use only

POLICE CHIEF

Approved

Denied

DATE

CITY TREASURER

Approved

Denied

DATE

FIRE CHIEF

Approved

Denied

DATE



**CITY OF MARQUETTE
PERMISSION SLIP FOR USE OF PRIVATE PROPERTY**

Name: _____
(The following is to be completed by the property owner)

I, _____, the property owner/representative, hereby give
permission to the above-named individual/company to use my property, located at:

(Address of property)

more commonly known as: _____
(Name of business, if applicable)

From: _____ through: _____
(Dates of use)

PROPERTY OWNER/REPRESENTATIVE SIGNATURE

DATE



**CITY OF MARQUETTE
APPLICATION FOR INDIVIDUAL
WORKING FOR VENDOR**

**** ATTACH A COPY OF YOUR DRIVER'S
LICENSE TO THIS APPLICATION****

Date: _____

Applicant Name: _____

Applicant Address: _____

Phone Number: _____ DOB: _____

Name of vendor you will be working for: _____

Local address: _____

APPLICANT SIGNATURE

DATE

This section for office use only

POLICE CHIEF

Approved

Denied

DATE

CITY TREASURER

Approved

Denied

DATE

ORDINANCE #624

An Ordinance to Amend Chapter 34, Peddlers, Solicitors and Transient Merchants, Article II, Peddlers and Solicitors, Section 34-21, by Repealing Current Sec. 34-21 and adding New Chapter 35: *MOBILE FOOD VENDING*

INTENT

In the interest of encouraging mobile food vendors who add to the vibrancy and desirability of the City of Marquette while providing a framework under which such businesses operate.

The City of Marquette Ordains:

SECTION 1: Chapter 34, Article II Peddlers and Solicitors, Section 34-21 Fixed Stands is hereby repealed.

New Chapter 35 is adopted as follows:

SECTION 2: SHORT TITLE

This Ordinance shall be known as the City of Marquette Mobile Food Vending Ordinance.

DEFINITIONS

(a) *Mobile Food Vending* shall mean vending, serving, or offering for sale food and/or beverages from a mobile food vending unit which meets the definition of a Food Service Establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as a tee shirt that bears the name of the organization engaged in Mobile Food Vending.

(b) *Mobile Food Vending Unit* shall mean any motorized or non-motorized vehicle, trailer, or other device designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale.

(c) *Vendor* shall mean any individual engaged in the business of Mobile Food Vending; if more than one individual is operating a single stand, cart, or other means of conveyance then Vendor shall mean all individuals operating such single stand, cart, or other means of conveyance.

(d) *Operate* shall mean all activities associated with the conduct of business, including set up and take down and/or actual hours where the mobile food vending unit is open for business.

(e) *Brick and Mortar Restaurant* shall mean a business which is on the City's tax rolls whose normal business includes the sale of food and/or beverages.

SECTION 3: LICENSE REQUIRED

No vendor shall engage in Mobile Food Vending without a license from the City Clerk authorizing such vending. The City Clerk shall prescribe the form of such license and application for such license. All licenses shall be prominently displayed on the Mobile Food Vending Unit. No vending through a Mobile Food Vending Unit of food and/or other human consumables shall be permitted unless it meets the definition of Mobile Food Vending as defined by this ordinance.

SECTION 4: EXCEPTIONS TO PERMIT

Mobile Food Vendors that are only operating in association with a special event will be addressed through the City of Marquette Special Event permit or license process.

SECTION 5: DURATION; NON-TRANSFERABILITY

Licenses or permits may be issued by the City Clerk for the City Business License Year, May 1 through April 30 of the following year. Any license issued under this Chapter is non-transferable.

SECTION 6: APPLICATION

Every vendor desiring to engage in Mobile Food Vending shall make a written application to the City Clerk for a license or permit under this Chapter. The applicant shall truthfully state, in full, all information requested by the City Clerk. The application for a license shall be on forms provided by the City Clerk and shall include the following information:

1. Name, signature, phone number, email contact, driver's license copy, and address of the applicant.
2. A list of the food products offered for sale and a description of preparation methods.
3. A description of and information on the mobile food vending unit including size.
4. Information setting forth the proposed hours of operation, intended areas of operations, plans for electrical access, wastewater disposal, and trash disposal.
5. Copies of all applicable licenses and/or permits issued by the Marquette County Health Department.
6. Proof of all insurances required by the City of Marquette including a proof of comprehensive liability with limits of no less than \$2 million combined single coverage which names the City of Marquette as additional insured.

SECTION 7: FEES

An application for a license under this Chapter shall be accompanied by a fee in the amount established by resolution of the City Commission. There shall be no proration of fees. Fees are non-refundable once a license has been issued by the City Clerk. If operating on non-city property, no fee shall be charged to a business which is on the City's tax rolls whose normal business includes the sale of food and/or beverages. No one shall hire or subcontract such vendors in an attempt to evade the provisions of this chapter.

SECTION 8: INVESTIGATION BY THE CHIEF OF POLICE

For Mobile Food Vending within residential areas, approval must be given by the Chief of Police prior to issuance of a license by the City Clerk.

SECTION 9: REQUIREMENTS

Any vendor engaging in Mobile Food Vending shall comply with the following requirements:

1. Mobile Food Vending Unit shall not exceed thirty-six (36) feet in length or nine (9) feet in width.
2. Provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other waste attributable to the vendor on a daily basis.
3. If operating on city-owned or controlled property, may only locate on such property as established in a resolution adopted by the City Commission.
4. The customer service area for mobile food vending unit shall be on the side of the street that faces a curb, lawn, or sidewalk when parked. No food service shall be provided on

- the driving lane side of the truck or vehicle.
5. Mobile Food Vending Units parked on public streets shall conform to all applicable parking regulations and shall not hinder the lawful parking or operation of other vehicles.
 6. Mobile Food Vending Units utilizing public parking spaces shall be parked in conformance with all applicable parking restrictions, and shall not hinder the lawful parking or operation of other vehicles.
 7. No food shall be prepared, sold, or displayed outside of a Mobile Food Vending Unit.
 8. Shall not provide or allow any dining area within ten (10) feet of mobile food vending unit, including but not limited to tables and chairs, booths, stools, benches, and stand up counters.
 9. When extended, awnings for Mobile Food Vending Units shall have a minimum clearance of seven (7) feet between the ground level and the lowest point of the awning or support structure.
 10. Shall not operate on public property within one block of a City-sanctioned or authorized street fair, public festival, farmers market or event being conducted without authorization from the event sponsor.
 11. Shall not use external signage, bollards, seating or other equipment that is not contained in the vehicles. Signage is only permitted when physically part of the mobile food vending units. No separate free-standing signs are permitted.
 12. Shall not use any flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
 13. Shall not use loud music, amplification devices or "crying out" or any other audible methods to gain attention which causes a disruption or safety hazard as determined by the City.
 14. Shall comply with all other City Ordinances.
 15. Shall comply with all applicable federal, state and county regulations.
 16. Distinct hours of operation and identification of permitted operating locations shall be established by resolution of the City Commission.
 17. A Mobile Food Vending Unit may not be left unattended.
 18. A Mobile Food Vending Unit on City-controlled property and not in operation shall be removed between the hours of 2 a.m. and 7 a.m. in commercial areas, 9 p.m. to 9 a.m. in residential areas and during the closed hours for City parks.
 19. Any power required for the mobile food vehicle located on City-controlled property shall be self-contained and shall not use utilities drawn from the City-controlled property.
 20. Mobile Food Vending Units on private property may use electrical power from the property being utilized with prior written authorization of the power customer.
 21. Power cables or similar devices shall not be run across any City street or alley, and shall not be run on the ground across or within pedestrian walkways or areas.
 22. Mobile Food Vending Units shall not be parked within 150 feet of an existing, brick and mortar restaurant during the hours when such restaurant is open for business to the public, unless written permission is first given by the restaurant owner.
 23. Vendors may not represent the granting of a license under this Chapter as an endorsement by the City.
 24. At any time, such mobile food vending unit shall be at least twenty-five (25) feet from all intersections and driveways.
 25. All operations related to vending must comply with and are subject to enforcement of Section 22-30 (Noises) of the Marquette City Code of Ordinances.

SECTION 10: PARKING BEYOND LIMITS ALLOWED BY CITY ORDINANCE AND ORDER

Any Mobile Food Vending Unit with a valid Mobile Food Vending license may park in a City-controlled parking space; and such Mobile Food Vending Unit shall be restricted to all regulations in the particular parking space, including time limits. Provided, however, that no Mobile Food Vending Unit shall park in a City-controlled parking space if parking is prohibited altogether. Any Mobile Food Vending Unit parked in a metered parking space with a valid Mobile Food Vending license shall activate the meter at all times while parked by depositing the appropriate sum of money into the parking meter.

SECTION 11: IMPOUNDMENT

Any equipment associated with food vending that is not in compliance with this Chapter and left on public property may be impounded at the owner's expense.

SECTION 12: OTHER LICENSES OR PERMITS

A license or permit obtained under this Chapter shall not relieve any vendor of the responsibility for obtaining any other permit, or authorization required by any other ordinance, statute or administrative rule.

SECTION 13: REVOCATION

The City Clerk shall revoke the license or permit of any vendor engaged in Mobile Food Vending who ceases to meet any requirement of this Chapter or violates any other federal, state or local regulations, makes a false statement on their application, or conducts activity in a manner that is adverse to the protection of the public health, safety, and welfare. Immediately upon such revocation, the City Clerk shall provide written notice to the license holder by certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the license shall become null and void.

SECTION 14: COMPLAINTS; APPEALS

If a written complaint is filed with the City Clerk alleging a Mobile Food Vendor has violated the provisions of this Chapter, the City Clerk shall promptly send a copy of the written complaint to the vendor together with a notice that an investigation will be made as to the truth of the complaint. The vendor shall be invited to respond to the complaint and present evidence and respond to evidence produced by the investigation. If the City Clerk or designee, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified. If a license is denied or revoked by the City Clerk, or if a written complaint is certified pursuant to this Chapter, the applicant or holder of a license may appeal to and have a hearing before the City Manager or designee. The City Manager or designee shall make a written determination, after presentation by the applicant and investigation by the City Clerk or designee, as to whether or not the grounds for denial, revocation or complaint are true. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of City Clerk or filing of the complaint shall be sustained and the applicant may appeal the City Manager's decision to a court of competent jurisdiction.

SECTION 15: APPEARANCE TICKETS

The Police Chief and sworn officers of the Police Department, or such other officials as designated by the City Manager are authorized to issue and serve appearance tickets with respect to a violation of this Chapter pursuant to Michigan law. Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

SECTION 16: CIVIL INFRACTION

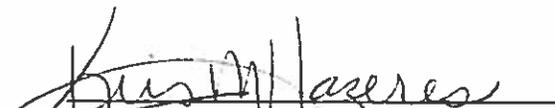
A vendor who violates this Chapter is responsible for a civil infraction and subject to a fine of \$500 per day.

SECTION 17: EFFECTIVE DATE

This Ordinance shall take effect ten days after adoption, but not before publication. In addition, this ordinance will be subject to review and reconsideration one year from the effective date.



David J Campana, Mayor



Kris M. Hazeres, City Clerk

Adopted: February 29, 2016

Published: March 4, 2016



Resolution

Establishing Fees for Mobile Food Vendors

WHEREAS, various requests are made to the office of the City Clerk requiring hours of staff time to prepare licenses, assemble information, meet and discuss requests, and to prepare follow-up reports and communications; and,

WHEREAS, the City Commission believes it is important that the actual costs associated with these services are not subsidized by the general taxpayer;

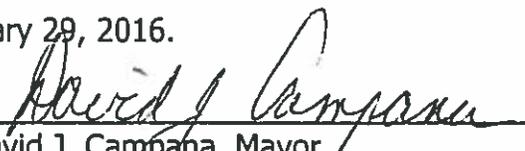
NOW THEREFORE BE IT RESOLVED, that the fees for the Mobile Food Vendor License be established as follows:

Fee Schedule:

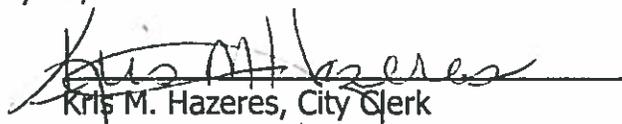
Fee is non-refundable once a license has been issued by the City Clerk's Office; licenses are valid for the City Business License year, May 1 through April 30 of the following year.

- \$1,200 - If vending on City and/or private property. (Not to include a business which is on the City's tax rolls whose normal business includes the sale of food and/or beverages).
- \$600 - If vending on private property only. (Not to include a business which is on the City's tax rolls whose normal business includes the sale of food and/or beverages).
- \$500 - If a City-based food service which is on the City's tax rolls whose normal business includes the sale of food and/or beverages operating on City property.
- \$100 - If operating a Non-Motorized Mobile Vending Unit operating on City and/or private property.
- No fee - If operating on non-city property, no fee shall be charged to a business which is on the City's tax rolls whose normal business includes the sale of food and/or beverages.

Duly adopted by the Commission on February 29, 2016.


David J. Campana, Mayor

Certified to be a true copy on February 29, 2016.


Kris M. Hazerres, City Clerk



Resolution
Establishing Operating Locations for
Mobile Food Vendors

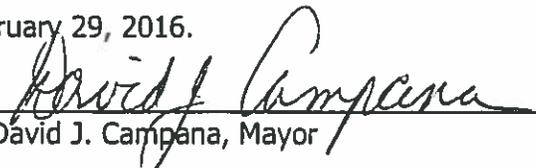
WHEREAS, the City of Marquette desires to encourage mobile food vendors who add to the vibrancy and desirability of Marquette while providing a framework under which such businesses operate; and,

WHEREAS, the City Commission may establish by resolution hours of operation and may identify City-controlled property for permissible Mobile Food Vending;

NOW THEREFORE BE IT RESOLVED, by the City Commission for the City of Marquette that Mobile Food Vending Units may only operate within residentially zoned areas between the hours of 9:00 a.m. and 9:00 p.m. and in commercially zoned areas between the hours of 7:00 a.m. and 2:00 a.m., unless otherwise stipulated below; in accordance with Chapter 35, (Ordinance #624) of the Marquette City Code, mobile food vendors are authorized to operate at the following City-owned properties:

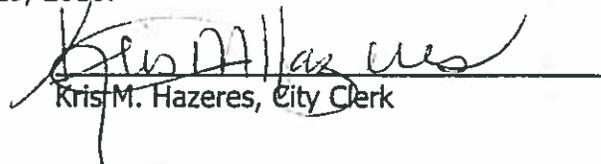
1. Lakeshore Parking Lot
2. Rock Street Parking Lot
3. Baraga Avenue Parking Lot
4. Spring Street Parking Lots - Between the hours of 8:00 p.m. and 2:00 a.m. only
5. South Main Street Parking Lot
6. All City Parks during official park operating hours with the exception of Mattson Park.
7. Mattson Park in conjunction with a special event permit only.
8. Third St. – Between the hours of 8:00 p.m. and 2:00 a.m.
9. 100 Block West Main St. - South Side of the Street Only
10. 100 Block West Bluff St. - South Side of the Street Only
11. 100 Block West Baraga Avenue - North Side of the Street Only
12. 600 Block West Bluff St.
13. 100 Block West Spring St. – Between the hours of 8:00 p.m. and 2:00 a.m. only.
14. 200 and 300 Blocks of West Spring St.
15. 200 and 300 Blocks of South Front Street - Between the hours of 8:00 p.m. and 2:00 a.m. only
16. 100 through 600 Blocks of West Washington Street - Between the hours of 8:00 p.m. and 2:00 a.m. only

Duly adopted by the City Commission on February 29, 2016.



David J. Campana, Mayor

Certified to be a true copy on February 29, 2016.



Kris M. Hazeres, City Clerk

City of Marquette Operating Locations For Mobile Food Vendors

WHEREAS, the City of Marquette desires to encourage mobile food vendors who add to the vibrancy and desirability of Marquette while providing a framework under which such businesses operate; and,

WHEREAS, the City Commission may establish by resolution City-controlled property for permissive Mobile Food Vending; and,

NOW THEREFORE BE IT RESOLVED, by the City Commission for the City of Marquette that the City Clerk is authorized to issue Mobile Food Vending licenses in accordance with Chapter 35, (Ordinance #624) of the Marquette City Code at the following City-owned controlled properties:

1. Lakeshore Parking Lot
2. Rock Street Parking Lot
3. Baraga Avenue Parking Lot
4. Spring Street Parking Lots - Between the hours of 8:00 p.m. and 2:00 a.m. only
5. South Main Street Parking Lot
6. All City Parks during official park operating hours with the exception of Mattson Park.
7. Mattson Park in conjunction with a special event permit only.
8. Third St. - Between the hours of 8:00 p.m. and 2:00 a.m.
9. 100 Block West Main St. - South Side of the Street Only
10. 100 Block West Bluff St. - South Side of the Street Only
11. 100 Block West Baraga Avenue - North Side of the Street Only
12. 600 Block West Bluff St.
13. 100 Block W. Spring St. - Between the hours of 8:00 p.m. and 2:00 a.m. only.
14. 200 and 300 Blocks of W. Spring St.
15. 200 and 300 Blocks of South Front Street - Between the hours of 8:00 p.m. and 2:00 a.m. only
16. 100 through 600 Block W. Washington Street - Between the hours of 8:00 p.m. and 2:00 a.m. only

LEGEND

NUMBER, LOCATION, INFO	DESCRIPTION
1. LAKESHORE PARKING LOT	[Light Blue Box]
2. ROCK STREET PARKING LOT	[Orange Box]
3. BARAGA AVENUE PARKING LOT	[Red Box]
4. SPRING STREET PARKING LOT, Only Between The Hours of 8:00 p.m. & 2:00 a.m.	[Dark Blue Box]
5. SOUTH MAIN STREET PARKING LOT	[Yellow Box]
6. SOUTH BEACH PARK	[Light Green Box]
6. PARK CEMETERY	[Light Green Box]
6. SHIRAS HILLS PARK	[Light Green Box]
6. MARQUETTE LINEAR PARK	[Light Green Box]
6. LABONTE PARK	[Light Green Box]
6. TOURIST PARK	[Light Green Box]
6. MCCARTY'S COVE	[Light Green Box]
6. FATHER MARQUETTE PARK	[Light Green Box]
6. HURLEY PARK	[Light Green Box]
6. DOWNTOWN POCKET PARK	[Light Green Box]
6. PEDESTRIAN CORRIDOR	[Light Green Box]
6. PRESQUE ISLE PARK	[Light Green Box]
6. MARQUETTE COMMONS	[Light Green Box]
6. HARLOW PARK	[Light Green Box]
6. KAUFMAN SPORTS COMPLEX	[Light Green Box]
6. LAKESIDE PARK	[Light Green Box]
6. FOUNDERS LANDING	[Light Green Box]
6. NORTH MARQUETTE ATHLETIC FIELD COMPLEX	[Light Green Box]
6. SHIRAS PARK/PICNIC ROCKS	[Light Green Box]
6. GIANTS FOOT PARK	[Light Green Box]
6. WILLIAMS PARK	[Light Green Box]
7. MATSON PARK, Vendors Will Need A Special Event Permit	[Light Green Box]
8. ALL OF THIRD STREET, Only Between The Hours of 8:00 p.m. & 2:00 a.m.	[Blue Box]
9. 100 WEST MAIN STREET, South Side of Street Only	[Pink Box]
10. 100 WEST BLUFF STREET, South Side of Street Only	[Purple Box]
11. 100 WEST BARAGA AVENUE, North Side of Street Only	[Orange Box]
12. 600 WEST BLUFF STREET	[Yellow Box]
13. 100 WEST SPRING STREET, Only Between The Hours of 8:00 p.m. & 2:00 a.m.	[Dark Blue Box]
14. 200 - 300 WEST SPRING STREET	[Dark Blue Box]
15. 200 - 300 SOUTH FRONT STREET, Only Between The Hours of 8:00 p.m. & 2:00 a.m.	[Dark Blue Box]
16. 100 - 600 BLOCKS OF WASHINGTON STREET, Only Between The Hours of 8:00 p.m. & 2:00 a.m.	[Dark Blue Box]

City of Marquette
Engineering Department
Geographic Information Systems (GIS)
1-20-2016

