



New _____ Renewal _____

License Fee: \$125.00

MOBILE FOOD VEHICLE LICENSE APPLICATION

Applicant Name _____

Applicant Contact _____

Street Address _____ City _____ State _____ ZIP Code _____

Email Address _____ Phone Number _____

Business Name _____

Business Contact _____

Street Address _____ City _____ State _____ ZIP Code _____

Email Address _____ Phone Number _____

Applicant Age _____ **Length of time this business has been in Danville (if applicable)** _____

Legal Status of Business (check box that applies)

Individual Proprietor _____ Partnership _____ Corporation _____ LLC _____

List the state where incorporated or authorized (if corporation). _____

Registered Agent Name _____

Registered Agent Address _____

Street Address _____ City _____ State _____ ZIP Code _____

If a Corporation, list the Principal Office of Corporation. _____

If a Corporation or Partnership, list the name and address of each corporate officer or partner.

Name _____ Street Address _____ City _____ State _____ ZIP Code _____

Name _____ Street Address _____ City _____ State _____ ZIP Code _____

Name _____ Street Address _____ City _____ State _____ ZIP Code _____

Name _____ Street Address _____ City _____ State _____ ZIP Code _____

Has the applicant or any partner or corporate officer for the applicant business ever been denied a license or had a license revoked or suspended?

Yes _____ No _____

Has the applicant, partner or any corporate officer of the business ever been arrested or convicted of a felony, misdemeanor or ordinance violation other than a minor traffic charge? If yes, type of conviction and jurisdiction.

Yes _____ No _____

Address of property where activity will occur.

Street Address

_____,
City

State

ZIP Code

Please indicate that you agree or disagree by marking yes or no for the following:

1. Licensee is in good standing and has not had any license/registration to operate a business revoked/suspended:
Yes ____ No ____
2. Licensee is current with all City, County and State for any taxes, license fees, or any other indebtedness:
Yes ____ No ____
3. The person signing this application has the authority to sign for the business being licensed:
Yes ____ No ____
4. Licensee will permit inspections of the business and premises by public authorities acting pursuant to law:
Yes ____ No ____
5. Licensee will conduct the business and premises in such a manner as not to create a nuisance or any sort of hazard to the public:
Yes ____ No ____
6. Licensee will offer a waste container for public use (collected and disposed of off-site daily). Licensee also acknowledges dumping of any byproducts or grease into streets or sanitary sewers is prohibited.
Yes ____ No ____
7. Licensee agrees that the business and the premises on which the business is conducted will not be used for any unlawful purpose:
Yes ____ No ____
8. Licensee agrees to comply with the Mobile Food Vehicle Ordinance (attached) and all other applicable laws ordinances, regulations, orders and decisions of public officials:
Yes ____ No ____
9. Licensee understands that the license may be suspended or revoked, and the licensee will be subject to prosecution if any applicable law, ordinance, regulation, order or decision is violated:
Yes ____ No ____
10. Licensee agrees to apply in writing to the Town of Danville Administration before changing the location of the business:
Yes ____ No ____
11. Licensee agrees to give the Town of Danville Administration written notice once the business ceases to exist:
Yes ____ No ____
12. Licensee agrees to give the Town of Danville Administration written notice if there is any change in the licensed business during the term of the license such that the information provided in the application form is no longer complete or accurate within 30 days after such change occurs
Yes ____ No ____

The undersigned affirms under penalty for perjury that the answers, representations and information provided in this application are true and correct.

Signature

Name Printed

Town of Danville Administration
Mobile Food Vehicle License Application

Date

ORDINANCE NO. 13 - 2020

**AN ORDINANCE REGULATING MOBILE FOOD VEHICLES
IN THE TOWN OF DANVILLE**

WHEREAS, the Town of Danville, Indiana (“Town”) wishes to promote commerce while also protecting the health and safety of its citizens;

WHEREAS, numerous mobile food vehicles operate in the Town, and such mobile food vehicles are currently unregulated by the Town; and

WHEREAS, the Town, by and through its Town Council, now finds that it is in the best interests of the health, safety, and welfare of its citizens to establish regulations and licensing requirements for the location and operation of mobile food vehicles in the Town of Danville.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT:

- (1) The above recitals are incorporated herein by reference.
- (2) A *MOBILE FOOD VEHICLE* shall be defined as follows: a self-contained mobile unit that is portable and not permanently attached to the ground, with a primary purpose to prepare, display, and/or serve food or beverage with or without charge, whether operated on public or private property. This definition does not include ice cream trucks, caterers, food delivery drivers, or other food service vehicles that do not park or locate in any place for longer than ten minutes.
- (3) The provisions of this Ordinance do not apply to recognized participants of “special events” (as so designated by the Town) or farmers’ markets.
- (4) It shall be unlawful to locate or operate a mobile food vehicle in the Town without having first secured a License as provided by this Ordinance.
- (5) Each vendor wishing to locate or operate a mobile food vehicle in the Town must first apply for a Mobile Food Vehicle License (“License”) on a form prescribed by the Town. The application fee shall be determined by the Town’s Fee Schedule as established in Chapter 35 of the Town Code of Ordinances (Fees). The Town will follow the terms of Ind. Code § 25-25-2-1 regarding an honorably discharged veteran’s right to a license without a fee, if applicable. No fee shall be required of a nonprofit organization.

(6) An application for a License shall be made through the Town Manager's office. If an application is approved, a License shall be issued within 72 hours of application submission.

(7) A separate License shall be required for each mobile food vehicle, and a License shall be valid for one year from the date of issuance. Licenses are not transferable. Each person holding a License shall display the License in a visible place in the mobile food vehicle at all times.

(8) A mobile food vehicle must hold all requisite licenses to sell food and beverages, must conduct itself in an orderly and lawful manner, and must abide by all applicable health department regulations, state laws, and local ordinances—including but not limited to Chapter 93 of the Town Code of Ordinances (Health and Sanitation; Nuisances).

(9) A License will not be issued unless and until an applicant provides proof of requisite Health Department permit(s) and proof of general liability insurance in the amount of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate.

(10) A mobile food vehicle shall not locate or operate in a manner that interferes with the free passage of pedestrians or vehicles, or in a manner that endangers person or property. A mobile food vehicle may only locate or operate on private property if the property owner has provided written permission.

(11) A mobile food vehicle shall offer a waste container for public use, which shall be emptied at the vendor's own expense. All garbage shall be collected and disposed of off-site by the mobile food vehicle vendor daily. Dumping of any byproducts or grease into streets or sanitary sewers is prohibited.

(12) Mobile food vehicles shall not provide customer seating or "drive-thru" attachments, and shall not serve alcohol.

(13) A violation of this Ordinance will result in a citation of \$50 for a first violation, \$100 for a second violation within the same 12-month period, and \$250 for a third or subsequent violation within the same 12-month period. Each day any violation of this Ordinance continues shall be considered a separate offense.

(14) A License may be revoked by the Town Manager after notice and hearing for a violation of this Ordinance, or for fraud, misrepresentation, or false statements made in a License application. Notice of a hearing will be given in writing, will set forth the

grounds of the complaint and time and place of the hearing, and will be sent at least ten days before the date of hearing. A violation of this Ordinance may also result in the Town's refusal to renew a License.


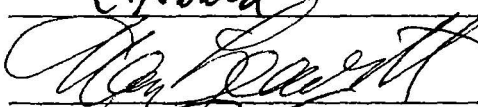

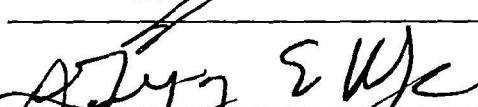

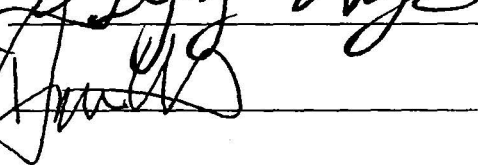
(15) This Ordinance shall take effect upon adoption and publication in accordance with Indiana law.

ADOPTED by the Town Council of the Town of Danville, Indiana, on this 17th day of June, 2020.

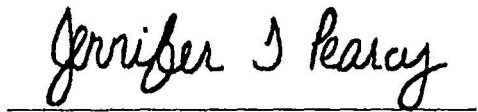
DANVILLE TOWN COUNCIL

FOR:

AGAINST:

	Chris Gearld	_____
	Nancy Leavitt	_____
	Tom Pado	_____
	Greg Vanlaere	
	David Winters	_____

ATTEST:



Jennifer Pearcy, Clerk-Treasurer