



Annual Mobile Food Vendor Permit Application

City of Holly Springs
PO Box 990
Holly Springs, GA 30142
770-345-5536

FOR OFFICE USE ONLY

Permit Issue Date: _____

Permit Number: _____

Name of Mobile Food Vendor: _____

Make & Model of vending unit: _____

License Plate Number: _____

Owner Information

Name: _____

Address: _____

City, State & Zip: _____

Phone #: _____ Email: _____

Operator Information

Name: _____

Address: _____

City, State & Zip: _____

Phone #: _____ Email: _____

Please describe your mobile food vending unit:

Please list operating times and locations:

Example: Street vending/food truck; sidewalk cart, etc.

The undersigned does affirm that information given is true to the best of his/her belief and knowledge. By signing this document, I agree to indemnify and save the City of Holly Springs, its elected officials and its staff harmless of all damages, demands, or expenses of every character.

Signature

Date

FOR OFFICE USE ONLY

Complete Application Permit from CCEH Signatures of Property Owners Proof of Insurance

Approved Denied

Comments: _____

Community Development Department

Sec. 50-44. - Mobile food vendors-annual.

(1) It shall be unlawful for any person to sell, or offer for sale, food of any type from a commissary, mobile retail food establishment, pushcart or temporary food establishment without a business occupation tax certificate being granted under this section, except for temporary events as listed in section 50-45 below.

(2) An application shall be submitted to the community development director or his or her designee setting forth all information required hereunder and in compliance with this ordinance. The community development director or his or her designee shall develop a form of application for the purpose of compliance with this article.

(3) The following information shall be provided with each application for a mobile food vendor permit:

- a. Name of the mobile food vendor.
- b. Make, model, and license plate number of vending unit.
- c. Owner's contact information.
- d. Operator's contact information.
- e. Type of vendor (street vending unit or sidewalk vending unit).
- f. Copy of approved permit from the Cherokee County Health Department.
- g. List of operating locations and times.
- h. Signatures from property owners indicating consent for the use of their property.
- i. Signature of applicant indicating agreement to the listed requirements.

(4) Prohibited conduct and requirements:

- a. Except for ice cream trucks, no mobile food vendor shall conduct business or operate in the public right-of-way.
- b. A mobile food vendor shall not operate on any private property without the prior written consent of the owner.
- c. A mobile food vendor shall maintain a \$1,000,000.00 liability insurance policy. Proof of current liability insurance, issued by an insurance company licensed to do business in Georgia, protecting the mobile food vendor, the public, and the city from all claims for damage to property and bodily injury, including death, which may arise from operation under or in connection with the permit. Such insurance shall name the city as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advanced written notice to the city.
- d. Except for ice cream trucks, a mobile food vendor shall not make sounds or announcements to call attention to the mobile food vehicle either while traveling on the public rights-of-way or when

stationary. At all times said mobile food vendor shall be in compliance with the City of Holly Springs noise ordinance.

e. The occupational tax certificate under which a mobile food vendor is operating must be firmly attached and visible on the mobile food vendor or pushcart at all times.

f. Any driver of a mobile food vendor motorized vehicle must possess a valid Georgia driver's license.

g. Except for ice cream trucks, mobile food vendor locations shall comply with the requirements of the Holly Springs Zoning Ordinance.

h. Mobile food vendors shall not be located within 15 feet of any street intersection or pedestrian crosswalk or ten feet of any driveway.

i. Mobile food vendors shall not be located within 100 feet of the entrance to any restaurant.

j. No sale or offer for sale shall be made by any mobile food vendor between 9:00 p.m. and 6:00 a.m. unless such sale is in conjunction with a city-approved special event or temporary permit.

k. Vending structures shall not be left unattended or stored at any time on the open vending site when vending is not taking place or during restricted hours of operation.

l. All mobile food vendors shall comply with all state, federal, and local health and safety regulations and requirements and shall obtain and maintain any and all licenses required by any other health organization or governmental organization having jurisdiction over this subject matter.

m. Mobile food vendors may sell food and non-alcoholic beverage items only as approved in the permit from the Cherokee County Health Department.

n. The following safety regulations shall apply to any and all vehicles operating under this article or used for mobile retail food establishments:

1. Every vehicle shall be equipped with a reverse gear signal alarm with a sound distinguishable from the surrounding noise level.

2. Every vehicle shall be equipped with two rear-vision mirrors, one at each side, firmly attached to the outside of the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear, along both sides of the vehicle.

(5) Indemnity. As part of the permitting process set forth herein, any person or entity receiving a permit set forth herein shall execute an indemnity agreement indemnifying and releasing the City of Holly Springs, its agents, employees, and elected officials from any and all liability against any and all claims, actions and suits of any type whatsoever.

(6) Revocation and suspension. The city shall have the right to revoke or suspend any license granted hereunder.

(7) Fees. The fee for every application for license under this section shall be set by resolution.

(Ord. No. 05-2016, § 2, 4-18-16)

Sec. 50-45. - Mobile food vendors—Temporary permit.

(1) It shall be unlawful for any person to sell, or offer for sale, food of any type from a commissary, mobile retail food establishment, pushcart or temporary food establishment for any special event or city-sponsored event without the issuance of a temporary permit.

(2) An application shall be submitted to the community development director or his or her designee setting forth all information required hereunder and in compliance with this ordinance. The community development director or his or her designee shall develop a form of application for the purpose of compliance with this article.

(3) In addition to compliance with subsection 50-44(3)—(7); above, the following shall be submitted in conjunction with the application:

- a. Name of special event.
- b. Location of special event.
- c. Duration of special event.

(Ord. No. 05-2016, § 2, 4-18-16)