

Mobile Food Vending: Best Practices

Many communities in the region are recognizing that food trucks are here to stay and are no longer a downtown Des Moines amenity. Many cities in the region recognize mobile food vending is a substantial departure from vending typically associated with outdated location regulations. City leaders recognize there is no “one size fits all” prescription for how to effectively incorporate food trucks into their community. The following are initial steps to develop a regional approach for best practices and policies relating to food vending across the metro.

Why develop a policy now?

* Better now than when under pressure and has become a hot button issue
* Incubate new business
* Send a message that your community is proactive regarding economic development

Developing your policy

* Each city should convene an interdepartmental group to review the draft policy, this group should include representatives from police, fire, parks, health department, traffic engineering, zoning, office of city manager, and office of city clerk.
* The MPO recommendations and sample ordinance should not replace local review and public input while finalizing the local version of the policy. External input should include representatives from local restaurants, chamber, and mobile food vendors.
* The development of administrative rules and a plan for enforcement is as important as development of this policy.
* It is recommended to pass the rules as a trial run for one year before finalizing the ordinance

Streamlining

* Create a centralized process by limiting the number of city departments a vendor needs to interact with for approval
* Provide all documents in one location found on the city’s website
* Create a checklist of items that need to be completed

### Costs

* High costs can serve as a barrier to vendors yet cities need to recoup some costs associated with staff time for permitting and enforcement
* Fees and sometimes applications waived for nonprofits (less than 3 consecutive days), farm stands/seasonal sale of unprocessed whole, catering, “lemonade stands”, concession stands associated with sports or recreation venues that have been approved as part of a site plan or permitted conditional use permit for the venue
* MPO recommends the following fee schedule:
  + Weekly - $100
  + Six month - $300
  + Annual - $500
* License is not required for mobile food vendors operating in conjunction with a special event or carnival but should be considered and approved during the special event permit process.
* The MPO does not recommend charging private property owners for a premise permit due to the increased paperwork it creates for city staff.
* Fire inspection costs should be a one-time inspection that can be used across municipalities in the region
* Parking in a metered location should be limited to the amount paid if actually parked there for those set number of hours.
* General liability insurance coverage - $1,000,000 or more per occurrence

Consideration of most all mobile food vendors

The MPO policy considers all mobile food vendors:

* Food trucks (including trailers)
* Ice cream trucks
* Food carts
* Food stands (shacks and booths)
* Bustaurants
* Farm stands
* “lemonade” stands

Not included:

* Pre-schedule appointments (i.e. Schwan’s)
* Door to door sales
* Sales of non-food items

### Vending locations

* The policy covers the mobile food vendors in a variety of locations:
  + Public right-of-way
    - Numbered parking spaces
    - Metered parking spaces
    - All other on-street parking
    - City parks and golf courses
  + Private property
  + Special events and carnivals (2 blocks from a special event if not part of the event)
* Vendors are assigned a location if they are in a numbered or metered location. Otherwise they can roam the city with the existing permit and within rule set by code.
* Must be 100 feet from a restaurant

### Resources

* [Food on Wheels: Mobile Vending Goes Mainstream](http://www.nlc.org/Documents/Find%20City%20Solutions/Research%20Innovation/Economic%20Development/RI_FoodTruckReport2013_final.pdf). National League of Cities
* [Food Trucks: A Desert Oasis](http://www.law.drake.edu/newsEvents/docs/2014-sustainability-reportC.pdf). Drake University Sustainability & Law 2014
* [Legion of Food](http://legionoffood.org/), Des Moines Iowa
* [Cedar Rapids documents](http://www.cedar-rapids.org/business/licenses_permits_and_taxes/business_licenses_and_permits/vendors.php) - vendor license application, information packet, application checklist