

ORDINANCE NO. 2024 – 32

AN ORDINANCE ENACTING SECTION 521.17 ENTITLED FOOD TRUCKS, A SECTION OF CHAPTER 521 – HEALTH, SAFETY, AND SANITATION, OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO

WHEREAS, the Mayor requested Wickliffe City Council look into updating the Codified Ordinances of the City of Wickliffe with regard to Food Trucks; and

WHEREAS, Wickliffe City Council has made recommendations relative to establishing regulations for Food Trucks in the City of Wickliffe, Ohio.

**NOW THEREFORE, BE IT ORDAINED BY COUNCIL OF THE CITY OF WICKLIFFE,
COUNTY OF LAKE, STATE OF OHIO:**

SECTION 1. That Section 521.17 – Food Trucks, a section within Chapter 521 Health, Safety and Sanitation, of the City of Wickliffe Codified Ordinances is hereby created to read as follows:

521.17 FOOD TRUCKS.

(a) DEFINITIONS.

"Food Truck" means any mobile food preparation vehicle, whether self-propelled or attached as a trailer in which food is processed, prepared, stored, or dispensed to the paying consumer.

(b) SPECIAL PERMITTED USE.

Food Trucks may be permitted on private property in the City with the written approval of the property owner, or on City property with written approval of the City with the approval of and a permit issued by the Building Commissioner. Such a permit shall be issued only when the Building Commissioner finds that the proposed use complies with all the requirements and standards of this section. Food Trucks shall locate only on sites that have convenient pedestrian, bike, and vehicular access and sufficient off-street parking. Violation of any of the requirements and standards of this Section shall result in immediate revocation of the special permit. Special Permits are not required for Food Trucks hired by and paid for by an individual to provide food at no cost to their guests, or a business to provide food at no cost for their own employees.

(c) REQUIREMENTS AND STANDARDS.

Food Trucks shall only be permitted subject to the following requirements and standards:

- (1) No single Food Truck may conduct vending more than once a week at any one (1) property without specific approval from the Building Commissioner. This rule shall not apply to active construction sites as authorized by the Building Commissioner or outlined herein.
- (2) Hours of operation shall be limited to between 7:00 a.m. and 9:00 p.m.
- (3) Food Trucks shall maintain a minimum separation of ten feet (10') between vehicles and/or equipment and shall not be parked or operated within twenty feet (20') of a building.
- (4) Sanitary facilities for vendors must be provided by the host property.
- (5) Food Trucks may not be parked overnight, and must be removed from the property.
- (6) Food trucks must be self-contained when vending, except for the required trash and/or recycling receptacles, which shall be placed in close proximity to the food truck and shall not impede the free movement of automobiles or pedestrians.
- (7) Food Truck vendors or the host property owner shall remove all waste and trash at the close of business.
- (8) Food Trucks must be specifically designed and constructed to sell the food offered and be approved by the Lake County General Health District, or other approved Health Department or District.
- (9) Food Trucks shall serve pedestrian customers only. No drive-through or drive-in service.

I, Sandra J. Fink, Clerk of Council of Wickliffe, Ohio, hereby certify the foregoing is a true copy of Ordinance No. 2024-32 enacted by Council at its regular meeting on May 28, 2024.
Sandra J. Fink, Clerk of Council

- (10) Each Food Truck shall display its Health Department Certificate in a prominent location.
- (11) Food Truck vendors must have a valid State of Ohio driver's license and vehicle registration.
- (12) Food Trucks shall be located so as to minimize the impact on available parking, and shall not block fire hydrants, fire lanes, or means of egress from buildings.
- (13) Food Trucks shall comply at all times with the City's noise regulations.
- (14) Food Truck vendors may only conduct business when their vehicles are parked and stationary.
- (15) Food Trucks operators shall register with the City and shall be subject to inspection by the City's Fire Prevention Bureau during operation.
- (16) Fueling of Food Trucks or associated generators shall not be permitted at the vending site. This applies to the fueling of vehicles and/or generators themselves and does not prohibit refueling propane tanks or other types of approved fuels required to operate the grills or other cooking equipment within the vehicle.
- (17) Each Food Truck shall have an exterior emergency shut off for flow from propane and/or natural gas tanks and said shut off shall be clearly marked.
- (18) All Food Trucks shall have a minimum ten (10) lb. ABC fire extinguisher. Food Trucks that produce grease laden vapors shall have a "K" class fire extinguisher.
- (19) Generators not permanently attached to Food Trucks shall be located a minimum of twenty feet (20') from any building, vehicle, or other equipment.
- (20) There shall be no alcoholic beverage service associated with Food Truck vending.

(d) SPECIAL EVENTS AND PUBLIC EVENTS, PERMITS NOT REQUIRED.

- (1) No mobile food vending permit shall be required for any mobile food vending unit that operates exclusively as a subset of a City of Wickliffe approved Special Event, within the approved areas and time frames. The approved areas and time frames may be different for City approved special events (i.e. hours of operation maybe longer, overnight operation may be allowed, separation requirements may vary, etc.). The building Commissioner shall have the discretion to approve special events that do not require permits even if such events are not a subset of a City of Wickliffe Special event.
- (2) No mobile food vending permit shall be issued within the right-of-way or on City of Wickliffe property, unless part of a Special Event.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed: May 28th, 2024

Attest: [Signature]
Clerk of Council

Submitted to the Mayor for approval on May 28th, 2024

First reading April 22nd, 2024

Second reading May 13th, 2024

Third reading May 28th, 2024

Edward A. [Signature]
Council President – Presiding Officer

Approved: May 28th, 2024

Mayor [Signature]
Passed May 28th, 2024

Yes 7 No 0

I, Sandra J. Fink, Clerk of Council of Wickliffe, Ohio, hereby certify the foregoing is a true copy of Ordinance No. 2024-32 enacted by Council at its regular meeting on May 28, 2024.
Sandra J. Fink, Clerk of Council