

Required Documents Checklist

This page is for reference only.

All items listed below (and any additional requested by City Recorder) must be received before the application process will begin. Permits must be issued before engaging in business within the corporate limits of Maryville.

Name of Mobile Food Vendor _____

Required Item	Applicant	Staff
Notarized Application	<input type="checkbox"/>	<input type="checkbox"/>
Copy of TN City and/or County business license(s)	<input type="checkbox"/>	<input type="checkbox"/>
Copy of TN Department of Health license	<input type="checkbox"/>	<input type="checkbox"/>
Copy of driver's license(s)	<input type="checkbox"/>	<input type="checkbox"/>
Copy of vehicle and/or trailer registration	<input type="checkbox"/>	<input type="checkbox"/>
Copy of proof of automobile liability insurance	<input type="checkbox"/>	<input type="checkbox"/>
Color photo of the mobile food unit (interior & exterior)	<input type="checkbox"/>	<input type="checkbox"/>
Proof of sales tax registration	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Transient Vendor License, if required	<input type="checkbox"/>	<input type="checkbox"/>
Annual Application fee of \$120 (to be prorated based on month approved)	<input type="checkbox"/>	<input type="checkbox"/>

All Mobile Food Vehicles/Trailers will require an inspection by the Maryville Fire Department prior to a permit being issued. Call 865-273-3610 to schedule an appointment.

For Office Use Only

Date of Receipt of Application: _____

Date Permit Issued: _____

Permit Number: _____



City Recorder, Sherri Phillips | 406 W. Broadway Avenue | Maryville, TN 37801 | (865) 273-3452

APPLICATION FOR MOBILE FOOD VENDOR

Date _____

Amount Paid _____

1. APPLICANT INFORMATION (Owner(s) of the Business)

Business Name: _____

Owner #1 Full Name: _____ Title: _____

Street Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Mailing Address (if different): _____

Date of Birth: _____

Description of the nature of the business and of the goods to be sold: _____

Vehicle Make: _____ Vehicle Model: _____ Year: _____

Trailer Make: _____ Trailer Model: _____ Year: _____

Have any of the officers, members or shareholders been convicted of a felony within a ten-year period immediately preceding the date of this application? No _____ Yes _____ If yes, describe in detail all such felonies: _____

OWNER #2 (If applicable)

Owner #2 Full Name: _____ Title: _____

Street Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Mailing Address (if different): _____

Date of Birth: _____

(USE ADDITIONAL SHEETS IF NECESSARY TO LIST ALL OWNERS)

2. PERMISSION FOR BACKGROUND CHECK:

The undersigned acknowledges that the City of Maryville will obtain a background check of the Owner(s) of the mobile food vendor vehicle. The City reserves the right to reject an applicant if he or she (or in the case of an LLC or corporation, its owner(s)), (1) is a registered sex offender; (2) has been convicted of a felony in the past ten years; (3) has a chronic history of an unreasonable number and kind of moving vehicle violations as determined by the Chief of Police; or (4) presents an unreasonable public health and safety risk based on past criminal history as determined by the Chief of Police.

The undersigned also acknowledges and affirms their duty as hereby required by this code to perform background checks on each employee or agent operating the mobile food vendor vehicle permitted herein. They acknowledge and affirm that they will not allow an employee or agent to work in the City of Maryville as a mobile food vendor if such employee or agent is a registered sex offender or if such employee or agent has been convicted of a felony within the past ten years.

3. STATEMENTS

- (a) The Applicant or Applicants named in this application agree to comply with all applicable federal, state and city laws and ordinances, and agree to the validity of and reasonableness of the application fee.
- (b) The Applicant or Applicants named in this application hereby certify the truthfulness of the information provided in this application.

Owner #1

Applicant's Signature _____ Date _____

Applicant's Printed Name _____

STATE OF TENNESSEE)
COUNTY OF _____)

The applicant named above in my presence and who, after being duly sworn according to law, made oath that the facts as stated therein are true, signed this application.

Sworn and subscribed to me this _____ day of _____, 20 ____.

My commission expires: _____ Notary Public _____

Owner #2

Applicant's Signature _____ Date _____

Applicant's Printed Name _____

STATE OF TENNESSEE)
COUNTY OF _____)

The applicant named above in my presence and who, after being duly sworn according to law, made oath that the facts as stated therein are true, signed this application.

Sworn and subscribed to me this _____ day of _____, 20 ____.

My commission expires: _____ Notary Public _____

ORDINANCE NO. 2016-13

AN ORDINANCE TO ALLOW THE PERMITTING AND
REGULATION OF MOBILE FOOD VENDORS IN THE CITY
OF MARYVILLE, INCLUDING FOOD TRUCKS, FOOD
TRAILERS AND ICE CREAM TRUCKS.

WHEREAS, current Ordinances do not provide for permitting and regulation of mobile food vendors including food trucks, food trailers and ice cream trucks, and

WHEREAS, City Council desires to permit the mobile food vendor industry within the City of Maryville and for its citizens to have the benefits of good mobile food vendor practices while limiting the chance of undue harm to members of the community, and

WHEREAS, the City Council wishes to regulate mobile food vendors in furtherance of that goal.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maryville, Tennessee, as follows:

A new Chapter of the City Code shall be and hereby is adopted as is set forth on Exhibit A which is incorporated herein by reference as though set forth in full.

Section 2. The provisions of this Ordinance shall be in effect upon final passage, the public welfare requiring it.

ADOPTED this 7th day of June, 2016.


MAYOR

ATTEST:


Deborah P. Caughron
City Recorder


APPROVED AS TO FORM:



City Attorney

Passed 1st reading this 3rd day of May, 2016 

City Recorder

Passed 2nd reading this 7th day of June, 2016 

City Recorder

EXHIBIT A

Mobile Food Vendors and Food Trucks

Section __-01. Definitions.

- 1
- (a) Mobile food vendor is defined as any person selling food and/or drink from a mobile vehicle, including a food truck, food trailer and ice cream truck.
 - (b) Mobile food vendor vehicle is defined as a vehicle that returns daily to its base of operations and is used either in the preparation or sale of food or drink products, or both.
 - (c) Food truck is defined as an enclosed motor vehicle equipped with facilities for preparing, cooking and selling various types of food and/or drink products other than exclusively ice cream and related frozen products.
 - (d) Food trailer is defined as a detached trailer that is equipped with facilities for preparation, cooking and selling various types of food and/or drink products.
 - (e) Ice cream truck is defined as a motor vehicle containing a commercial freezer from which a vendor sells only frozen, pre-packaged food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water and similar frozen items.

Section __-02. Requirements.

- (a) Licenses and Permits. It shall be unlawful for any person to engage in business as a mobile food vendor within the City of Maryville without first obtaining a business license and mobile food vendor license with a decal evidencing such license. Any permits, licenses and certifications required by the Blount County Department of Health and/or State of Tennessee for operation of the business are also required. City of Maryville transient vendor licenses for those business owners residing in Maryville or Blount County, Tennessee will not be required for mobile food vendors. State transient vendor licenses will be required for owners of businesses residing outside of Blount County, Tennessee, and/or businesses based outside of Blount County, Tennessee, if otherwise required by the State of Tennessee. Upon being granted a mobile food vendor license, a mobile food vendor must comply with the rules and regulations herein.
- (b) Insurance. At the time of the application for a mobile food vendor license, the mobile food vendor must provide proof of valid automobile liability insurance in an amount required by law for operation of the applicable mobile food vendor vehicle(s). Failure to maintain this insurance when acting as a

mobile food vendor will result in immediate revocation of the mobile food vendor license.

- (c) Litter Receptacles. Each licensed mobile food vendor must maintain for customer use a litter receptacle of sufficient size to accept the litter being generated by the sales from the vendor's mobile food vehicle at the point of sales. The receptacle must be maintained in such a manner as to preclude an overflow of refuse. Each mobile food vendor shall pick up litter which is associated with the vendor's sale in the vicinity of the vendor's mobile food vehicle prior to departing a sales location. A pattern of leaving excessive litter caused by product packaging shall be basis for suspension or revocation of the mobile food vendor license.
- (d) What Can Be Sold. Mobile food vendors shall be limited to edibles and hot and cold beverages containing no alcohol. The sale of non-food or drink items from mobile food vendor vehicles shall be limited to merchandise displaying the mobile food company logo and/or branding.
- (e) No Seating and Tables. There shall be no benches, tables, chairs or other furniture which may be used for eating or sitting provided by or associated with a mobile food vendor vehicle.
- (f) Fire Extinguishers and Fire Suppression Systems. All food trucks and food trailers must be equipped with a fire extinguisher that is certified annually by a licensed company. Additionally, food trucks and food trailers that produce grease laden vapors (*i.e.* units with deep fat fryers or flat-top griddles) must have a fire suppression system certified bi-annually by a licensed company.
- (g) Placement. Mobile food vendor vehicles shall not obstruct or impede pedestrian or vehicular traffic, access to driveways, and sight distance for drivers.
- (h) Pedestrian Only. Mobile food vendor vehicles shall serve pedestrians only; drive-through or drive-in services are hereby prohibited.
- (i) Health Regulations. All mobile food vendors and their mobile food vendor vehicles must be in compliance with all applicable health regulations for Blount County and the State of Tennessee relating to food safety and preparation.
- (j) Noises. Other than ice cream trucks being able to play a song associated with its business at a reasonable level of sound, no mobile food vendors shall sound any device which produces an offensive or loud noise to attract customers, and mobile food vendors shall not use a public address system on the vehicle to broadcast and advertise products

- (k) No parking in fire lanes. No mobile food vendors shall park in fire lanes.
- (l) Signs. Signs which are permanently affixed to the mobile food vendor vehicle shall extend no more than six inches from the vehicle. Except as stated herein, all signs shall be attached or painted on the mobile food vendor vehicle. Electronic signs are prohibited as are signs that flash, reflect motion pictures, emit smoke or vapor, or produce any rotation, motion or movement. Each food truck or food trailer is permitted one sandwich board type sign located within ten (10) feet of the applicable food truck or food trailer for advertisement purposes while the food truck or food trailer is open for business. Such sandwich board sign shall be no more than forty-eight (48) inches high and contain no more than seven (7) square feet.

Section __-03. Sales on Streets and Public Property

- (a) Ice cream trucks. The hours of operation for ice cream trucks are between 9:00 a.m. and sunset as stated for that day for the Maryville area by the National Weather Service. Ice cream trucks may vend on public streets so long as they remain mobile and only make stops of ten (10) minutes or less at one location.
- (b) Food trucks and food trailers. Food trucks and food trailers are prohibited from selling food on any public street, sidewalk, alley, trail or right-of-way or any City owned or controlled property including, but not limited to, parks unless approved by the City as part of a City permitted special event. All mobile food vendors must comply with all rules, regulations and requirements related to the City permitted special event, including but not limited to, provisions as to where the mobile food vendors will be located, how long the mobile food vendors can be present at the location, and how many and which food trucks can participate in the City permitted special event.

Section __-04. Mobile Food Vendors on Private Property. All mobile food vendors shall be subject to the following regulations on private property:

- (a) Existing Restaurants. Other than an ice cream truck, no mobile food vendor shall operate within fifty (50) feet of a door intended for regular public use of a lawfully established eating establishment that is open for business (other than another mobile food vendor vehicle) unless the mobile food vendor provides documentation which is signed by the restaurant owner or operator that the restaurant owner or operator has no objection to a closer proximity.

- (b) Location. Mobile food vendors will be permitted on private property in the City according to the terms and conditions herein. A mobile food vendor under this section must have written permission from a private property owner for setting up for each location. The mobile food vendor must provide a copy of such written permission upon demand to City officials. No mobile food vendor on private property shall do business or operate within fifty (50) feet of any property line of any lot used for residential purposes.
- (c) Hours of Operation. Leaving the Location at Night. No mobile food vendor shall operate outside the hours of 8:00 a.m. to 10:00 p.m. At the end of each business day's operation, the mobile food vendor shall remove from the property the mobile food vendor vehicle (unless otherwise expressly permitted to stay by the City) and all materials associated with the business.

Section __-05. Permit. Applicants for a permit under this section shall file with the City Recorder a sworn application in writing on a form to be furnished by the City Recorder. Submission of false or misleading information will result in revocation of the permit and a ban on receiving future permits. The application shall provide the following:

- (a) The name and contact information of the applicant.
- (b) The applicant's permanent street address, mailing address and email address.
- (c) The applicant's telephone numbers including a cell phone number if available.
- (d) A brief description of the nature of the business and of the goods to be sold.
- (e) A copy of the vehicle registration for any mobile food vendor vehicle and proof of automobile insurance for the mobile food vendor vehicle.
- (f) A copy of the business license, proof of State of Tennessee sales tax registration, and any health department license or certification required by Blount County Department of Health or the State of Tennessee.
- (g) State transient vendor licenses will be needed for businesses based outside of Blount County, Tennessee, if required by the State of Tennessee.
- (h) Color photograph(s) of the mobile food vendor vehicle's interior and exterior.
- (i) Permission to obtain a background check of owner(s) of mobile food vendor vehicles. The City reserves the right to reject an applicant if he or she (or in the case of an LLC or corporation, its owner(s)), (1) is a registered sex offender; (2) has been convicted of a felony in the past ten years; (3) has a

chronic history of an unreasonable number and kind of moving vehicle violations as determined by the Chief of Police; or (4) presents an unreasonable public health and safety risk based on past criminal history as determined by the Chief of Police.

The applicant owner must also acknowledge and affirm his, her or its duty as hereby required by this code to perform background checks on each of his employees or agents operating the mobile food vendor vehicle permitted herein. The applicant must acknowledge and affirm that he, she or it will not allow an employee or agent to work in the City as a mobile food vendor if such employee or agent is a registered sex offender or if he or she has been convicted of a felony within the past ten years.

- (j) Payment of an application fee of \$120.00 which will be prorated by month for the first year of the permit at a rate of \$10.00 per month of operation. No refunds will be issued. Any day in the month where the permit is in place will require payment for that entire month.
- (k) Such other relevant information as may be reasonably requested by the City after review of submission of the material in order to assure full review of the information needed to assess the impact of the proposed operation on the health, safety and well-being of the public.

Section __-06. Permit Renewal. A permit issued under this section shall be valid for the remainder of the calendar year from the date of issuance and shall be renewed on an annual basis on or by January 1 of each year upon proper application and payment of the permit fee of an additional One Hundred Twenty dollars (\$120.00) per year. A permit shall be valid for only one mobile food vendor vehicle. Each operator and/or applicant shall file additional application and pay an additional permit fee for each additional mobile food vendor vehicle. No refunds will be issued for renewed permits and no renewed permits for partial years will be issued.

Section __-07. Permit and Decal. Each applicant upon being issued a permit under this section shall also be issued a decal which the mobile food vendor must display on the right front windshield's lower corner on each mobile food vendor vehicle or at such other location on the vehicle as the City in writing shall approve.

Section __-08. General Requirements of Mobile Food Vendor Vehicles: All exterior bodywork and mechanical equipment of a mobile food vendor vehicle shall be maintained in good condition, free of excessive wear, tear or damage. All exterior paint work shall be maintained in good condition, free of substantial scratches, chips, rust, dents and abrasions. All windshield and window glass of mobile food vendor vehicles shall be maintained free of cracks, scratches, pitting, abrasions and other conditions that may cause a hazard or reduce clarity of vision.

Section __-09. Inspections:

- (a) Department of Health Primary. Nothing in this section shall be construed as limiting or replacing the role of the Tennessee Department of Health which has the primary task of inspecting mobile food vendor vehicles.
- (b) Entry. The City Police and other officials shall have the right at any time after displaying proper identification to enter into or upon any mobile food vendor vehicle for the purpose of ascertaining whether or not any provisions of this section are being violated and for general inspection purposes.
- (c) Shut Down. Any mobile food vendor vehicle which is found after any City inspection to be unsafe or not compliant with this section may be directed to be out of operation until the deficiency is corrected.

Section __-10. Exemptions. Mobile food vendors that are part of and participating in a City permitted carnival will not be required to comply with the requirements of this Chapter as far as participation in such carnival is concerned.

Section ____-11. Penalties. Violations of this Chapter are subject to the general penalty clause for the City of Maryville. The City may also suspend or revoke a permit and decal issued hereunder for violation of this Chapter.

ORDINANCE NO. 2016-19

AN ORDINANCE AMENDING ORDINANCE NO. 2016-13
REGARDING MOBILE FOOD VENDORS ON THE ISSUE OF
TRANSIENT VENDOR LICENSES

WHEREAS, the City of Maryville adopted an Ordinance to Allow the Permitting and Regulation of Mobile Food Vendors in the City of Maryville including food trucks, food trailers and ice cream trucks, in an Ordinance adopted on second reading on the 7th day of June, 2016, numbered Ordinance 2016-13, and

WHEREAS, a change is desired regarding transient vendor licenses for Mobile Food Vendors, and

WHEREAS, the City Council wishes to amend its Ordinance 2016-13 as set forth herein regarding such transient vendor licenses,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maryville, Tennessee, as follows:

Section 1. The Mobile Food Vendors and Food Truck Ordinance adopted in Ordinance No. 2016-13 is hereby amended as follows:

In Section -02 subsection (a), the previous language is hereby omitted and repealed in full and replaced as follows:

(a) Licenses and Permits. It shall be unlawful for any person to engage in business as a mobile food vendors in the City of Maryville without first obtaining a business license and a mobile food vendor's license with a decal evidencing such license. Any permits, licenses, and certifications required by the Blount County Department of Health and/or State of Tennessee for operation of the business are also required. City of Maryville transient vendor licenses will not be required for those business owners residing in the state of Tennessee and/or businesses based in Tennessee. State transient vendor licenses will be required for owners of businesses residing outside of Tennessee and/or businesses based outside of Tennessee as required by the State of Tennessee. Upon being granted a mobile food vendor license, a mobile food vendor must comply with the rules and regulations herein.

The remaining provisions of Section -02 shall remain in full force and effect.

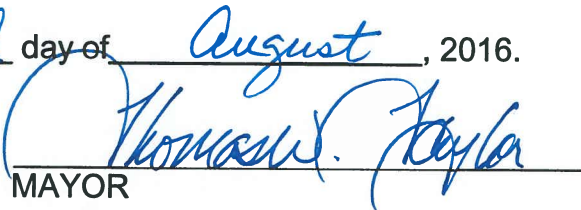
Section 2. Ordinance No. 2016-13 Section- 05 subsection (g) is hereby repealed and replaced as follows:

(g) State of Tennessee and City of Maryville transient vendor licenses will be required for businesses based outside of the State of Tennessee and/or for owners of businesses residing outside of the State of Tennessee.

The remaining provisions of Section -05 shall remain in full force and effect as will the remaining provisions of Ordinance No. 2016-13 not otherwise addressed herein.

Section 3. The provisions of this Ordinance shall take effect upon final passage, the public welfare requiring it.

ADOPTED this the 2nd day of August, 2016.


MAYOR

ATTEST:


Deborah P. Caughron
City Recorder

APPROVED AS TO FORM:


City Attorney

Passed 1st reading this 5th day of July, 2016 
City Recorder

Passed 2nd reading this 2nd day of August, 2016 
City Recorder

ORDINANCE NO. 2017-13

AN ORDINANCE EXEMPTING MOBILE FOOD VENDORS AT CITY OFFICIALLY APPROVED SPECIAL EVENTS FROM REQUIREMENTS FOUND IN CITY CODE, TITLE 9, CHAPTER 11, MOBILE FOOD VENDORS AND FOOD TRUCKS, WITH CERTAIN LIMITATIONS, AND ADDING ADDITIONAL REQUIREMENTS FOR EXEMPTIONS FROM THIS CHAPTER.

WHEREAS, the City of Maryville has enacted City Code, Title 9, Chapter 11, regulating mobile food vendors, and

WHEREAS, the City has already exempted certain carnivals from requirements of the chapter dealing with mobile food vendors, and

WHEREAS, the City further wishes to exempt food vendors at a City officially approved special event from the requirements of this same chapter, with certain limitations.

WHEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE as follows:

SECTION 1. City Code, Title 9, Chapter 11, Section 9-1110, is hereby amended to add the following additional language:

Mobile food vendors that are part of and participating in a City officially approved special event will not be required to comply with the requirements of this chapter as far as participation in such City officially approved special event is concerned.

A mobile food vendor may participate in only one (1) City officially approved special event per calendar year under this exemption without having to obtain a permit and otherwise comply with this chapter. This section will not apply to recurring events such as community events and farmers markets. The exemption will apply, however, to events such as or similar to Summer on Broadway, Smoky Mountain Scottish Festival and Games, and Taste of Blount.

SECTION 2. The provisions of this Ordinance shall be in effect from and after its final passage the public welfare requiring it.

ADOPTED this 2nd day of May, 2017.

Thomas D. Ray
MAYOR

ATTEST:

Deborah P. Caughron
Deborah P. Caughron
City Recorder

APPROVED AS TO FORM:

[Signature]
City Attorney

Passed 1st reading this 4th day of April, 2017 Deborah P. Caughron
City Recorder

Passed 2nd reading this 2nd day of May, 2017 Deborah P. Caughron
City Recorder

ORDINANCE NO. 2017-28

AN ORDINANCE AMENDING CITY CODE, TITLE 9, CHAPTER 11, REGARDING REGULATION OF MOBILE FOOD VENDORS IN THE CITY OF MARYVILLE, INCLUDING FOOD TRUCKS, FOOD TRAILERS AND ICE CREAM TRUCKS.

WHEREAS, the City of Maryville passed Ordinance No. 2016-13 on second reading on June 7, 2016, and such Ordinance was defined in Title 9, Chapter 11, of the City Code, and

WHEREAS, said Ordinance provides for permitting and regulation of mobile food vendors, including food trucks, food trailers and ice cream trucks, and

WHEREAS, based on the experience of the past months regulating mobile food vendors, the City Council wishes to make certain amendments to said Ordinance and the resulting City Code sections.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE as follows:

SECTION 1. Title 9, Chapter 11, of the City Code is hereby amended as follows:

City Code 9-1102(4), What Can Be Sold, is hereby amended with the prior language hereby repealed and the new language adopted as follows:

What Can Be Sold. Mobile Food Vendors shall be limited to selling edibles and hot and cold beverages containing no alcohol. The sale of non-food or drink items from the mobile food vendor vehicle shall be limited to hats, t-shirts and sweat shirts displaying the mobile food vendor logo and/or branding.

SECTION 2. City Code 9-1102, Requirements, is further amended to add a new sub-section (13) as follows:

(13) Electricity. Any mobile food vendor vehicle shall not be attached to or use any temporary electrical pole and shall be ineligible for any permanent electrical service from the City of Maryville Electric Department.

SECTION 3. City Code 9-1103(2), Food Trucks and Food Trailers, is repealed as written and hereby replaced as follows:

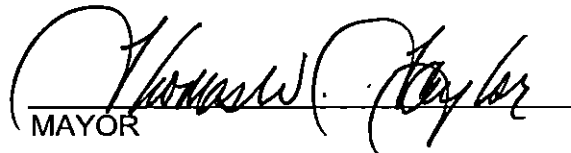
9-1103(2), Food Trucks and Food Trailers. Except as set forth herein, food trucks and food trailers are prohibited from selling food on any public street, sidewalk, alley, trail or right-of-way or any City owned or controlled property, including, but not limited to, parks, unless approved by the City as part as a City permitted special event. The above prohibition will not apply to the parking lot and related areas at the Blount County Justice Center nor to the parking lot and related areas surrounding the Blount County Courthouse if permission is obtained by the County Mayor for placement of food trucks or food trailers on such property. All mobile food vendors must comply with all rules, regulations and requirements related to any City permitted special event, including, but not limited to, provision as to where mobile food vendors will be located, how long the mobile food vendors can be present at the location, and how many and which food trucks can participate in the City permitted special event.

SECTION 4. City Code 9-1104, Mobile Food Vendors on Private Property, sub-section (3), is hereby amended to repeal existing language in sub-section (3), Hours of Operation, and replace it as follows:

(3) Hours of Operation. No mobile food vendor shall operate outside the hours of 8:00 a.m. to 10:00 p.m. At the end of each business day's operation, the mobile food vendor shall remove from the property the mobile food vendor vehicle and all materials associated with the business, unless participating in a City permitted special event that allows the overnight parking of mobile food vendor vehicles during the special event.

SECTION 5. The provisions of this Ordinance shall be in effect from and after its final passage the public welfare requiring it.

ADOPTED this 5 day of July, 2017.


MAYOR

ATTEST:

Shelley Phillips

City Recorder

APPROVED AS TO FORM:

Michael

City Attorney

Passed 1st reading this 6th day of June, 2017, Deborah P. Caughron
City Recorder

Passed 2nd reading this 5th day of July, 2017, Shelley Phillips
City Recorder

ORDINANCE NO. 2021-10

**AN ORDINANCE TO AMEND §14-211 OF TITLE 14 OF THE
MARYVILLE MUNICIPAL CODE, THE ZONING AND LAND
USE ORDINANCE, PERTAINING TO MOBILE FOOD PARKS**

WHEREAS, the City of Maryville allows and regulates mobile food vendors; and

WHEREAS, allowing the congregation of multiple mobile food vendors as a mobile food park can create a unique and desirable operation with the City of Maryville; and

WHEREAS, mobile food parks require specific standards and processes to ensure a desirable development for the city; and

WHEREAS, the unique nature of a mobile food park and individual circumstances for a property require that the Board of Zoning Appeals evaluate and approve such uses as a special exception; and

WHEREAS, the Maryville Municipal Planning Commission has heard, reviewed and recommended that this amendment be approved by the Council of the City of Maryville; and

WHEREAS, in accordance with Tennessee Code Annotated (TCA) §13-7-203(a) the Council of the City of Maryville conducted a public hearing regarding this matter; and

WHEREAS, the amendment advances the public health, safety and welfare of the City of Maryville;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE as follows:

SECTION 1. §14-202 of Title 14 Zoning and Land Use Control is amended by adding the following definition in the proper alphabetic order:

Mobile Food Park: The use of land designed to accommodate two or more mobile food vendors (MFVs) offering food and/or beverages for sale to the public as a primary use of the property, which may include seating areas for customers. A special event hosted by the primary use of the property does not constitute a mobile food park.

SECTION 2. §14-211 of Title 14 Zoning and Land Use Control is amended by adding the following new section (29):

(29) Mobile Food Parks: (a) Mobile food parks are permitted on private lots as a special exception use in the Business and Transportation, Neighborhood, High Intensity Retail, High Intensity Commercial, Central Community and downtown zoning districts subject to the city's standard development standards and those enumerated herein. In reviewing the special exception request, the Board of Zoning Appeals may place additional requirements on a mobile food park in order to mitigate the impacts of the proposed development. A mobile food park may be allowed on lots where another principal use is located so long as adequate space is available for both uses to fully meet the city's land development requirements.

(b) Development standards:

(i) The city's standard commercial development standards or downtown design standards will apply to the property including but not limited to lighting, landscaping, parking, and building design.

- (ii) No mobile food park may locate adjacent to any property used for residential purposes unless a 30' non disturbance area is established along the common property line. The 30' buffer can contain the required landscaped buffer, but shall otherwise be free from structures, lighting, parking and other permanent improvements.
 - (iii) All mobile food vendors must leave the mobile food park upon closing of the park each day.
 - (iv) A designated manager of the property is required to be on-site during operation and responsible for the orderly organization of food truck vendors, the cleanliness of the site, and compliance with all rules and regulations during business hours. Such information must be clearly posted on the lot and provided to city staff.
 - (v) The lot must be kept clear of litter and debris at all times. Proper waste receptacles and recycling bins must be provided. When dumpsters are provided, the screening requirements of the Zoning and Land Use Ordinance apply.
 - (vi) Signage will be governed by the zoning district in which the property is located.
 - (vii) The property must be developed in a way that allows for proper vehicle flow and emergency services access.
 - (viii) Each mobile food park must provide a unified common area amounting to a minimum of 500 square feet per vending space. The common area may contain tables, chairs and recreational activities. At a minimum, common areas shall be a unified open space for the congregation of the users of the park.
 - (ix) Parking spaces and vehicle movement areas are required to be a surface per the requirements of the Zoning and Land Use Ordinance. Vendor spaces may be gravel so long as such surface is maintained as to prevent potholes, erosion and dust. One parking space is required for each vendor space.
- (c) Mobile food vendor spaces are not required to meet front setbacks for a property but must meet side and rear setbacks. Any permanent structures are required to meet the setback requirements of the zoning district.
- (d) When located in conjunction with another principal use, both uses shall be required to meet the development requirements including parking and setbacks. No mobile food park can reduce a property's parking below the minimum required by the Zoning and Land Use Ordinance.
- (e) An applicant for a mobile food park shall submit a concept plan, drawn to scale, to the Board of Zoning Appeals detailing the following. In considering the request, the board shall verify that the requirements for a mobile food park have been met.
- (i) Location of proposed vendor spaces and common areas.
 - (ii) Parking areas and vehicle movement areas.
 - (iii) Sanitary facilities including restrooms, hand washing stations and refuse disposal.
 - (iv) All proposed permanent improvements to the property including buildings, lighting and dumpster screenings.
 - (v) Landscaping and the amount of impervious surface area proposed.
 - (vi) Operations plan to include proposed utility service, hours of operation, and other potential activities to take place in conjunction with the mobile food park.
- (f) In evaluating a request for a mobile food park, the board upon recommendation by staff, may determine additional development standards are required to mitigate off-site impacts of the proposed use. Additional requirements may include additional landscaping and screening, additional parking, limitations on lighting, restrictions on hours of operation or a limitation on the number of vendor spaces. In determining additional requirements, the board shall make a finding of fact detailing a direct correlation of the additional requirement to the impact of the use.

(g) All mobile food vendors must have an active mobile food vendor permit per 9-1102 of the Maryville Municipal Code.

(h) Depending on the scope of needed improvements to a property, a site plan or other requirements of the Maryville Municipal Code, utility policies or Public Works Standards may be required. This section does not abrogate any other requirements that apply to property development within the city. When there is a conflict between the specific requirements for a mobile food park and other requirements of the city code, these requirements shall apply.

SECTION 3. That the provisions of this Ordinance shall be effective from and after its final passage, the public welfare requiring it.

ADOPTED this 2nd day of March, 2021.



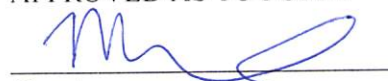
Mayor

ATTEST:



City Recorder

APPROVED AS TO FORM:



City Attorney

Passed 1st reading on this 2nd day of February, 2021 

City Recorder

Passed 2nd reading on this 2nd day of March, 2021 

City Recorder