

ORDINANCE NO. 2021-22

AN ORDINANCE TO AMEND TITLE 9, CHAPTER 11 OF THE MARYVILLE MUNICIPAL CODE, MOBILE FOOD VENDORS AND FOOD TRUCKS.

WHEREAS, the City of Maryville has adopted regulations governing mobile food vendors and food trucks within its corporate limits; and

WHEREAS, the existing requirements are in need of updates to clarify certain provisions and address new situations; and

WHEREAS, City Council wishes to provide Mobile Food Vendors and Food Trucks the opportunity to operate and serve in residential neighborhoods.

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

SECTION 1. Section 9-1101 of the Maryville Municipal Code is amended by adding the following new section:

(6) “Mobile Food Park” is defined in Title 14 § 14-211 (29) of this Code which is incorporated herein by reference. A Mobile Food Park is a use of land to accommodate two or more mobile food vendors (MFV’s) offering food and/or beverage 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 user of the property does not constitute a mobile food park.

SECTION 2. Section 9-1104(2) Location, of the Maryville Municipal Code is amended by repealing the prior language and replacing it as follows:

(2) Location. Mobile food vendors will be permitted on private property according to the terms and conditions herein. On commercially zoned property, MFVs may only operate on private commercial property on which there is another existing, legal and active business operation. No MFV shall be permitted to operate on a vacant lot or on private commercial property on which there is no other existing, legal and active business unless the property is in use as a Mobile Food Park. No MFV on private commercially zoned property shall do business or operate within fifty feet (50’) of any property line of any lot used for residential purposes. On residentially zoned property, MFV’s may only operate according to the requirements of § 9-1109 below. An MFV must have written permission from the property owner for operating on each private lot. The MFV must provide a copy of such written permission on demand to city officials. .

SECTION 3. Section 9-1104(3) Hours of Operation is hereby amended to add the following new sub-section:

(4) Mobile Food Parks. The operation and location of Mobile Food Parks shall be determined by the procedures as outlined in 14-211 §29 of this Code.

SECTION 4. This Chapter is amended by renumbering existing §9-1109 to instead be §9-1110; existing § 9-1110 to instead be § 9-111; and existing § 9-1111 to instead be § 9-1112. A new § 9-1109 is hereby adopted to read as follows:

9-1109. Operating in Residential Neighborhoods. A mobile food vendor may operate/serve on private property within a residential neighborhood within the parameters of this section:

- (1) The residential property owner or long-term lessee(s) (defined as persons with a lease with a term of one year or more) of the lot where the MFV will operate must apply for and receive a Residential MFV Event Permit from the City Recorder's Office before the MFV can operate. An MFV can only operate in a residential zone according to the requirements of such permit and as stated in this Chapter.
- (2) Only up to two Residential MFV Event Permits will be granted at the same address within a calendar year.
- (3) The residential property owner or long-term lessee must complete a "MFV Residential Event Application" and pay a \$20 application fee prior to event date in order to be eligible for a permit.
- (4) It is the responsibility of the MFV to verify that the owner or long-term lessee of the property where service will take place has a valid permit. It is the responsibility of the residential property owner or long-term lessee to verify that the MFV has an active city issued MFV permit.
- (5) The allowed hours of operation are the same as set forth in §14-211(29) of this Code. The duration of the event may not exceed three (3) consecutive hours.
- (6) Any mobile food vendor vehicle must remain on the permitted private property during the duration of the event and must not set up on or impair use of the public right-of-way. The event cannot impede traffic or cause other public safety concerns or issues.
- (7) At no time shall an MFV use private residential events as their primary source of business.
- (8) At no time shall an MFV offer a property owner or any lessee compensation for the use of property for private events.

SECTION 5: New §1110, Inspections is hereby amended to add the following new subsection:

- 4) Inspections. The Maryville Fire Department must inspect all mobile food vendor vehicles and trailers prior to issuance of a permit.

SECTION 6. Title 9, Chapter 11 of the Maryville Municipal Code is amended by adding the following at the conclusion of new § 9-1112 Penalties:

The owner or long-term lessee of any property on which a mobile food vendor operates may be held liable to for any violations of this ordinance.

SECTION 7. That the provisions of this Ordinance shall be effective from and after its final passage, the public welfare requiring it.

ADOPTED this 4th day of May, 2021.




Mayor

ATTEST:



City Recorder

APPROVED AS TO FORM:



City Attorney

Passed 1st reading on this 4th day of May, 2021 

City Recorder

Passed 2nd reading on this 6th day of April, 2021 

City Recorder