

ERIN BALLOU, CMA, CPFO
Assistant Chief Financial Officer

MARILYN PARRIGIN
Procurement Manager



SEAN WEEKS, CPFO
Assistant Chief Financial Officer

DAVID L. LYNE
Occupational License Manager

KATIE E. SCHALLER-WARD
Assistant City Manager/CFO

FINANCE DEPARTMENT

The City of Bowling Green has adopted Ordinance BG2019-50 regulating Mobile Food Units and Pushcarts on public rights-of-way. If you wish to conduct business on public rights-of-way as described in Ordinance BG2019-50, a permit will be required. Included in this packet is:

- Ordinance
- Application
- Checklist of items needed to submit with permit application
- Acknowledgement letter regarding generator decibel level
- Compliance Statement regarding intent to conduct business on private property or other non-public rights-of-way.
- BGFDD Code Compliance Guideline
- NFPA Food Truck Safety Tips

With approval of permit application, a color coded pre-numbered sticker for the calendar year will be issued and must be affixed to Mobile Food Unit or Pushcart in a publically visible location.

If you do not wish to apply for a Mobile Food Unit/Pushcart permit, please review, sign, and return the enclosed compliance statement on intent to conduct business on private property or other non-public rights-of-way.

For inquiries, please contact the City of Bowling Green Office of Occupational License at (270) 393-3000 or email questions to revenue@bgky.org.

1017 COLLEGE STREET
POST OFFICE BOX 430 • BOWLING GREEN • KY • 42102-0430
270.393.3000 • TTD PHONE NUMBER 1.800.545.1833 EXTENSION 330
www.bgky.org

ORDINANCE NO. **BG2019 - 50**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 15 (BUSINESS AND GENERAL REGULATIONS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO ADD SUBCHAPTER 15-8 (REGULATION OF MOBILE FOOD VENDORS AND PUSHCARTS ON PUBLIC RIGHTS-OF-WAY) AND CHAPTER 27 (PROPERTY CODE), SUBCHAPTER 27-8 (PENALTIES) RELATED TO MOBILE FOOD UNITS AND PUSHCARTS

WHEREAS, food trucks are an expanding business operating on public rights-of-way; and,

WHEREAS, City staff drafted an ordinance providing for regulations of food trucks using public rights-of-way, met with food truck owners and operators to obtain input on the draft ordinance and presented the draft ordinance to the Board of Commissioners at the September 16, 2019 Fall Retreat/Special Work Session; and,

WHEREAS, it is in the best interest of the City to adopt an ordinance providing for regulations of mobile food vendors and pushcarts operating on public rights-of-way.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 15 (Business and General Regulations) is hereby amended as follows:

15-8 REGULATION OF MOBILE FOOD VENDORS AND PUSHCART VENDORS ON CITY RIGHTS-OF-WAY.

15-8.01 Definitions.

Unless the context requires otherwise, the following terms as used in this Subchapter shall have the following meanings:

“Downtown Square Area” shall mean the Fountain Square and adjacent area to include the area bounded by 8th Avenue to 10th Avenue and College Street to State Street.

“Mobile Food Unit” shall mean a food establishment which is on wheels, is mobile and self-

(Ordinance No. BG2019 - 50)

propelled as a licensed vehicle from which is sold both prepared and pre-packaged consumable foods and which conducts business on public streets within the City of Bowling Green. Mobile Food Unit shall also include food concession trailers pulled by licensed vehicles which are used to prepare or sell consumable foods. Mobile Food Unit shall include ice cream vehicles.

“Mobile Food Unit Vendor” shall mean any person or business entity who conducts business from a Mobile Food Unit on public streets within the City of Bowling Green.

“Pushcarts” shall mean a non-self propelled mobile food unit that is lightweight enough, designed and intended to be moved by one person that typically serves foods such as fruit, popcorn, drinks, hot dogs, flavored ice or pre-wrapped foods.

“Pushcart Vendor” shall mean any person or business entity who conducts business from a Pushcart on public sidewalks within the City of Bowling Green.

18-8.02 Mobile Food Unit Vendor Regulations.

a. Mobile Food Unit Vendors and Pushcart Vendors shall be subject to and shall comply with all City of Bowling Green business registration requirements and shall not be delinquent on any fees or taxes owed to the City. Mobile Food Unit Vendors and Pushcart Vendors shall also comply with all other federal, state and local laws, rules and regulations including, but not limited to, Health Department and Fire Department laws and regulations.

b. Mobile Food Unit Vendors using public streets in the City of Bowling Green outside the Downtown Square Area shall operate only in authorized on-street parallel parking spaces and shall not occupy more than two (2) consecutive parallel parking spaces. Mobile Food Units shall not be parked for longer than four (4) hours and shall not park any closer than ten (10) feet from any structure. Except as authorized in this Subchapter, Mobile Food Unit Vendors shall not park any Mobile Food Unit in a manner which prohibits others from parking in otherwise available spaces or areas or park in any manner that prohibits or hinders the ability of other drivers to safely enter or exit any street or alley or to observe

(Ordinance No. BG2019 - 50)

posted traffic signs or signals. Mobile Food Units may operate on public streets outside the Downtown Square Area in the City of Bowling Green from 6:00 a.m. to 12:00 a.m. each day.

c. Mobile Food Unit Vendors using public streets in the City of Bowling Green within the Downtown Square Area may operate in authorized on-street parallel parking spaces from 6:00 a.m. to 5:00 p.m. Mobile Food Unit Vendors shall not occupy more than two (2) consecutive parallel parking spaces and shall not park for longer than two (2) hours. Except as authorized in this Subchapter, Mobile Food Unit Vendors shall not park any Mobile Food Unit in a manner which prohibits others from parking in otherwise available spaces or areas or park in any manner that prohibits or hinders the ability of other drivers to safely enter or exit any street or alley or to observe posted traffic signs or signals. Any Mobile Food Unit operating in the Downtown Square Area after 5:00 p.m. shall park only in signed and designated loading and unloading zones and shall not operate after 2:30 a.m. All Mobile Food Units shall not be parked closer than ten (10) feet from any structure.

d. Pushcart Vendors may operate on public sidewalks in the City of Bowling Green. Pushcart Vendors shall not operate on public streets, roads or alleys. Pushcart Vendors shall not impede the ingress or egress of any driveway or the entrance into any building. Pushcart Vendors shall not obstruct pedestrian space and shall maintain at a minimum five (5) feet of sidewalk space for pedestrian passage adjacent to the pushcart. Pushcart Vendors may operate on public sidewalks in the City of Bowling Green from 6:00 a.m. to 12:00 a.m. each day and shall not remain at the same location for longer than four (4) hours.

e. No Mobile Food Unit or Pushcart shall operate in violation of the above provisions unless allowed pursuant to an approved special event application. During special events, no Mobile Food Unit or Pushcart shall occupy any permitted special event location without the consent of the management of the special event.

f. No Mobile Food Unit or Pushcart shall be left unattended or allowed to park on

(Ordinance No. BG2019 - 50)

public streets or sidewalks in the City of Bowling Green overnight and any such Mobile Food Unit or Pushcart left unattended or parked overnight may be towed or removed at the City's discretion. All Mobile Food Unit Vendors and Pushcart Vendors shall promptly cease operations and remove the Mobile Food Unit or Pushcart upon request by appropriate City officials.

g. Mobile Food Unit Vendors or Pushcart Vendors shall only use lighting which is affixed to the Mobile Food Unit or Pushcart and which does not cause any glare that creates a public hazard, nuisance or distraction to other vehicles or neighboring businesses. No flashing, strobe or neon lighting shall be permitted.

h. Mobile Food Unit Vendors and Pushcart Vendors shall supply their own electrical power and shall not connect to City power outlets.

i. The operator of any Mobile Food Unit shall possess a valid driver's license and shall provide that license upon request by any authorized City official.

j. Mobile Food Units and Pushcarts shall at all times operate in a manner that ensures the safety of patrons, pedestrians and the public. All operations of authorized Mobile Food Units shall serve customers only from the side of the Mobile Food Unit that is parked abutting and parallel to the curb and from the side opposite of the flow of traffic. No Mobile Food Units or Pushcarts shall solicit drive-through service or solicit or make any sales to occupants of vehicles nor shall Mobile Food Units or Pushcarts operate in a manner to cause congestion that impedes pedestrian or vehicle traffic or interferes with the public use of any rights-of-way, sidewalks or public benches. No tables, chairs or similar property shall be permitted on public property. No cords, cables or wires shall be attached to any part of the Mobile Food Unit, trailer or Pushcart that cross any public sidewalk or street.

k. The Mobile Food Unit or Pushcart shall provide its own waste and recycling containers in sufficient size to collect all waste and recyclables generated by the Mobile Food Unit or Pushcart. The operator of the Mobile Food Unit or Pushcart shall remove all garbage, trash, paper, cups,

(Ordinance No. BG2019 - 50)

cans or litter from the immediate area around the Mobile Food Unit or Pushcart. No waste shall be disposed of in public waste receptacles. No hoses or drainage of grease traps or similar liquids shall be drained into any storm water drainage system and all such liquids shall remain on the Mobile Food Unit or Pushcart until properly disposed.

l. Mobile Food Unit Vendors and Pushcart Vendors shall be responsible for any damage to public property or public streets caused by the operation of the Mobile Food Unit or Pushcart, including, but not limited to, damage due to stakes, rods or other support methods.

m. Appropriate City inspectors, fire inspectors and police officers shall be authorized to inspect the permitted Mobile Food Unit or Pushcart without notice and without consent during normal operating hours.

n. All Mobile Food Units and Pushcarts shall be subject to Subchapter 9-3 (Noise) of the City of Bowling Green Code of Ordinances. Sound absorbing devices are recommended to contain or deflect the noise from generators. All Mobile Food Unit generators shall be rated at or below 80 decibels. Amplified music is not permitted.

o. Consent for Mobile Food Units or Pushcarts to operate on other City property to include City parking lots and parks shall be obtained from the Parks and Recreation Director for the use of any park property and from the Assistant City Manager / CFO for all other City properties prior to operating on such City property. The City may impose conditions for the approval of such requests as it deems necessary for health and safety and to mitigate the impact of vending that conflicts with City operations. The City has the authority to limit or prohibit such operation on other City properties.

15-8.03 Permits.

a. No person, firm, partnership, corporation or other business entity shall operate a Mobile Food Unit or Pushcart on public rights-of-way in the City of Bowling Green without a Mobile Food Unit Vendor or Pushcart Vendor permit issued by the City of Bowling Green Finance Department.

(Ordinance No. BG2019 - 50)

Each Mobile Food Unit or Pushcart shall require a separate permit (a vehicle pulling a trailer constitutes one Mobile Food Unit). Each permit shall be valid for a twelve (12) month calendar period beginning on January 1st of each year unless suspended or revoked. Upon approval of the permit application, the Mobile Food Unit or Pushcart shall be issued a unique colored coded sticker for that calendar year and this sticker shall be affixed to the Mobile Food Unit or Pushcart in a publicly visible location. Mobile Food Unit Vendors and Pushcart Vendors shall renew permits with the City prior to the end of any twelve (12) month term and shall be in compliance with the provisions of this Subchapter prior to being issued a renewal permit.

b. The Mobile Food Unit or Pushcart permit application shall be submitted with an annual fee of three hundred dollars (\$300) along with the name, business address and contact information for the applicant. Any permit issued on or after July 1 of any calendar year shall pay a permit fee of one hundred and fifty dollars (\$150) for the remainder of that year. The application shall also include a copy of the City of Bowling Green's business registration and documentation showing that the Mobile Food Unit or Pushcart has been inspected and approved by the City of Bowling Green Fire Department and the Health Department if applicable. The application shall also include the Mobile Food Unit license number, description, vehicle identification number and proof of the Mobile Food Unit automotive insurance. The Mobile Food Unit or Pushcart permit application shall contain proof of required liability and other insurance required by this Subchapter.

c. Each Mobile Food Unit Vendor or Pushcart Vendor issued a permit shall agree to hold the City of Bowling Green and its officials, officers and employees harmless and to indemnify and defend the City against all claims, damages, losses and expenses, including attorney's fees, resulting from the permitted activity. Each Mobile Food Unit Vendor or Pushcart Vendor also agrees to indemnify and hold harmless the City of Bowling Green and its official, officers and employees for bodily injury, disease or death, or injury to or destruction of property, including the loss of use there from and/or breach

(Ordinance No. BG2019 - 50)

of contract that is not caused by any negligent act or omission of willful misconduct of the City or its officials, officers and employees acting within the scope of their employment.

d. The Mobile Food Unit Vendor or Pushcart Vendor shall not commence work until all insurance has been obtained and copies of policies or certificates thereof are submitted to and approved by the City of Bowling Green's Human Resources & Risk Management Department. Prior to commencing work, the Vendor shall maintain continuous liability coverage written on an occurrence basis or, if on a claims made basis, with an extended coverage provision (ERP) option of not less than three (3) years. Coverage will be provided through insurance companies licensed to do business in the State of Kentucky with a Best Rating of A- or better. Without limiting Vendor's indemnification requirements, it is agreed that Vendor/Seller shall procure and maintain in force at all times during the performance of this agreement the following policy or policies of insurance covering its operations in the minimum limits set out below.

1. COMMERCIAL GENERAL LIABILITY - Including contractual liability, bodily injury and property damage combined at a minimum of \$1,000,000 for each occurrence; personal and advertising injury of \$1,000,000 for any one person or organization and \$1,000,000 in the aggregate.

2. AUTOMOBILE LIABILITY - Insuring all Owned, Non-Owned and Hired Motor Vehicles. The minimum coverage for Liability Limit is \$1,000,000 Combined Single Limit for any one accident. The limit of liability may be subject to increase according to any applicable State or Federal Transportation Regulations.

3. WORKERS' COMPENSATION - Insuring the employers' obligations under Kentucky Revised Statutes Chapter 342 at Statutory Limits.

The Commercial General Liability Policy shall be endorsed to contain the following provisions:

a) "The City of Bowling Green, its elected and appointed officials, employees, agents

(Ordinance No. BG2019 - 50)

and successors and volunteers are to be added as “Additional Insured.” The coverage shall contain no special limitations on the scope of protection afforded to the City, its elected and appointed officials, employees, agents, successors and volunteers and may not include terms which may make the coverage excess to other insurance on which the City, its elected and appointed officials, employees, agents, successors and volunteers may also qualify as an additional insured.

b) The insurance coverage for the Vendor entering into a contract shall be on a primary and non-contributory basis for liability arising out of activities performed by or on behalf of the Vendor entering into this contract for service including the insured’s general supervision of the premises owned, occupied or used by the Vendor/Seller entering into this contract and ongoing operations as well as completed operations and work performed by Vendor. Any insurance or self-insurance maintained by the City, its elected and appointed officials, employees, agents and successors and volunteers shall be in excess of the Vendor’s insurance coverage.

c) Certificates of Insurance as required above shall be furnished to:

City of Bowling Green
Department of Human Resources & Risk Management
Attn: Risk Management
1001 College Street
Bowling Green, Kentucky 42101
Fax: (270) 393-3298

15-8.04 Enforcement, Penalties, Denial, Revocation or Suspension of Permit.

a. Enforcement proceedings for the provisions of this Subchapter shall be initiated by the issuance of a notice of violation or a citation by any City Police Officer or designated Code Enforcement Officer as set out in Chapter 2 of this Code of Ordinances. Any person or business entity violating any of the provisions of this Subchapter, shall be subject to civil fines as set out in Subchapter 27-8 (Penalties) of the City of Bowling Green Code of Ordinances.

b. The Assistant City Manager / CFO may deny the issuance of a Mobile Food Unit Vendor or Pushcart Vendor permit pursuant to this Subchapter due to the failure of the applicant to meet

(Ordinance No. BG2019 - 50)

the requirements of this Subchapter or for filing an application that contains material false or untrue statements. The Assistant City Manager / CFO may revoke or suspend the Mobile Food Unit Vendor or Pushcart Vendor permit of any person or business entity that violates the provisions of this Subchapter, including but not limited to: (1) the failure of the permittee to comply with this Subchapter and other laws and regulations involving the operations of the Mobile Food Unit or Pushcart; (2) the failure of the permittee to pay the appropriate permit fees, other taxes and fees and civil fines payable to the City; and (3) the submission by the permittee of an application that contains material false or untrue statements. Any denial, suspension or revocation shall be in writing setting forth the basis for the denial, suspension or revocation. The applicant or permittee may request an appeal in writing within twenty (20) days following the date of the denial, suspension or revocation addressed to the City Manager. The City Manager shall review the record and the basis for the denial, suspension or revocation and may meet with the applicant or permittee. The decision of the City Manager shall be final.

2. Chapter 27 (Property Code), Subchapter 27-8 (Penalties) is hereby amended as follows:

...

<u>Violation</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>All Others</u>
Recycling Establishments			
Screening Violations	\$ 100.00	\$ 250.00	\$ 500.00
Property Maintenance and Nuisances			
Structural Violations	\$ 150.00	\$ 300.00	\$ 600.00
Non-Structural Violations	\$ 100.00	\$ 200.00	\$ 400.00
Zoning Ordinance/Subdivision Regulations			
Use Violations	\$ 100.00	\$ 200.00	\$ 300.00
Yard/Dimensional Violations	\$ 50.00	\$ 100.00	\$ 200.00
Sign Violations	\$ 50.00	\$ 100.00	\$ 200.00
Violation of General			
Development Standards	\$ 100.00	\$ 200.00	\$ 300.00
Violation of Development			
Review Procedures	\$ 100.00	\$ 200.00	\$ 300.00
Violation of Overlay			
District Standards	\$ 250.00	\$ 500.00	\$ 750.00
Obstructions on City Right-of-Way	\$ 250.00	\$ 500.00	\$ 750.00
Damage to City Property/Infrastructure	\$ 500.00	\$1,000.00	\$2,000.00

(Ordinance No. BG2019 - 50)

Storm Water			
Erosion Prevention and Sediment Control	\$ 500.00	\$1,000.00	\$2,000.00
Illicit Discharge	\$1,000.00	\$2,000.00	\$4,000.00
Post Construction BMP Maint.	\$ 500.00	\$1,000.00	\$2,000.00
Construction, Repair, Permitting and Maintenance			
Infrastructure Requirements	\$1,000.00	\$2,000.00	\$4,000.00
Maintenance Responsibility	\$ 500.00	\$1,000.00	\$2,000.00
Cuts and Excavations	\$ 500.00	\$1,000.00	\$2,000.00
Chapter 21 Violations Not Specifically Listed	\$ 100.00	\$ 200.00	\$ 400.00
Cemeteries			
Unleashed Animal	\$ 25.00	\$ 50.00	\$ 100.00
Animal Waste Removal	\$ 25.00	\$ 50.00	\$ 100.00
Animal on Grass	\$ 25.00	\$ 50.00	\$ 100.00
Contractors Licensing			
Expired License	\$ 100.00	\$ 200.00	\$ 300.00
No License	\$ 250.00	\$ 500.00	\$ 750.00
Expired Insurance	\$ 100.00	\$ 200.00	\$ 300.00
No Insurance	\$ 250.00	\$ 500.00	\$ 750.00
Mobile Food Units and Pushcarts	\$ 100.00	\$ 200.00	\$ 300.00

b. If the citation is contested and a hearing before the Board is required, the following maximum penalties may be imposed at the discretion of the Board:

<u>Violation</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>All Others</u>
Recycling Establishments			
Screening Violations	\$ 200.00	\$ 500.00	\$1,000.00
Property Maintenance and Nuisances			
Structural Violations	\$ 300.00	\$ 600.00	\$1,200.00
Non-Structural Violations	\$ 200.00	\$ 400.00	\$ 800.00
Zoning Ordinance/Subdivision Regulations			
Use Violations	\$ 200.00	\$ 400.00	\$ 600.00
Yard/Dimensional Violations	\$ 100.00	\$ 200.00	\$ 400.00
Sign Violations	\$ 100.00	\$ 200.00	\$ 400.00
Violation of General			
Development Standards	\$ 200.00	\$ 400.00	\$ 600.00
Violation of Development			
Review Procedures	\$ 200.00	\$ 400.00	\$ 600.00
Violation of Overlay			
District Standards	\$ 500.00	\$1,000.00	\$1,500.00
Obstructions on City Right-of-Way	\$ 500.00	\$1,000.00	\$1,500.00
Damage to City Property/Infrastructure	\$1,000.00	\$2,000.00	\$4,000.00
Storm Water			
Erosion Prevention and Sediment Control	\$1,000.00	\$2,000.00	\$4,000.00
Illicit Discharge	\$2,000.00	\$4,000.00	\$8,000.00
Post Construction BMP Maint.	\$1,000.00	\$2,000.00	\$4,000.00
Construction, Repair, Permitting and Maintenance			
Infrastructure Requirements	\$2,000.00	\$4,000.00	\$8,000.00

(Ordinance No. BG2019 - 50)

Maintenance Responsibility	\$1,000.00	\$2,000.00	\$4,000.00
Cuts and Excavations	\$1,000.00	\$2,000.00	\$4,000.00
Chapter 21 Violations Not Specifically Listed	\$ 200.00	\$ 400.00	\$ 800.00
Cemeteries			
Unleashed Animal	\$ 50.00	\$ 100.00	\$ 200.00
Animal Waste Removal	\$ 50.00	\$ 100.00	\$ 200.00
Animal on Grass	\$ 50.00	\$ 100.00	\$ 200.00
Contractors Licensing			
Expired License	\$ 200.00	\$ 400.00	\$ 600.00
No License	\$ 500.00	\$1,000.00	\$1,500.00
Expired Insurance	\$ 200.00	\$ 400.00	\$ 600.00
No Insurance	\$ 500.00	\$1,000.00	\$1,500.00
Mobile Food Units and Pushcarts	\$ 200.00	\$ 400.00	\$ 600.00

3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

4. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

5. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on November 5, 2019, and given final reading on November 19, 2019, and said Ordinance shall be in full force and effective on January 1, 2020, upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: November 19, 2019

APPROVED: Bruce Wilkinson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 10/22/2019, 9:00 a.m.



City of Bowling Green, Kentucky
Mobile Food Unit/Pushcart Application

1017 College Street - PO Box 1410 - Bowling Green, KY 42102-1410
Ph. (270) 393-3000 - Fax (270) 393-3636 – Website: www.bgky.org/finance/license
Email: Revenue@bgky.org

Business Name: _____ Application Date: _____

City Occupational License Account #: _____

Type of Equipment/Vehicle To Be Used: _____

List of Items to Be Vended: _____

Vehicle License Plate Number: _____ Vehicle Identification Number (VIN): _____

Vehicle Year: _____ Make: _____ Model: _____

Number of Employees _____

Owner/Operator Contact Information:

Name: _____

Address: _____

Phone Number: _____ Driver's License Number: _____

Additional Owner/Operator Contact Information:

Additional Owner	Additional Owner
Name: _____	_____
Address: _____	_____
Phone Number: _____	_____
Driver's License Number: _____	_____

Delinquencies related to Occupational License Account? Yes _____ No _____
(If yes or unsure, please contact Office of Occupational License at (270) 393-3000.)

Please submit Fee of **\$300.00** with Application and other required items. (If applying after July 1st, fee prorated to \$150.00)

By signing below you agree to all terms and conditions set forth by Ordinance BG2019-50

Print

Signature



Mobile Food Unit/Pushcart Application Checklist

- Completed Application
- Permit fee \$300.00 (If applying after July 1st, prorated to \$150.00).
- City Occupational License Account in good standing
- City Business Registration (Copy)
- Health Department Permit (Copy)
- Fire Department Inspection (Copy)
- Operator's Valid Driver's License (Copy)
- Automotive Insurance (Copy)
- Proof of required liability and other insurance required by Ordinance BG2019-50
- Signed acknowledgement letter regarding generator's decibel level

Please make all checks payable to: **City of Bowling Green**

Or pay in person:

City Hall Annex
1017 College Street
Bowling Green, KY 42101



Mobile Food Units and Pushcarts
Acknowledgement Letter

I, _____ hereby certify that any generators used by _____
(Print Owner/Operator Name) (Business Name)

are rated at or below 80 decibels as outlined in Ordinance No. BG2019-50 and are further subject to Subchapter 9-3 (Noise) of the City of Bowling Green Code of Ordinances. I acknowledge that if decibel levels are in violation of the prescribed levels, I have been notified that violation may result in fines or revocation of Mobile Food Unit/Pushcart permit.

Print

Signature

Date



**MOBILE FOOD VENDORS
AND PUSHCARTS
COMPLIANCE STATEMENT**

I, _____ of the business _____, state that
(Print name of owner or authorized agent) (Business Name)

I have received a copy of the City of Bowling Green Code of Ordinances BG2019-50 relating to the operation of mobile food units and pushcarts and the requirement to obtain a permit.

THIS COMPLIANCE STATEMENT MUST BE COMPLETED AND SUBMITTED TO THE CITY FINANCE DEPARTMENT. YOUR ANSWER PROVIDED ON THIS STATEMENT DETERMINES IF YOUR MOBILE FOOD OR CONCESSION SALES ACTIVITY IS SUBJECT TO THE MOBILE FOOD UNIT VENDOR OR PUSHCART VENDOR PERMIT.

**** Please respond to the statement below by checking (YES) or (NO) ****

My Mobile Food Unit or Pushcart will be operated on public rights-of-way in the City of Bowling Green.

ANSWER: (YES) _____

(NO) _____

If you have answered **(YES)**, you will need to apply for your Mobile Food Unit or Pushcart Permit.

If you have answered **(NO)**, and all of your vending activity is and will be conducted on property that is not on public rights-of-way, please return the COMPLIANCE STATEMENT only. If the status of your food vending changes, you must comply with the permit regulations. Please mail the COMPLIANCE STATEMENT to the Office of Occupational License, P O Box 1410, Bowling Green, KY 42102-1410

Signed

Date

Questions regarding this COMPLIANCE STATEMENT or the Mobile Food Unit or Pushcart Permit may be directed to the Office of Occupational License, City of Bowling Green Finance Department, 1017 College St, City Hall Annex, or by phoning (270) 393-3000.



Bowling Green Fire Department
625 East 6th Ave.
Bowling Green, KY 42101
T: 270-393-3702



CODE COMPLIANCE GUIDELINE

Mobile Food Unit Safety Inspection

Below are guidelines to be used for the Bowling Green Fire Department (BGFD) portion of the Mobile Food Unit safety inspections. This list does not cover every possible item that will be inspected, nor does meeting all the guidelines listed below guarantee that a unit will pass inspection.

The BGFD inspection is an operational safety inspection only of the MFU on the date that it is inspected. It is not an approval of the MFU's design, construction, road worthiness or an indication of the long term safety of its combined elements. BGFD reserves the right to modify these guidelines as needed.

It is advised that all electrical, ventilation and propane/natural gas piping, tanks, fittings, appliances and systems be constructed and installed by licensed bonded professionals in accordance with NFPA, DOT and Kentucky Fire Code standards.

All Fire Department Mobile Food Unit inspections will take place at the Bowling Green Fire Department Station 5, 250 Porter Pike, Bowling Green, KY 42101, by appointment only. You will be contacted by a BGFD Inspector to schedule your inspection after all appropriate paperwork has been submitted to the City License Division.

Units must arrive ready for operation. All systems may be required to be demonstrated: cooking, electrical and ventilation.

- **Propane:**

- Propane/natural gas piping must be constructed and installed in accordance with manufacturer's recommendations. Propane/natural gas lines that are routed beneath an MFU must be constructed with rigid pipe. Includes piping to LP generators.
- Any propane/natural gas line that penetrates a wall/partition must be constructed of rigid piping.
- Any propane/natural gas line/connector that it is not easily identifiable as to its construction or type will not be allowed and the burden of proof that it is being used according to manufacturer's recommendations will be on the MFU owner.
- All propane tanks DOT approved (within re-qualification date) not to exceed 200lb total for all tanks. Painting of tanks that obscure tank manufacturing or qualification information will not be approved.

- All tanks securely mounted with metal to exterior of vehicle.
- Rear mounted tanks at least 36" above ground to bottom of tank.
- No quick disconnects on any exterior propane tanks (quick disconnects on chassis mounted tanks may be allowed).
- No copper lines connected to LPG tanks.
- Rubber propane hose from regulator to tank to be stamped "Approved for LP Gas 350 psi".
- Moveable-grade, braided, PVC-coated, 304 stainless steel commercial gas connector designed for use with moveable equipment and caster-mounted equipment that is moved on a regular basis for cleaning and repair. Moveable equipment is defined in ANSI Standard Z21.69/CSA 6.16 as gas utilization equipment that may be counted on casters or otherwise be subject to movement.
- A daily propane system leak check should be performed prior to putting the unit into service and after any movement of the vehicle and after movement/change or addition of any gas fed appliance. These leak checks shall be performed with a hand-held listed flammable gas leak detector.
- Exterior emergency shut off sufficient to stop the supply from all propane/natural gas tanks. Required emergency shut off sign.

Extinguishers:

- All units will have at least (1) 3A:40 B-C rated extinguisher (1A:20B-C for pushcarts).
- Any unit using a deep fryer electric or gas will, in addition to the above extinguisher, have at least (1) 6L type "K" wet chemical extinguisher.
- Fire extinguishers shall bear a current inspection tag validated within the past twelve months OR a receipt of purchase within the last 12 months shall be available for inspection.

Truck/Trailer Ventilation:

- It is recommended that any unit using an appliance that produces grease laden vapors should have a Type 1 hood system installed.
- Hood systems shall be of commercial grade: inspected, cleaned and maintained per the Ohio Fire Code.
- All trucks/trailers must be equipped with a working adequate ventilation system. Small - trailers will be evaluated for adequate ventilation on a case by case basis.
- Units with deep fryers (electrical/propane/natural gas) must have a commercial/restaurant grade hood system.

Cooking Appliances:

- All cooking appliances must be listed by Underwriters Laboratories or NSF International for mobile applications for the appropriate fuel and be clearly marked with the appropriate rating sticker.

- All deep-fat fryers shall be installed with at least a 406mm (16 in.) space between the fryer and surface flames from adjacent cooking equipment. Where a steel or tempered glass baffle plate is installed at a minimum 203mm (8 in.) in height between the fryer and surface flames of the adjacent appliance, the requirement for a 406 mm (16 in.) space shall not apply.
- Movement of appliances with casters shall be limited by a restraining device installed in accordance with the connector and appliance manufacturer's installation instructions.

Detection Systems:

- All food trucks/trailers must be equipped with a working UL listed carbon monoxide detector suitable for commercial use.
- All food trucks/trailers/push carts must have a hand-held listed flammable gas leak detector.

Signage:

- Signs shall be clearly visible and of contrasting colors and shall be readable from a distance of 25 feet.
- Signs shall indicate type of fuel present (1) "PROPANE" (2) "NO SMOKING" inside and outside (3) "EMERGENCY SHUT OFF".

Electrical:

- All wiring should meet commercial restaurant standards.
- No exposed wiring.
- Installed per NEC 70

Egress/Exits:

- Egress/exits must be adequate and unencumbered by storage, appliances or design.

Generators:

- Must be safely mounted as not to extend into the public right of way.
- Must be securely mounted.
- Must be mounted so as not to impact propane/natural gas systems.

Bowling Green Fire Department: Mobile Food Unit safety Inspection



GAS LINES Z21.69



Signage



K Extinguisher



ABC Extinguisher 3A:40BC /1A:BC



Carbon Monoxide Detector



Hand Held Flammable leak Detector



350 PSI



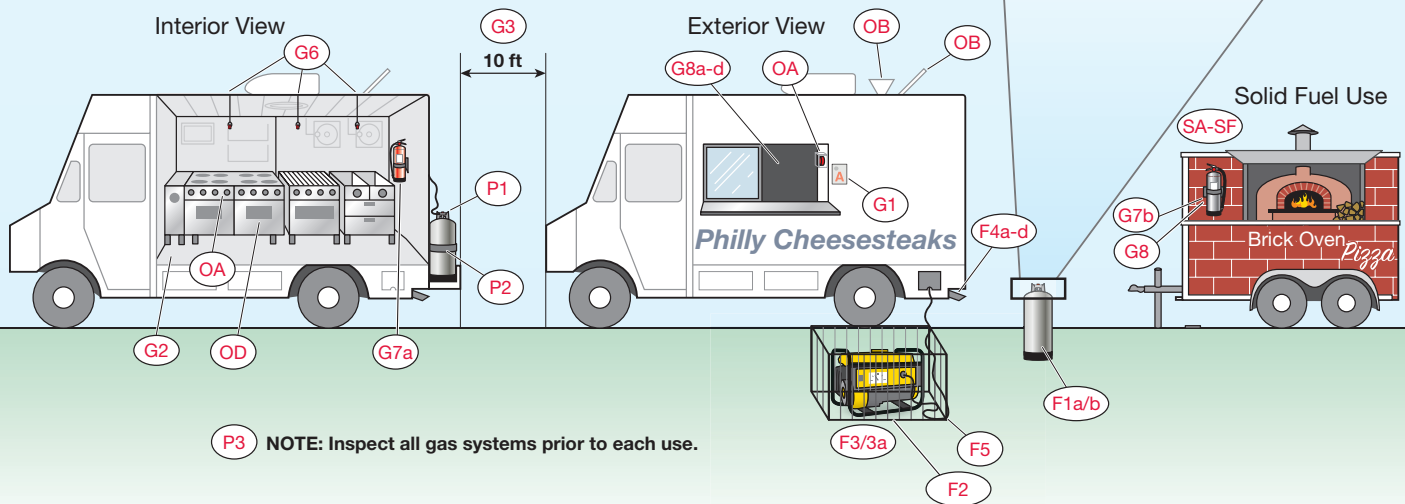
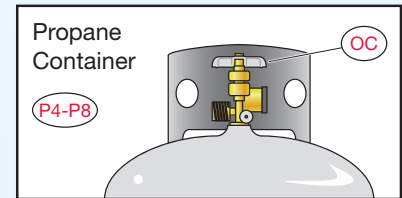
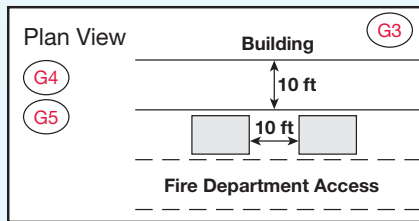
ASME Guidelines



8 inch Slash gaurd



FOOD TRUCK SAFETY



NFPA code references are provided at the end of each item. The red keys correspond to the NFPA food truck safety diagram. For more detailed information, see NFPA 1 and Annex B in NFPA 96.

General Safety Checklist

- Obtain license or permits from the local authorities. [1:1.12.8(a)] **G1**
- Ensure there is no public seating within the mobile food truck. [1:50.7.1.6.3] **G2**
- Check that there is a clearance of at least 10 ft away from buildings, structures, vehicles, and any combustible materials. [96:7.8.2; 96:7.8.3 for carnivals only] **G3**
- Verify fire department vehicular access is provided for fire lanes and access roads. [1:18.2.4] **G4**
- Ensure clearance is provided for the fire department to access fire hydrants and access fire department connections. [1:13.1.3; 1:13.1.4; 1:13.1.5] **G5**
- Check that appliances using combustible media are protected by an approved fire extinguishing system. [96:10.1.2] **G6**
- Verify portable fire extinguishers have been selected and installed in kitchen cooking areas in accordance with NFPA 10. [96:10.9.3] **G7a**
- Where solid fuel cooking appliance produce grease-laden vapors, make sure the appliances are protected by listed fire-extinguishing equipment. [96:14.7.1] **G7b**
- Ensure that workers are trained in the following: [96:B.15.1] **G8**
 - Proper use of portable fire extinguishers and extinguishing systems [10:1.2] **G8a**
 - Proper method of shutting off fuel sources [96:10.4.1] **G8b**
 - Proper procedure for notifying the local fire department [1:10.14.9 for carnivals only] **G8c**
 - Proper procedure for how to perform simple leak test on gas connections [58:6.16, 58:6.17] **G8d**



FOOD TRUCK SAFETY CONTINUED

Fuel & Power Sources Checklist

- Verify that fuel tanks are filled to the capacity needed for uninterrupted operation during normal operating hours. [1:10.14.10.1 for carnivals only] **F1a**
- Ensure that refueling is conducted only during non-operating hours. [96:B.18.3] **F1b**
- Check that any engine-driven source of power is separated from the public by barriers, such as physical guards, fencing, or enclosures. [96:B.16.2.2] **F2**
- Ensure that any engine-driven source of power is shut down prior to refueling from a portable container. [1:11.7.2.1.2] **F3**
- Check that surfaces of engine-driven source of power are cool to the touch prior to refueling from a portable container. **F3a**
- Make sure that exhaust from engine-driven source of power complies with the following: **F4**
 - At least 10 ft in all directions from openings and air intakes [96:B.13] **F4a**
 - At least 10 ft from every means of egress [96:B.13] **F4b**
 - Directed away from all buildings [1:11.7.2.2] **F4c**
 - Directed away from all other cooking vehicles and operations [1:11.7.2.2] **F4d**
- Ensure that all electrical appliances, fixtures, equipment, and wiring complies with the NFPA 70® [96:B.18] **F5**

Propane System Integrity Checklist

- Check that the main shutoff valve on all gas containers is readily accessible. [58:6.26.4.1(3)] **P1**
- Ensure that portable gas containers are in the upright position and secured to prevent tipping over. [58:6.26.3.4] **P2**
- Inspect gas systems prior to each use. [96:B.19.2.3] **P3**
- Perform leak testing on all new gas connections of the gas system. [58:6.16; 58:6.17] **P4**
- Perform leak testing on all gas connections affected by replacement of an exchangeable container. [58:6.16; 58:6.17] **P5**
- Document leak testing and make documentation available for review by the authorized official. [58:6.26.5.1(M)] **P6**
- Ensure that on gas system piping, a flexible connector is installed between the regulator outlet and the fixed piping system. [58:6.26.5.1(B)] **P7**
- Where a gas detection system is installed, ensure that it has been tested in accordance with the manufacturer's instructions. [96:B.19.2.1] **P8**

Bowling Green Fire Department

625 East 6th Ave., Bowling Green, KY 42101

270-393-3702

<https://www.bgky.org/policies/mobile-food-units>

Operational Safety Checklist

- Do not leave cooking equipment unattended while it is still hot. (This is the leading cause of home structure fires and home fire injuries.) **OA**
- Operate cooking equipment only when all windows, service hatches, and ventilation sources are fully opened. [96:14.2.2; 96:14.2.3] **OB**
- Close gas supply piping valves and gas container valves when equipment is not in use. [58:6.26.8.3] **OC**
- Keep cooking equipment, including the cooking ventilation system, clean by regularly removing grease. [96:11.4] **OD**

Solid Fuel Safety Checklist (Where Wood, Charcoal, Or Other Solid Fuel Is Used)

- Fuel is not stored above any heat-producing appliance or vent. [96:14.9.2.2] **SA**
- Fuel is not stored closer than 3 ft to any cooking appliance. [96:14.9.2.2] **SB**
- Fuel is not stored near any combustible flammable liquids, ignition sources, chemicals, and food supplies and packaged goods. [96:14.9.2.7] **SC**
- Fuel is not stored in the path of the ash removal or near removed ashes. [96:14.9.2.4] **SD**
- Ash, cinders, and other fire debris should be removed from the firebox at regular intervals and at least once a day. [96:14.9.3.6.1] **SE**
- Removed ashes, cinders, and other removed fire debris should be placed in a closed, metal container located at least 3 ft from any cooking appliance. [96:14.9.3.8] **SF**

NFPA RESOURCES

NFPA 1, *Fire Code*, 2018 Edition

NFPA 1 Fire Code Handbook, 2018 Edition

NFPA 58, *Liquefied Petroleum Gas Code*, 2017 Edition

LP-Gas Code Handbook, 2017 Edition

NFPA 70®, *National Electrical Code*®, 2017 Edition

National Electrical Code® *Handbook*, 2017 Edition

NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, 2017 Edition

NFPA 96: Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations Handbook, 2017 Edition



IT'S A BIG WORLD.
LET'S PROTECT IT TOGETHER.™

NOTE: This information is provided to help advance safety of mobile and temporary cooking operations. It is not intended to be a comprehensive list of requirements for mobile and temporary cooking operations. Check with the local jurisdiction for specific requirements. This safety sheet does not represent the official position of the NFPA or its Technical Committees. The NFPA disclaims liability for any personal injury, property, or other damages of any nature whatsoever resulting from the use of this information. For more information, go to nfpa.org/foodtrucksafety.

© 2018 National Fire Protection Association / August 2018