


# City Food Truck Regulations

MCFOA  
March 23, 2022



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## Topics Covered

- What is a Food Truck?
- Authority to Regulate
- Benefits
- Concerns
- Typical Regulations
- How to Proceed



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## What is a Food Truck (Mobile Food Unit)

- A mobile food unit (MFU) is a food and beverage service establishment that is a vehicle mounted unit, either:
  - Motorized or trailered, operating no more than 21 days annually at any one place, or operating more than 21 days annually at any one place with the approval of the regulatory authority.
  - OR
  - Operated in conjunction with a permanent business licensed under Minnesota Statutes, chapters 157 or 28A at the site of the permanent business by the same individual or company, and readily movable, without disassembling, for transport to another location.

Minnesota Statute, Section 157.15, subd. 9.

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### City Definitions

• A self-contained food service operation, located in a motorized wheeled or towed vehicle that is readily movable without disassembling and that is used to store, prepare, display, or serve food intended for individual portion service; or (2) a mobile food unit as defined in Minn. Stat. § 157.15, subd. 9.

- Things to consider:
  - Ice Cream Truck
  - Other Prepackage Food
  - Existing Definitions.



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### State Regulations

• Food trucks must be licensed by Minnesota Department of Health.

- State regulates food preparation issues.
- Operator submits plans to MDH
  - Equipment
  - Sinks
  - Ventilation
  - Surfaces
  - Water supply
  - Sewage

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### Authority

- Nuisance/Police Powers
  - Provide regulations without further city action.
- Licensing
  - Expressly allowed
  - Implied to perform general statutory powers
    - Use of streets
    - Transient Commerce
    - Health
    - Noise
    - General Welfare
- Zoning
  - Allowed Use
  - CUP



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### Benefits

- Food Equality/Food Deserts
- Supports Local Food Sources
- Economic Boost to Areas
- Incubator For Future Brick and Mortar



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### Concerns

- Health
- Unfair Competition
- Negative Impacts
  - Noise
  - Use of ROW
  - Utilities
  - Garbage
  - Restrooms
  - Signage
  - Parking



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### Unfair Competition?

- Cities must balance effects on existing businesses.
  - Setbacks
  - Days
  - Locations
  - Events



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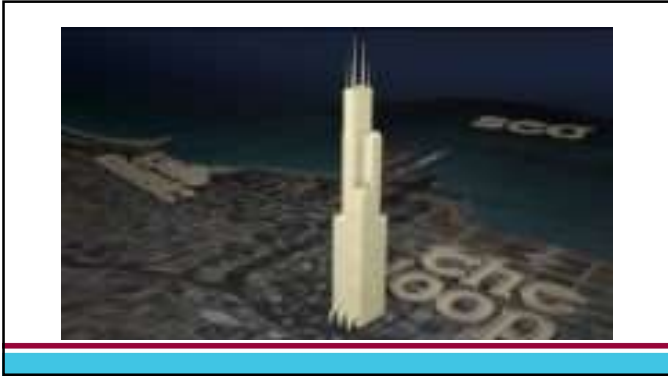
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**Get Public Input**

- What concerns do residents have?
- What concerns do businesses have?
- Try to balance those concerns.

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**Location**

- Where allowed?
  - Zoning District?
  - Private property only?
  - City parks and city property?
  - In ROW?
    - Number of public parking spots use?
    - More restrictive than other parking?
- Distance from existing restaurants?
  - Effect on land use permits?
    - Parking requirements?



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### Hours

- Typical Hours?
  - Special Events?
  - Different Depending on Location?
- Number of hours/days at one location?



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### Advertising

- Does sign ordinance apply?
- Off vehicle signs?
- Lighting
- Call attention?



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### Utilities

- Water and Power?
- Restrooms?
- Trash?



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### Other Issues

- Number of licenses
- Seating
- GPS



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### Issuing Permit

- Application Requirements
  - State and County License
  - Acknowledgment of city regulations
  - Insurance
  - Hold Harmless provision
  - Fees
- Enforcement
  - Who?
  - How?
  - Revocation procedures.



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### Next Steps

- Look at existing ordinance.
- Determine what kind of regulations city wants.
- Is the city able to enforce.
- Determine if regulations are licensing or zoning?
- Adopt ordinance.



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Questions?

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