

**ORDINANCE NO. 22-05  
CITY OF ORTONVILLE  
COUNTY OF BIG STONE  
STATE OF MINNESOTA**

**AN ORDINANCE REGULATING THE USE OF MOBILE FOOD TRUCKS/VENDORS WITHIN THE CITY  
OF ORTONVILLE**

SECTION I. That the City of Ortonville shall authorize and regulate Mobile Food Trucks/Vendors within the City of Ortonville as follows:

Subd. 1. Purpose. The purpose of this regulation is to protect the public health, safety, and general welfare of the community through the establishment of standards to ensure that mobile food trucks/vendors as defined herein are appropriately located, licensed, and inspected, do not impede vehicular access, traffic flow or other circulation, or create public safety hazards.

Subd. 2. General Regulation:

A. Definitions. For this regulation, the following definitions apply.:

1. Mobile food truck and mobile food truck/vendor shall be defined as any self-propelled vehicle or fully contained trailer, licensed by State of Minnesota to operate on public streets and roadways, which vends food (either prepackaged, prepared in the unit or at a commissary.) at retail for immediate consumption by the customer. Said vehicle and/or trailer may also be referred to herein as "unit".
2. Commissary shall be defined as a permanent State-licensed location which services food trucks, including but not limited to the provision of food storage, paper goods, and supplies, waste and grease disposal and food preparation.
3. Vend or vending shall be defined as the process of the transfer of food product from the unit operator to a customer. Vending begins when the unit initially stops in a location at which the customers can access the unit and continues until the unit leaves the location.

B. Applicability. Notwithstanding any contrary provision of city ordinances, mobile food trucks/vendors shall be licensed and located as provided in this ordinance:

1. Inspections. Applicants must provide evidence of current inspection of the unit by Minnesota Department of Agriculture, by the Minnesota Department of Health and/or Public Health office.
2. Insurance. Applicants must provide evidence of liability insurance and must have an indemnification on the application to the city. Written notice of cancellation of such insurance must be given to the City not less than thirty (30) days prior to actual cancellation
3. Restrictions on Vending Activity.
  - a. Mobile food trucks/vendors are prohibiting from vending on 2<sup>nd</sup> Street (also known as Main Street from the Corner of South Minnesota Street & 2<sup>nd</sup> St to the corner of Pacific Avenue & 2<sup>nd</sup> Street.

- b. Mobile food trucks/vendors are allowed to vend on public streets between the hours of 8:00 AM to 8:00 PM inclusive unless otherwise approved by City of Ortonville for events
  - c. Mobile food trucks/vendors are prohibited from vending activities within 300 feet of a community event for which the city has issued a Special Event permit unless they are specifically authorized by the event sponsor to participate in the event.
  - d. No unit shall occupy more than two (2) parking spaces.
  - e. The unit shall vend only from the side of the vehicle away from moving traffic and shall be as close as possible to the curb or side of street.
  - f. On public streets, no unit shall vend within sixty (60) feet of the intersection of two or more Public streets, nor within thirty feet (30) feet of a driveway which enters onto a public street.
  - g. There shall be no overnight parking of food trucks on the public right of way. The food truck must return to its home base after each day of operation.
  - h. Connection of the unit to public utilities is not permitted.
  - i. No Mobile food truck/vendor shall be allowed to park nor vend on/from private property or parking lots i.e., school, church, hospital, nursing home. All vending must be done from public roadway.
4. Dimensions. No mobile food truck shall exceed 32' feet in length (overall length for a self-propelled vehicle; trailer length including the towing vehicle for self-contained trailers) or ten (10) feet in height.
5. Signs and Appurtenances:
- a. Mobile food trucks/vendors shall not employ or utilize any signs that are not attached directly to vehicle/trailer. Signs may not project above the unit, nor more than six (6) inches from the side of the unit. No flashing, strobing or intermittent lighting is allowed.
  - b. No external seating shall be provided or utilized except as may be provided by the owner, manager.
  - c. Any generator used by the unit must be self-contained within or on the unit, screened from view, and operate at no more than 70 decibels.
  - d. Vending operator may not call attention to the unit by crying out, blowing a horn, ringing a bell or playing music discernable beyond the unit. Amplified sound is not permitted.
  - e. Waste receptacle (s) must be provided by the unit operator and the vending site must be cleaned of all liter and garbage generated by the unit and customers before the unit leaves the location.

Subd. 3. Enforcement. Any violation of this section, including but not limited to the vending operation of a mobile food truck within the city without a license issued pursuant to this section, shall be a misdemeanor punishable by fine or jail.

Adopted by the Ortonville City Council this 20<sup>th</sup> day of June 2022.

APPROVE:

ATTEST:

\_\_\_\_\_  
Gene Hausauer  
Mayor

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Charleen Grossman  
City Clerk Administrator

1<sup>st</sup> Reading-June 6, 2022  
2<sup>nd</sup> Reading-June 20, 2022  
Adoption-June 20, 2022  
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