

Mobile Food Vendor

License

Village of Weston

Date: _____

License No.: _____

Payment: Cash Check No. _____

FULL COMPLETION OF THIS FORM IS REQUIRED FOR PROCESSING

-- PLEASE USE THE ONLINE FILLABLE PDF --



5500 Schofield Ave
Weston, WI 54476

TEMPORARY USE FEES

Annual Fee **\$25.00 FEE**

EXPLANATION OF PROCESS

It shall be unlawful for any person or persons to operate a mobile food vendor unit, except as provided within this Article, and without first having obtained a license from the Village Clerk. No license to operate a mobile food vendor unit shall be issued without the Village Board of Trustee's approval.

The following situations shall be exempt from obtaining the license:

- A person(s), on behalf of a charitable organization, selling individually wrapped, sealed food or beverage items that are prepared and packaged by a licensed food processor.
- A person(s), under the age of 18, operating a "lemonade stand" or the equivalent thereof on privately owned, residential use property.
- A person(s), during the Village's designated Farmers' Market days, selling food or beverages made by said person(s).

Any applicant conducting business on behalf of a not-for-profit or representing a not-for-profit are subject to the regulations set forth in this Article. Proof of 501(c)(3) federal tax-exempt status must be filed with the application at the time of submittal.

Licenses shall be issued on an annual basis beginning on April 1 and expiring on March 31, or a 6-month basis beginning on April 1 and expiring on September 30 or a beginning on October 1 and expiring on March 31, subject to subsection (k). There shall not be prorated fees or other reductions for applications.

No more than twenty (20) licenses shall be issued each year by the Village. Licenses shall be issued on a "first-come/first-serve" basis, provided that the applicant meets the requirements of this Article. No person may hold more than one license per licensing period.

APPLICANT INFORMATION

Business Name: _____ **Contact Name:** _____

Business Owner: _____ **Mailing Address:** _____

Business Address: _____

_____ **Phone:** _____

Website: _____ **Email:** _____

INVESTIGATION

Upon receipt of an application and fee, the Village Clerk shall refer the application to the Chief of Police. The Chief of Police shall make an investigation of the accuracy of the statements made in the application and determine whether the applicant has been convicted of felony, misdemeanor, statutory violation punishable by forfeiture, or county or municipal ordinance violation in which the circumstances of the felony, misdemeanor, or other offense substantially relate to the circumstance of the permitted activity, and, if so, the nature and the date of the offense and the penalty assessed.

Required Background Information:

Last three (3) municipalities in which similar sales or solicitations were conducted:

1. _____
2. _____
3. _____

Required Applicant Information:

Driver's License No. _____ Date of Birth: _____
 Height: _____ Weight: _____
 Color of Hair: _____ Color of Eyes: _____

Manager Information (If different from Applicant):

Driver's License No. _____ Date of Birth: _____
 Height: _____ Weight: _____
 Color of Hair: _____ Color of Eyes: _____

Contact Information where the applicant can be reached at for at least seven (7) days after conducting business in the Village:

Applicant Address: _____ Phone: _____
 _____ Email: _____

Have you been convicted of any crime or ordinance violation related to sales or solicitations or other transient merchant activities within the last five (5) years? If yes, please describe the nature of the offense and municipality in which you were convicted.

Are there currently and other charges currently pending against you? If yes, please state the nature of the charges.

ZONING REGULATIONS

Temporary Sales and by Mobile Food Vendors includes the short-term sale of products and foods outside the confines of a building. Foods and beverages are made by the licensed mobile food vendor. Examples of this land use category include, but are not limited to, mobile retail food establishment, temporary retail food establishment, pushcart, ice cream vendor and temporary food stands. This category does not include "Seasonal Sales of Farm Products" (including farmers' markets), "Drive-in or Drive-through Sales or Service," or licensed mobile food vendors associated with a licensed and approved "Outdoor Assembly or Special Event." Said use is allowed in the zoning districts listed below:

Temporary Use (94.4.10)	AR	RR	PR	SF-L	SF-S	2F	MF	MH	INT	B-1	B-2	B-3	BP	LI	GI
(13) Temporary Sales by Mobile Food Vendors			T						T	T	T	T	T	T	T

Site Address: _____ Zoning District: _____

 Weston, WI 54476

Start Date: _____ End Date: _____

Operation Time*: _____
 Sun Mon Tue Wed Thur Fri Sat

*Please note, Vending shall only be permitted to operate between the hours of 7:00 a.m. and 30 minutes after the provided closing hours for Class "B" licensed alcohol establishments as provided in Wis. Stat. §125.32(3).

PROPERTY OWNER INFORMATION

Property Owner: _____ Contact Name: _____
Mailing Address: _____ Phone: _____
_____ Email: _____

REQUIRED: A letter of Authorization from the Property Own or its Agent, as listed above, shall be attached to this application, granting the use of Temporary Sales by Mobile Food Vendors on the above stated property.

ADJACENT RESTAURANT OR FOOD SERVICE ESTABLISHMENTS

Please provide the business names and owners of all the establishments in which food is prepared and served on and adjacent to the property in which the activity is proposed to take place.

Business Name: _____ Contact Name: _____
Business Name: _____ Contact Name: _____

REQUIRED: A Letter of Approval shall be provided by each establishment in which the same type of food product is prepared and/or sold on site stating their approval of the use of Temporary Sales from a Mobile Food Vendors on the same or adjacent property.

ADDITIONAL INFORMATION

The following information is either required to be provided or attached to this application:

- A copy of the current Marathon County Health Department Certificate and Inspection Report
- A copy of the State of Wisconsin Seller's Permit, if applicable
- A copy of proof of Liability Insurance and Policy, showing a minimum coverage of \$1,000,000.00
- A photograph of the unit and a drawing, including all the dimensions of the mobile food vending unit
- A copy of the menu of what will be served by the mobile food vending unit
- A copy of proof of insurance for any vehicles involved or used in the mobile food vending unit
- A copy of the registration for any vehicles involved or used in the mobile food vending unit
- A copy of proof of 501(c)(3) federal tax-exempt status, if applicable

LIMITATIONS

The mobile food vending units shall adhere to the following limitations:

- No mobile food vending unit may be set up at any one location for more than a 7-day period. Mobile food vending units that operate out of a motorized vehicle shall be parked in a parking stall overnight as to not inhibit traffic flow.
- All mobile food vendor units shall adhere to the setbacks of the hard or gravel surface of the respected zoning district as defined in Figure 5.02(2) Non-residential District Setbacks and Height Standards within this Chapter.
- No mobile food vendor unit shall be located or operate within the right-of-way, which includes, but not limited to, the street and sidewalk, with the exception of a mobile ice cream vendor. No vending shall be made in a public street from a vehicle or other on-street unit except from the curbside of said vehicle or on-street unit. Vehicle or pedestrian flow shall not be impeded in any way. All vending from the right-of-way shall cease at sunset.
- No mobile food vendor unit shall be located within 10 feet of a fire hydrant or designated bus stop and shall not be located within the vision triangle as described in Chapter 71.
- No mobile food vendor unit shall be located or operating within 1000 feet of school property during school hours, unless written permission is granted by the school superintendent or designee and such documentation is provided with the required application.
- It shall be prohibited for any mobile food vendor units to be connected to any public source of water, sewer or electricity.
- The utilization of public property, such as light poles, utility pole, planters is prohibited.
- The utilization of a drive-up or drive-through window for motorized vehicles is prohibited.

FINES

Work on the proposed project cannot begin without the issuance of a permit. Permits filled after the fact shall be subject \$100.00 fine for the first offense and \$200 fine for the second offense and the cost of prosecution. Each and every day during which any such violation continues shall constitute a separate violation.

STATEMENT OF UNDERSTANDING AND SIGNATURES

By signing and dating below, I acknowledge that I have reviewed and understand the Village of Weston zoning and licensing ordinance and its standards of approval related to this application; read, understand, and accept my responsibilities under the reimbursement section above; submitted an application that is true, correct, and complete to the best of my knowledge; acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application; understand that all meeting dates are tentative and may be postponed by the Village for the reason of incomplete submittals or other administrative reasons; if this application is approved, agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and understand that the Village's zoning and licensing ordinance and/or the conditions of development approval may specify timeframes within which I must take certain actions related to the development of the subject property, or risk having the approval being nullified.

Failing to attach all the required components will deem the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains incomplete. Any fees collected will not be refunded.

Signature of Applicant

Date

Business Owner On-Site Manager