



Financial Services – Revenue Office

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MOBILE FOOD DISPENSING VEHICLE BUSINESS TAX RECEIPT STIPULATION

City Code, Chapter 46, Section 46-24

I, _____, (please print full legal name) fully understand that the issuance of a Business Tax Receipt for a Mobile Food Dispensing Vehicle in the City of Melbourne, Florida, for the purpose of conducting a business is subject to the requirements of Chapter 46, Section 46-24, in particular:

Mobile Food Dispensing Vehicle is a specific type of peddler involving the use of any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including but not limited to, gas, water, electricity, or liquid waste disposal. Mobile food dispensing vehicles shall be classified as follows:

- (a) **Class I – Food Trucks.** In addition to the vending of products allowed for Class II and Class III, these vehicles may cook, prepare and assemble food items in the unit and serve a full menu. In addition Class I mobile food dispensing vehicles:
- may operate on private property in commercial (C-1A, C-1, C-2, C-3, C-E, C-P), industrial (M-1, M-2), and institutional (I-1), zoning districts. They may also operate on a property where a non-residential use occurs in a residential (R-1A, R-1AA, R- 1AAA, R-1B, R-2, R-3, R-P) zoning district, as provided in Appendix B, Article III, Code of Ordinances.
 - are prohibited from operating within a public right-of-way.
- (b) **Class II – Canteen Trucks.** These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre- packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre- cooked foods is allowed. In addition Class II mobile food dispensing vehicles:
- may operate on private property in any zoning district.
 - are prohibited from operating within a public right-of-way.
- (c) **Class III – Mobile Vending Trucks.** These vehicles vend only pre-packaged edibles and pre-packaged food and/or beverages, including but not limited to: pre-packaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based products and pre-packaged beverages. In addition Class III mobile food dispensing vehicles:
- may operate anywhere a Class I and Class II operates, and on locally classified streets during daylight hours between sunrise and sunset; provided, that:
 - (1) no stopped or standing mobile vending truck interrupts the flow of traffic on the street or pedestrian travel on any sidewalk;
 - (2) no stopped or standing mobile vending truck partially or wholly, blocks any driveway or point of motor vehicular access from the street onto any public or private property; and
 - (3) the mobile vending truck leaves the traffic lane of travel and pulls as far to the side of the right-of-way as possible; and
 - (4) no mobile vending truck is stopped on any one block of said street for more than 15 consecutive minutes.
- (d) **All Mobile Food Dispensing Vehicles (Class I, II, and III):**
- (1) shall make the vehicle available for routine inspections by the City of Melbourne Fire Marshal, Building Inspector, or Code Enforcement Officer at any time requested.
 - (2) are prohibited from operating in or blocking a driveway, driveway aisle, loading zone, no parking zone, fire lane, blocking fire hydrants or any other fire protection devices and equipment, or American with Disabilities Act (ADA) accessible parking spaces and/or accessible ramps, and from operating in a location that impedes on-site circulation of motor vehicles, the ingress or egress of a building, or emergency exits.
 - (3) are prohibited from operating on unimproved surfaces and undeveloped locations, and in any landscape area or storm water retention area.
 - (4) are prohibited from selling or dispensing alcohol except as part of permitted Special Activity pursuant to Chapter 2, Article X, of the Code of Ordinances.
 - (5) shall be self-contained when operating and provide their own required trash and recycling receptacles and for public use and shall remove all waste and trash at the end of each day. And under no circumstances shall grease or any waste materials be released into any storm water system, tree or landscaping areas, sidewalks, streets, parking lots or private/public property.

Name of Mobile Food Dispensing Vehicle: _____

APPLICANT: Under penalties of perjury, I declare that I have read the foregoing Mobile Food Dispensing Vehicle business tax receipt stipulation and that I have read and understand all restrictions and conditions contained herein. I also understand that by signing this form, I am authorizing the City to make periodic inspections of the Mobile Food Dispensing Vehicle.

Date

Printed Name

Signature