



CODES ENFORCEMENT DEPARTMENT

The City of Danville has adopted Ordinance No. 2005 regulating Mobile Food Units. If you wish to conduct business as described in Ordinance No. 2005 & 2010, a permit will be required. Included in this packet is:

- Ordinance
- Application
- Checklist of items needed to submit with permit application
- Acknowledgment letter regarding generator decibel level
- Verification of Health Department Compliance
- Verification of Occupational License Compliance
- DFD 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.

For inquiries, please contact the City of Danville Codes Enforcement at (859) 238-1200 or email questions to nwesley@danvilleky.gov

ORDINANCE NO. 2010

AN ORDINANCE AMENDING CITY OF DANVILLE, KENTUCKY CODE OF ORDINANCE CHAPTER 13 PERTAINING TO THE OPERATION OF FOOD TRUCKS IN THE CITY OF DANVILLE.

WHEREAS, the City previously adopted Ordinance 2005 to prescribe certain rules and regulations for mobile food units and vendors in order to protect and promote the health, safety, and welfare of the general public; and

WHEREAS, the City finds it necessary and appropriate to amend said ordinance to provide clarity for the application of same;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DANVILLE, KENTUCKY, as follows:

SECTION ONE: Chapter 13 in the City of Danville Code of Ordinances is hereby amended to read as follows:

Chapter 13 MOBILE FOOD SALES

§ 13-1. Definitions.

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

- (a) **MOBILE FOOD UNIT VENDOR.** Any person or entity who conducts business from a Mobile Food Unit within the City of Danville on more than two (2) occasions per calendar year.
- (b) **MOBILE FOOD UNIT.** A licensed, motorized vehicle permitted by the Boyle County Health Department for food service, which is temporarily parked in a location to sell and/or serve food and/or beverages to the general public. 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.
- (c) ~~**PUSHCARTS.** A non-motorized structure that is lightweight enough, designed, and intended to be moved by one person for the sale and/or service of food and/or beverages,~~

including but not limited to fruit, cotton candy, popcorn, drinks, hotdogs, flavored ice, and pre-wrapped foods.

- (d) ~~PUSHCART VENDOR. Any person or entity who operates a pushcart within the City of Danville.~~

§ 13-2. Permit Required to Operate Mobile Food Unit ~~or Pusheart~~

- (a) No person, firm, partnership, corporation, or other entity shall operate a Mobile Food Unit ~~or Pusheart~~ in the City of Danville without obtaining a Mobile Food Unit Vendor ~~or Pusheart~~ Vendor permit, respectively, issued by the City of Danville Codes Enforcement Department. Each Mobile Food Unit ~~or Pusheart~~ shall require a separate permit (a vehicle pulling a trailer constitutes one Mobile Food Unit). The Codes Enforcement Department may issue a permit based on the following criteria:
- (1) Impact on local economy.
 - (2) Impact on public health and safety.
 - (3) Impact on transportation and traffic.
 - (4) Completeness of the application and accuracy of information provided.
 - (5) Compliance with the terms of this ordinance and other City, county, state, and federal laws, ordinances, rules, and regulations.
 - (6) Outstanding delinquent accounts or liabilities, if any, to the City.
 - (7) The existing number of Mobile Food Unit ~~or Pusheart~~ permits operating in the City.
 - (8) If demand exceeds appropriate and available space.

Each permit will 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 Pusheart~~ shall be issued a unique colored coded sticker for calendar year and this sticker shall be affixed to the Mobile Food Unit ~~or Pusheart~~ in a publicly visible location. Mobile Food Unit Vendors ~~and Pusheart 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 the Subchapter prior to being issued a renewal permit.

The provisions of this chapter shall not apply to mobile food units ~~or pushearts~~ owned by an educational institution and utilized on its campus; however, in the event said mobile food unit ~~or pusheart~~ is moved off of the educational institution's campus, the provisions of this chapter shall apply.

- (b) The Mobile Food Unit ~~or Pusheart~~ permit application shall be submitted with annual fee of \$300 along with the name, business address and contact information for the applicant, with credit being given for the cost of a business license that was previously obtained by the applicant. Any permit issued on or after July 1 of any calendar year shall pay a permit fee of \$150 for the remainder of that year. The application shall also include a copy of the City of Danville's business registration and documentation showing that the Mobile Food Unit ~~or Pusheart~~ has been inspected and approved by the City of Danville Fire Department and the Boyle County Health Department, if applicable.

- (c) By submitting a permit application, each Mobile Food Unit Vendor ~~or Pusheart Vendor~~ issued a permit agrees to hold the City of Danville 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 Pusheart Vendor~~ also agrees to indemnify and hold harmless the City of Danville and its officials, officers, and employees for bodily injury, disease, or death, or injury to or destruction of property, including the loss of use therefrom and/or breach 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 granting of a permit under this section shall not constitute a property interest or right in any City-owned property, including but not limited to City rights and sidewalks. Any permit granted herein does not provide a Mobile Food Unit Vendor or Mobile Food Unit exclusive rights to any public property or parking space.

§ 13-3. Insurance for Mobile Food Unit ~~or Pusheart~~

- (a) A Mobile Food Unit Vendor ~~or Pusheart 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 Danville Codes Enforcement 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 reporting period (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, Vendor 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)~~ (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 and Federal Transportation Regulations.~~

~~(3)~~ (2) **WORKER'S COMPENSATION** – Insuring the employers' obligations under Kentucky Revised Statutes Chapter 342 at Statutory Limits.

- (b) The Commercial General Liability Policy shall be endorsed to contain the following provisions:

“The City of Danville, its elected and appointed officials, employees, agents 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.

(c) 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.

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

City of Danville
Codes Enforcement Department
Attn: Director of Codes Enforcement
445 W. Main St.
P.O. Box 670
Danville, KY 40423
Fax: 859-238-1232

§ 13-4. Mobile Food Unit Vendor and Pusheart Regulations.

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

~~(b) Pusheart Vendors may operate on public sidewalks in the City of Danville. Pusheart Vendors shall not operate on public streets, roads or alleys. Pusheart Vendors shall not impede the ingress or egress of any driveway or the entrance into any building. Pusheart Vendors shall not obstruct pedestrian space and shall maintain at a minimum 5 feet of sidewalk space for pedestrian passage adjacent to the pusheart. Pusheart Vendors may operate on public sidewalks in the City of Danville from 6:00 AM to 12:00 AM each day and shall not remain at the same location for longer than 4 hours. In addition to public sidewalks, Pusheart Vendors may operate on private property subject pursuant to a Temporary Use Zoning Permit under Section 5.3.3 of the Danville Zoning Ordinance.~~

(c) ~~(b)~~ Mobile Food Unit Vendors may operate in the following locations on right of way: 1) on the east side of South 2nd Street adjacent to Constitution Square; 2) ~~the parking lot at 319 West Walnut Street;~~ and 3) on the east side of North 4th Street adjacent to Weisiger Park (an "Approved Location"). The Codes Enforcement Department may from time to time

regulate the number and location of Mobile Food Units at an Approved Location, including by establishing parking spots and a reservation system. A Mobile Food Unit Vendor may only operate at an Approved Location for 4 hours per day, between the hours of 8:00 AM and 9:00 PM, and pursuant to advance approval by the Codes Enforcement Department. When operating at an Approved Location, a Mobile Food Unit Vendor shall not serve or sell a food item which is substantially similar to the primary food offering of a brick-and-mortar establishment within 250 feet of the Approved Location. Other than at an Approved Location, no Mobile Food Unit Vendors may operate without a Temporary Use Zoning Permit under Section 5.3.3 of the Danville Zoning Ordinance.

- (d) No Mobile Food Unit ~~or Pusheart~~ shall be left unattended or allowed to park on public streets or sidewalks in the City of Danville overnight and any such Mobile Food Unit ~~or Pusheart~~ left unattended or parked overnight may be towed or removed at the City's discretion. All Mobile Food Unit Vendors ~~and Pusheart Vendors~~ shall promptly cease operations and remove the Mobile Food Unit ~~or Pusheart~~ upon request by appropriate City Officials. ~~Neither The Mobile Food Unit or Pusheart,~~ nor any inventory or equipment thereof, shall be left overnight upon any unenclosed portion of any lot or site within the city, except that it may be stored on property belonging to the owner of the mobile food unit ~~or pusheart~~ in accordance with all other laws and regulations.
- (e) Mobile Food Unit Vendors ~~or Pusheart Vendors~~ shall only use lighting which is affixed to the Mobile Food Unit ~~or Pusheart~~ 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.
- (f) Mobile Food Unit Vendors ~~and Pusheart Vendors~~ shall supply their own electrical power and shall not connect to City power outlets.
- (g) Mobile Food Unit Vendors shall be equipped with at least one 2A-40 BC fire extinguisher; if fryers are used a 2A-40BC, class K fire extinguisher; and if a gas generator is used a "propane leak detector".
- (h) 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.
- (i) Mobile Food Units ~~and Pushearts~~ 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 Pushearts~~ shall solicit drive-through service or solicit or make any sales to occupants of vehicles nor shall Mobile Food Units ~~or Pushearts~~ operate in a manner to cause congestion that impedes pedestrian or vehicle traffic or interferes with the public use of any rights-of-ways, sidewalks or public benches. No tables, chairs or similar property shall be permitted on public property. No cords, cables or wire shall be attached to any part of the Mobile Food Unit, or trailer ~~or Pusheart~~ that cross any public sidewalk or street.

- (j) The Mobile Food Unit ~~or Pusheart~~ shall provide its own waste and recycling containers in sufficient size to collect all waste and recyclables generated by the Mobile Food Unit ~~or Pusheart~~. The operator of the Mobile Food Unit ~~or Pusheart~~ shall remove all garbage, trash, papers, cups, cans or litter from the immediate area around the Mobile Food Unit ~~or Pusheart~~. 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 Pusheart~~ until properly disposed.
- (k) Mobile Food Unit Vendors ~~and Pusheart Vendors~~ shall be responsible for any damage to public property or public streets caused by the operation of the Mobile Food Unit ~~or Pusheart~~, including, but not limited to, damage due to stakes, rods, or other support methods.
- (l) Codes Enforcement Officers, fire department officers and police officers shall be authorized to inspect the permitted Mobile Food Unit ~~or Pusheart~~ without notice and without consent during normal operating hours.
- ~~(m) All Mobile Food Units and Pushearts shall be subject to Chapter 8 (Article III) (Noise) of the City of Danville 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 68 decibels. Amplified music is not permitted.~~
- (n) (m) Consent for Mobile Food Units ~~or Pushearts~~ to operate on any City property other than an Approved Location shall be obtained from the City Manager or his designee 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.
- (o) (n) Mobile Food Unit Vendors ~~and Pusheart Vendors~~ shall not sell or serve alcoholic beverages except under the applicable state and local license.
- (p) (o) The City may grant relief from the above provisions pursuant to an approved special event permit. During special events, no Mobile Food Unit ~~or Pusheart~~ shall occupy any permitted special event location without the consent of the management of the special event.

§ 13-5. Enforcement and Penalties.

- (a) Enforcement proceedings for the provisions of this Chapter shall be initiated by the issuance of a notice of violation or a citation by any designated Codes Enforcement Officer as set out in Section 1-12 of the City's Code of Ordinances. Any person or business entity violating any of the provisions of this Chapter, shall be subject to civil fines as set out in Chapter 1-12 (General Code Enforcement) of the City of Danville Code of Ordinances.
- (b) The Codes Enforcement Department may suspend or revoke any permit issued under this section, or require a Mobile Food Unit Vendor ~~or Pusheart Vendor~~ to relocate its Mobile Food Unit ~~or Pusheart~~, for any of the following reasons:

- (1) To allow for construction, maintenance, or repair of any street, curb, gutter, sidewalk, storm drain inlet, or any other similar facility.
- (2) Failure to comply with all terms of this ordinance, or other applicable local, state, and federal regulations.
- (3) Revocation of any required permit to conduct the mobile food service operations, including revocation by the Boyle County Health Department or other issuing entity.
- (4) Excessive noise.
- (5) Improper disposal of solid waste, grease, oil, or other materials from the Mobile Food Unit.
- (6) When the desired location of the Mobile Food Unit ~~or Pusheart~~ is closed, or during special events.
- (7) In the event this ordinance is amended or repealed as to render the Vendor's activities inconsistent with the law.
- (8) To maintain the comfort, health, safety, and welfare of the public.

If the Codes Enforcement Department exercises the right to suspend or revoke a permit issued under this chapter, written notice shall be provided to the Vendor at the address on file for the permit. Delay or failure to issue a suspension or revocation of any permit shall not constitute a waiver of this section. No reimbursement for any portion of the permit fee shall be made in the event a permit is suspended or revoked, or if a Mobile Food Unit ~~or Pusheart~~ is required to relocate temporarily or permanently.

- (c) Any person aggrieved by a decision of the Codes Enforcement Department regarding denial, suspension, or revocation of a permit under this chapter shall have the right to appeal any such decision to the Board of Commissioners by filing a written notice of appeal with the City Clerk within 5 days after the written decision is rendered. The appeal shall be heard no later than 20 days after the notice of appeal is filed. The appeal shall be based on the record, except when the Board of Commissioners, in its sole discretion, requests additional evidence from the interested parties or other witnesses. No appeals will be considered if an appeal is not filed in a timely manner.

SECTION TWO:

SECTION TWO: This ordinance is effective upon its publication.

SECTION THREE: If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

GIVEN FIRST READING AND PASSED 04.10.2023

GIVEN SECOND READING AND PASSED 04.24.2023

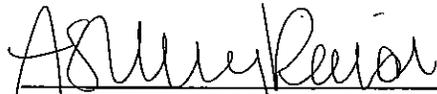
PUBLISHED IN THE *ADVOCATE-MESSENGER*

APPROVED:



J. H. ATKINS, MAYOR

ATTEST:



ASHLEY RAIDER, CITY CLERK

ORDINANCE NO. 2005

AN ORDINANCE AMENDING CITY OF DANVILLE, KENTUCKY CODE OF ORDINANCE CHAPTER 13 (MOBILE FOOD SALES) CREATING RULES AND REGULATIONS PERTAINING TO THE OPERATION OF FOOD TRUCKS IN THE CITY OF DANVILLE.

WHEREAS, the operation of mobile food units, commonly called "food trucks," has become a national trend and has proven to stimulate social and economic activity and enhance local commerce; and

WHEREAS, it is in the best interest of the City to adopt an ordinance providing for regulations of mobile food vendors and pushcarts; and

WHEREAS, it is necessary for the City to prescribe certain rules and regulations for mobile food units and vendors in order to protect and promote the health, safety, and welfare of the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DANVILLE, KENTUCKY, as follows:

SECTION ONE: Chapter 13 (MOBILE FOOD SALES) in the City of Danville Code of Ordinances is hereby amended to read as follows:

Chapter 13 (MOBILE FOOD SALES)

§ 13-1. Definitions.

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

- (a) **MOBILE FOOD UNIT VENDOR.** Any person or entity who conducts business from a Mobile Food Unit within the City of Danville.
- (b) **MOBILE FOOD UNIT.** A licensed, motorized vehicle permitted by the Boyle County Health Department for food service, which is temporarily parked in a location to sell and/or serve food and/or beverages to the general public. 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.

- (c) **PUSHCARTS.** A non-motorized structure that is lightweight enough, designed, and intended to be moved by one person for the sale and/or service of food and/or beverages, including but not limited to fruit, cotton candy, popcorn, drinks, hotdogs, flavored ice, and pre-wrapped foods.
- (d) **PUSHCART VENDOR.** Any person or entity who operates a pushcart within the City of Danville.

§ 13-2. Permit Required to Operate Mobile Food Unit or Pushcart

- (a) No person, firm, partnership, corporation, or other entity shall operate a Mobile Food Unit or Pushcart in the City of Danville without obtaining a Mobile Food Unit Vendor or Pushcart Vendor permit, respectively, issued by the City of Danville Codes Enforcement Department. Each Mobile Food Unit or Pushcart shall require a separate permit (a vehicle pulling a trailer constitutes one Mobile Food Unit). The Codes Enforcement Department may issue a permit based on the following criteria:
 - (1) Impact on local economy.
 - (2) Impact on public health and safety.
 - (3) Impact on transportation and traffic.
 - (4) Completeness of the application and accuracy of information provided.
 - (5) Compliance with the terms of this ordinance and other City, county, state, and federal laws, ordinances, rules, and regulations.
 - (6) Outstanding delinquent accounts or liabilities, if any, to the City.
 - (7) The existing number of Mobile Food Unit or Pushcart permits operating in the City.
 - (8) If demand exceeds appropriate and available space.

Each permit will 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 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 the Subchapter prior to being issued a renewal permit.

- (b) The Mobile Food Unit or Pushcart permit application shall be submitted with annual fee of \$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 \$150 for the remainder of that year. The application shall also include a copy of the City of Danville's business registration and documentation showing that the Mobile Food Unit or Pushcart has been inspected and approved by the City of Danville Fire Department and the Boyle County Health Department, if applicable.

- (c) By submitting a permit application, each Mobile Food Unit Vendor or Pushcart Vendor issued a permit agrees to hold the City of Danville 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 Danville and its officials, officers, and employees for bodily injury, disease, or death, or injury to or destruction of property, including the loss of use therefrom and/or breach 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 granting of a permit under this section shall not constitute a property interest or right in any City-owned property, including but not limited to City rights and sidewalks. Any permit granted herein does not provide a Mobile Food Unit Vendor or Mobile Food Unit exclusive rights to any public property or parking space.

§ 13-3. Insurance for Mobile Food Unit or Pushcart.

- (a) A 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 Danville Codes Enforcement 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 reporting period (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, Vendor 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 and Federal Transportation Regulations.
 - (3) WORKER'S COMPENSATION – Insuring the employers' obligations under Kentucky Revised Statutes Chapter 342 at Statutory Limits.
- (b) The Commercial General Liability Policy shall be endorsed to contain the following provisions:
- “The City of Danville, its elected and appointed officials, employees, agents 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.

(c) 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.

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

City of Danville
Codes Enforcement Department
Attn: Director of Codes Enforcement
445 W. Main St.
P.O. Box 670
Danville, KY 40423
Fax: 859-238-1232

§ 13-4. Mobile Food Unit Vendor and Pushcart Regulations.

(a) Mobile Food Unit Vendors and Pushcart Vendors shall be subject to and shall comply with all City of Danville 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 federal, state, and local laws, rules and regulations including, but not limited to, Health Department and Fire Department laws and regulations.

(b) Pushcart Vendors may operate on public sidewalks in the City of Danville. 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 5 feet of sidewalk space for pedestrian passage adjacent to the pushcart. Pushcart Vendors may operate on public sidewalks in the City of Danville from 6:00 AM to 12:00 AM each day and shall not remain at the same location for longer than 4 hours. In addition to public sidewalks, Pushcart Vendors may operate on private property subject pursuant to a Temporary Use Zoning Permit under Section 5.3.3 of the Danville Zoning Ordinance.

(c) Mobile Food Unit Vendors may operate in the following locations: 1) on the east side of South 2nd Street adjacent to Constitution Square; 2) the parking lot at 319 West Walnut Street; and 3) on the east side of North 4th Street adjacent to Weisiger Park (an "Approved Location"). The Codes Enforcement Department may from time to time regulate the number

and location of Mobile Food Units at an Approved Location, including by establishing parking spots and a reservation system. A Mobile Food Unit Vendor may only operate at an Approved Location for 4 hours per day, between the hours of 8:00 AM and 9:00 PM, and pursuant to advance approval by the Codes Enforcement Department. When operating at an Approved Location, a Mobile Food Unit Vendor shall not serve or sell a food item which is substantially similar to the primary food offering of a brick-and-mortar establishment within 250 feet of the Approved Location. Other than at an Approved Location, no Mobile Food Unit Vendors may operate without a Temporary Use Zoning Permit under Section 5.3.3 of the Danville Zoning Ordinance.

- (d) No Mobile Food Unit or Pushcart shall be left unattended or allowed to park on public streets or sidewalks in the City of Danville 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. Neither the Mobile Food Unit or Pushcart, nor any inventory or equipment thereof, shall be left overnight upon any unenclosed portion of any lot or site within the city, except that it may be stored on property belonging to the owner of the mobile food unit or pushcart in accordance with all other laws and regulations.
- (e) 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.
- (f) Mobile Food Unit Vendors and Pushcart Vendors shall supply their own electrical power and shall not connect to City power outlets.
- (g) Mobile Food Unit Vendors shall be equipped with at least one 2A-40 BC fire extinguisher; if fryers are used a 2A-40BC, class K fire extinguisher; and if a gas generator is used a "propane leak detector".
- (h) 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.
- (i) 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-ways, sidewalks or public benches. No tables, chairs or similar property shall be permitted on public property. No cords, cables or wire shall be attached to any part of the Mobile Food Unit, trailer or Pushcart that cross any public sidewalk or street.

- (j) 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, papers, cups, 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.
- (k) 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.
- (l) Codes Enforcement Officers, fire department officers and police officers shall be authorized to inspect the permitted Mobile Food Unit or Pushcart without notice and without consent during normal operating hours.
- (m) All Mobile Food Units and Pushcarts shall be subject to Chapter 8 (Article III) (Noise) of the City of Danville 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 68 decibels. Amplified music is not permitted.
- (n) Consent for Mobile Food Units or Pushcarts to operate on any City property other than an Approved Location shall be obtained from the City Manager or his designee 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.
- (o) Mobile Food Unit Vendors and Pushcart Vendors shall not sell or serve alcoholic beverages except under the applicable state and local license.
- (p) The City may grant relief from the above provisions pursuant to an approved special event permit. 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.

§ 13-5. Enforcement and Penalties.

- (a) Enforcement proceedings for the provisions of this Chapter shall be initiated by the issuance of a notice of violation or a citation by any designated Codes Enforcement Officer as set out in Section 1-12 of the City's Code of Ordinances. Any person or business entity violating any of the provisions of this Chapter, shall be subject to civil fines as set out in Chapter 1-12 (General Code Enforcement) of the City of Danville Code of Ordinances.
- (b) The Codes Enforcement Department may suspend or revoke any permit issued under this section, or require a Mobile Food Unit Vendor or Pushcart Vendor to relocate its Mobile Food Unit or Pushcart, for any of the following reasons:

- (1) To allow for construction, maintenance, or repair of any street, curb, gutter, sidewalk, storm drain inlet, or any other similar facility.
- (2) Failure to comply with all terms of this ordinance, or other applicable local, state, and federal regulations.
- (3) Revocation of any required permit to conduct the mobile food service operations, including revocation by the Boyle County Health Department or other issuing entity.
- (4) Excessive noise.
- (5) Improper disposal of solid waste, grease, oil, or other materials from the Mobile Food Unit.
- (6) When the desired location of the Mobile Food Unit or Pushcart is closed, or during special events.
- (7) In the event this ordinance is amended or repealed as to render the Vendor's activities inconsistent with the law.
- (8) To maintain the comfort, health, safety, and welfare of the public.

If the Codes Enforcement Department exercises the right to suspend or revoke a permit issued under this chapter, written notice shall be provided to the Vendor at the address on file for the permit. Delay or failure to issue a suspension or revocation of any permit shall not constitute a waiver of this section. No reimbursement for any portion of the permit fee shall be made in the event a permit is suspended or revoked, or if a Mobile Food Unit or Pushcart is required to relocate temporarily or permanently.

- (c) Any person aggrieved by a decision of the Codes Enforcement Department regarding denial, suspension, or revocation of a permit under this chapter shall have the right to appeal any such decision to the Board of Commissioners by filing a written notice of appeal with the City Clerk within 5 days after the written decision is rendered. The appeal shall be heard no later than 20 days after the notice of appeal is filed. The appeal shall be based on the record, except when the Board of Commissioners, in its sole discretion, requests additional evidence from the interested parties or other witnesses. No appeals will be considered if an appeal is not filed in a timely manner.

SECTION TWO: Section 1-12 in the City of Danville Code of Ordinances is hereby amended to read as follows:

(e) *Fine schedule.*

(1) If a citation for a violation of an ordinance is not contested by the person charged with the violation, the penalties set forth in this section shall apply:

<i>Violation of code chapter</i>	<i>1st offense</i>	<i>2nd offense</i>	<i>All others</i>
3 (Animals)	\$50	\$100	\$200
4 (Buildings)	\$100	\$200	\$400
6 (Fire)	\$100	\$200	\$400
6.5 (Flood/storm water)	\$100	\$200	\$400

7 (Garbage)	\$100	\$200	\$400
8 (Nuisances)	\$100	\$200	\$400
9 (Offenses)	\$100	\$200	\$400
11 (Peddlers/solicitors)	\$100	\$200	\$400
<u>13 (Mobile Food Sales)</u>	<u>\$100</u>	<u>\$200</u>	<u>\$400</u>
14 (Streets /sidewalks)	\$100	\$200	\$400
16 (Taxation)	\$100	\$200	\$400
17.5 (Trees/shrubbery)	\$100	\$200	\$400
18 (Utilities)	\$100	\$200	\$400
19 (Zoning)	\$100	\$200	\$400

(2) If the citation is contested and a hearing before the Boyle District Court is required, the following maximum penalties may be imposed at the discretion of the city:

<i>Violation of code chapter</i>	<i>1st offense</i>	<i>2nd offense</i>	<i>All others</i>
3 (Animals)	\$100	\$150	\$250
4 (Buildings)	\$150	\$250	\$450
6 (Fire)	\$150	\$250	\$450
6.5 (Flood/storm water)	\$150	\$250	\$450
7 (Garbage)	\$150	\$250	\$450
8 (Nuisances)	\$150	\$250	\$450
9 (Offenses)	\$150	\$250	\$450
11 (Peddlers/solicitors)	\$150	\$250	\$450
<u>13 (Mobile Food Sales)</u>	<u>\$100</u>	<u>\$200</u>	<u>\$400</u>
14 (Streets/sidewalks)	\$150	\$250	\$450
16 (Taxation)	\$150	\$250	\$450
17.5 (Trees/shrubbery)	\$150	\$250	\$450
18 (Utilities)	\$150	\$250	\$450
19 (Zoning)	\$150	\$250	\$450

SECTION THREE: This ordinance is effective upon its publication.

SECTION FOUR: If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

GIVEN FIRST READING AND PASSED 11.28.2022

GIVEN SECOND READING AND PASSED 12.19.2022

PUBLISHED IN THE *ADVOCATE-MESSENGER* 1-14-2023

APPROVED:


G. MICHAEL PERROS, MAYOR

ATTEST:


ASHLEY RAIDER, CITY CLERK



Mobile Food Unit Application Checklist

- Completed Application
- Permit fee \$300.00 (If applying after July 1st, prorated to \$150.00). Note that each mobile food unit shall require a separate permit. **Amount Paid:** \$ _____
- City Occupational License Account Verification Form- must be in good standing
- City Business Registration (Copy)
- Health Department Verification Form
- Fire Department Inspection (Copy)
- Operator's Valid Driver's License (Copy)
- Proof of required liability and other insurance required by Ordinance No. 2005 & 2010
- Acknowledgement letter regarding generator's decibel level

Please make all checks payable to: **City of Danville**

Or pay in person:

City Hall
Codes Enforcement
445 W. Main St.
Danville, KY 40422



**City of Danville, Kentucky
Mobile Food Unit Application**

445 W. Main St.- PO Box 670 - Danville, KY 40422

Ph. (859) 238-1200 - Fax (859) 238-1232 – Website: www.danvilleky.gov

Email: nwesley@danvilleky.gov

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: _____ Email: _____

Driver's License Number: _____

Additional Owner/Operator Contact Information:

Additional Owner

Additional Owner Name: _____

Address: _____

Phone Number: _____

Driver's License Number: _____

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

By signing below you agree to all terms and conditions set forth by Ordinance No. 2005

Print

Signature



Mobile Food Units

Generator's Decibel Level Acknowledgment Letter

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

are rated at or below 68 decibels as outlined in Ordinance No. 2005 and are further subject to Chapter 8, Article III (Noise) of the City of Danville 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 Applicant Name

Applicant Signature

Date



Mobile Food Units

Verification of Occupational License Compliance

Boyle County Tax Administrator's Office, 859-238-1115

321 W. Main St, Room 117 Boyle County Courthouse

Applicant's Business/Company Name: _____

FEIN #: _____

This is to certify that the business listed above is in good standing on all withholding and net profit accounts.

Boyle County Tax Administrator's Office

I acknowledge that being delinquent on any taxes or fees owed to the City of Danville at any time during the license year subjects my license to suspension or revocation,

Print Applicant Name

Applicant Signature

Date

***Do not submit this form with your packet until it has been signed by the Boyle County Tax Administrator's Office.**



Mobile Food Units

Verification of Health Department Compliance

Boyle County Health Dept, 859-236-2053

448 S. Third St, Danville, KY

Applicant's Business/Company Name: _____

This is to certify that the business listed above is in compliance with all Health Department laws and regulations.

Boyle County Health Department

The Boyle County Health Department will ONLY be issuing permits for the food trucks/trailers on Monday through Friday from 7:30 a.m. to 8:45 a.m. Please pull in the parking lot and enter the basement door.



Danville Fire Department

461 East Main Street

Danville, Ky. 40422

T: 859-238-1211

CODE COMPLIANCE GUIDELINE

Mobile Food Unit Safety Inspection

Below are guidelines to be used for the Danville Fire Department (DFD) 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 DFD 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. DFD 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 Danville Fire Department Central Station, 461 West Main Street, Danville Ky. 40422, **by appointment only.** You will be contacted by a DFD Inspector to schedule your inspection after all appropriate paperwork has been submitted to Codes Department.

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

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.

Danville Fire Department: Mobile Food Unit Safety inspection

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 disconnect 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 any 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.

Danville Fire Department: Mobile Food Unit Safety Inspection

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 (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 appliance 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 PROPANE" inside and outside (3) "EMERGENCY SHUT OFF".

Electrical:

All wiring should meet commercial restaurant standards.

No exposed wiring.

Installed per NEC 70

Danville Fire Department: Mobile Food Unit Safety Inspection

Egress/Exits:

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

Generators:

Must be safety 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.

Danville Fire Department: Mobile Food Unit Safety Inspection

20 / 22 - 100% +

GAS LINES Z21.69

Meets ANSI Codes:
Z21.69
Z21.68
Z21.68-2002
Z21.67a-2005
Z21.47b-2010
Z21.47-2003

360
Insulated/Flaming at Both Ends
Pressure Transducer Coupling
2-1/2" Stainless Steel
Ratchet Wheel
Heavy Duty 7-1/2" Longitudinal
Stainless Steel Base

Signage

K Extinguisher

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

Carbon Monoxide Detector

Hand Held Flammable leak Detector

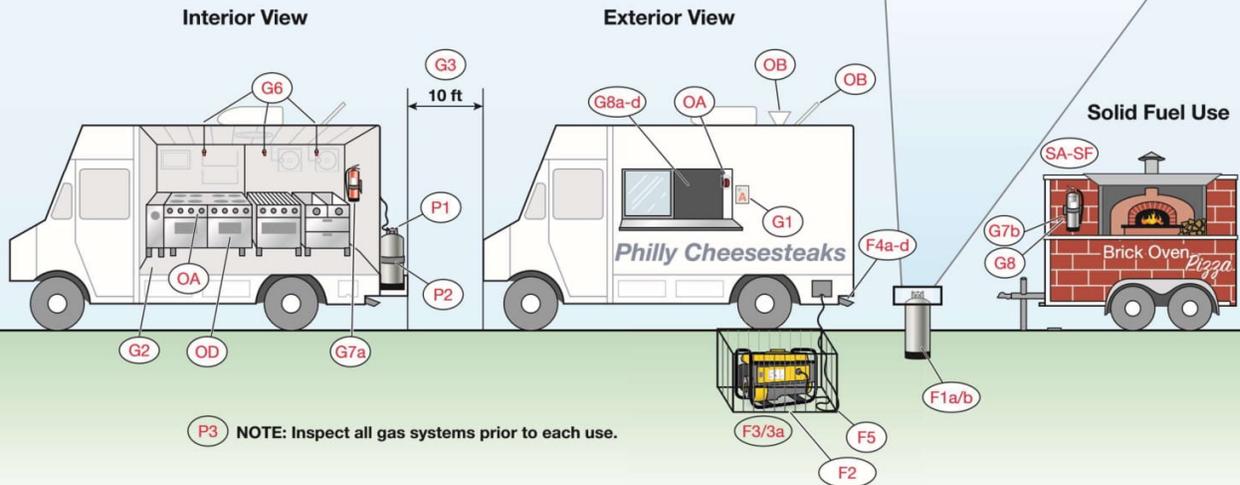
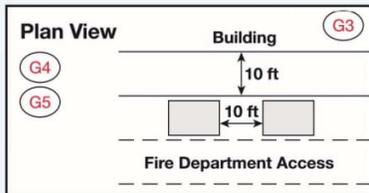
350 PSI

ASME Guidelines

8 inch Slash guard



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 Chapter 17 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. [1:50.8.3.2] **G2**
- Check that there is a clearance of at least 10 ft away from buildings, structures, vehicles, and any combustible materials. [96:17.2] **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. [1:13.1.4; 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] **G7a**
- Where cooking appliances that use solid fuel, such as charcoal or wood, produce grease-laden vapors, make sure the appliances are protected by listed fire-extinguishing equipment. [96:15.7.1] **G7b**
- Ensure that workers are trained in the following: [96:17.10]: **G8**
 - Proper use of portable fire extinguishers and extinguishing systems [96:17.10.1(1)] **G8a**
 - Proper method of shutting off fuel sources [96:17.10.1(2)] **G8b**
 - Proper procedure for notifying the local fire department [96:17.10.1(1)] **G8c**
 - Proper procedure for how to perform simple leak test on gas connections [96:17.10.1(5)] **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. [1:10.14.11.1 for carnivals only]
- F1a** Ensure that refueling is conducted only during non-operating hours. [96:17.8.3] **F1b**
- Check that any engine-driven source of power is separated from the public by barriers, such as physical guards, fencing, or enclosures. [96:17.5.2.2] **F2**
- Ensure that any engine-driven source of power is shut down prior to refueling from a portable container. [1:10.15.4] **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 12 ft in all directions from openings and air intakes [96:17.5.2.3(1)] **F4a**
 - At least 12 ft from every means of egress [96:B.13] **F4b**
 - Directed away from all buildings [96:17.5.2.3(2)] **F4c**
 - Directed away from all other cooking vehicles and operations [96:17.5.2.3(3)] **F4d**
- Ensure that all electrical appliances, fixtures, equipment, and wiring complies with the NFPA 70®. [96:17.8.1] **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. [96:17.7.2.3] **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 is tested monthly. [96:17.7.2.2] **P8**

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. [96:12.1.1] **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. [96:12.4] **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. [96:15.9.2.2] **SA**
- Fuel is not stored closer than 3 ft to any cooking appliance. [96:15.9.2.2] **SB**
- Fuel is not stored near any combustible flammable liquids, ignition sources, chemicals, and food supplies and packaged goods. [96:15.9.2.7] **SC**
- Fuel is not stored in the path of the ash removal or near removed ashes. [96:15.9.2.4] **SD**
- Ash, cinders, and other fire debris should be removed from the firebox at regular intervals and at least once a day. [96:15.9.3.6.1] **SE**
- Removed ashes, cinders, and other removed fire debris should be placed in a closed, metal container. [96:15.9.3.8.1] **SF**

Learn More

- Get free digital access to NFPA codes and standards at: nfpa.org/docinfo
- Read the latest news and updates at: nfpa.org/foodtrucksafety
- Review the following and other NFPA resources at: nfpa.org
 - NFPA 1, *Fire Code*, 2021 Edition
 - *NFPA 1 Fire Code Handbook*, 2021 Edition
 - NFPA 10, *Standard for Portable Fire Extinguishers*, 2018 Edition
 - NFPA 58, *Liquefied Petroleum Gas Code*, 2020 Edition
 - *LP-Gas Code Handbook*, 2020 Edition
 - NFPA 70®, *National Electrical Code®*, 2020 Edition
 - *National Electrical Code® Handbook*, 2020 Edition
 - NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, 2021 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.

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City of Danville Fire Department
Temporary Mobile Food Unit Safety Inspection Form

Name of Mobile Food Service: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Phone: _____

Contact Person: _____ Phone: _____

Fire Extinguishers: 2A10BC or Larger A1.5 Class K

Electrical: Comply with National Electric Code 70

Special Hazards: Carbon Monoxide Detector No Smoking sign

LPG/ CNG / Other:

Installed in accordance with manufacture's recommendation: **Yes** **No**

All propane tanks DOT approved not to exceed 200lbs.

Tanks securely mounted with metal to exterior of vehicle.

Rear mounted tanks at least 36' above ground to bottom of tank.

No quick disconnect on any exterior propane tanks.

No copper lines connected to LPG tanks.

Rubber propane hose from regulator to tank to be stamped (approved for LP Gas 350 psi).

A daily propane system leak check should be performed prior to putting the unit into service.

Truck/trailer Ventilation:

Hood system 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 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 fryer shall be installed with at least (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.

Egress/Exits:

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

Generators:

Must be safety mounted as not to extend into the public right of way.

Must be secure.

If mounted so as not to impact propane/natural gas systems.

Passed

Failed

Signature: _____

Inspector: _____