

**PROPOSED CONTENT FOR
VILLAGE OF LONG GROVE
FOOD TRUCK ORDINANCE**

Definitions -

For purposes of this article, the following terms shall have the meanings indicated:

"Food Truck" Defined. For purposes of the Program, a "Food Truck" means any business: (i) offering for sale and immediate delivery any food from any motorized vehicle or any trailer, cart, or other container attached to or intended to be attached to any motorized vehicle; or (ii) preparing food for sale in any motorized vehicle or any trailer, cart, or other container attached to or intended to be attached to any motorized vehicle, when such food is presented for sale within a Sponsoring Venue. For purposes of this definition, a motor vehicle used to deliver food from a food service establishment operating within an enclosed building to another location is not a Food Truck.

Permit Requirement -

Each truck operating on private property within the Village requires an annual permit.

Food trucks on private property. Food trucks that request to operate on private property shall submit an application for a food truck permit from the Village Administration. The request for a food truck permit shall be made on a form available online through the Village's website www.longgroveil.gov.

The application for permit shall set forth:

1. The name, address, e-mail address, and phone number (including cellular phone number) of the Food Truck operator. If such operator is a corporation, the name, address, e-mail address, and phone number of each officers and shareholders having greater than a 5% share in the corporation, as well as the name, address, e-mail address, and phone number of the manager of the Food Truck. If such operator is a partnership, the name, address, e-mail address, and phone number of each general partner, as well as the name, address, e-mail address, and phone number of the manager of the Food Truck. If such operator is a limited liability company, the name, address, e-mail address, and phone number of each member and manager of the limited liability company, as well as the name, address, e-mail address, and phone number of the manager of the Food Truck.
2. Identification of the Food Truck vehicle(s), including license number.
3. Proof that the Food Truck has all required licensing and authorizations from the Lake County Health Department or equivalent authorizing agency.
4. The tax identification number of the Food Truck operator.
5. The agreement of the Food Truck operator to account for all sales from the Food Truck pursuant to the Program as sales within the Village of Long Grove for sales tax purposes, including the completion of appropriate forms to ensure the proper crediting of such sales taxes to the Village.
6. The agreement of the Food Truck operator to adhere to all applicable federal, state, and local laws.
7. Evidence of required insurance for the Food Truck.

8. The Food Truck operator's agreement to indemnify, defend, and hold the Village (including its officers, officials, employees, agents, attorneys, and representatives) harmless from any claims of injuries, death, damage, loss, judgment, or other liability arising from the Food Truck or the Program.
9. The Food Truck operator's acknowledgement and agreement that the Program may be terminated at any time by the Village.
10. Such other information as the Village Manager may reasonably request.

Conditions -

All food trucks are subject to the following conditions:

- A. All permits for operating as a food truck will be valid for one year, with an effective date of January 1 and an expiration date of December 31.
- B. Food trucks may operate on private property in any zoning district other than residential districts, with the exception of food trucks operating as part of an approved special event.
- C. Food trucks may not operate within the Village for more than eight hours during any twenty-four-hour period, but in no case to exceed the hours of operation for the business on the property on which the food truck is located, with the exception of food trucks operating as part of an approved special event.
- D. No Food Truck shall operate before 11:00 a.m. or after 10:00 p.m. on Sundays through Thursdays, nor before 10:00 a.m. or after 12:00 midnight on Fridays and Saturdays
- E. The food truck's Illinois business tax (IBT) number shall be provided to the Village Administration. The point of sale shall be noted as Long Grove for sales tax. If during the course of a sales tax audit the Village should discover that the applicant failed to remit required taxes the Village will suspend the operator's permit and file a report with the Illinois Department of Revenue.
- F. Proof of Lake County Health Department approval must be provided to the Administration Department prior to beginning operation.
- G. For food trucks operating on private property, the applicant must provide proof in writing that the property owner has granted permission for the food truck to operate.
- H. In order to mitigate any disturbances from noise, light, or other impacts of a Food Truck, the Village Manager or the Manager's designee may identify the particular location upon the premises of a Sponsoring Venue from which the Food Truck shall operate. Alternatively, if the public convenience will be furthered, the Village Manager may identify a location upon a Village parking lot adjacent to a Sponsoring Venue in the Downtown from which such Food Truck shall operate.
- I. All food truck vehicles shall have an annual inspection by the Long Grove or Countryside Fire Protection District prior to use within the Village.
- J. If liquid propane gas is used, the following conditions shall be met:
 - (1) Cooking and warming equipment shall be in good working condition and cleaned of grease or other combustible material.

- (2) Portable liquid propane gas containers, piping, valves and fittings which are located outside and are being used to fuel equipment shall be adequately protected to prevent tampering, damage by vehicles or other hazards and shall be located in an approved location. Portable liquid gas containers shall be securely fastened in place by use of an approved method to prevent unauthorized movement, tipping, or regulator damage.
- (3) Fittings, valves, and hoses used with liquid propane gas equipment shall be maintained in good working condition. When, in the opinion of the Fire Code Official, an unsafe condition exists with the fitting, valve, or hose used by the equipment, it shall be replaced or the equipment shall not be used.
- (4) Liquid propane gas containers shall be stored within a suitable enclosure or otherwise protected against tampering.
- (5) A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooling appliances used for commercial purposes that produce grease-laden vapors.
- (6) Combustible materials shall be kept a minimum of three feet from cooking appliances.
- (7) A fire extinguisher of minimum size 2A10BC shall be provided in the cooking area. Cooking equipment involving vegetable or animal oils and fats shall be protected by a Class K rated portable fire extinguisher.

K. Food trucks must provide receptacles for refuse and properly dispose of all waste.

L. Food trucks must provide evidence of insurance.

M. Food trucks must comply with all noise regulations of the Village.

N. Food trucks may not provide seating or tables for their customers, with the exception of food trucks operating as part of an approved special event.

O. Food trucks are allowed to display signage that is painted or permanently affixed to the vehicle. Food trucks are not allowed to display any additional signs, such as freestanding sandwich boards.

P. Food trucks may not have amplified sound or music emanating from the vehicle.

Q. Food trucks shall not be allowed to park in fire lanes, handicap parking spaces, or in any other location that will impede traffic flow or create unsafe conditions for pedestrians.

Fees -

The fee for each annual permit shall be \$100 unless the applicant is a Long Grove licensed business. All fees required shall be paid to the Village Administration.

Exemptions -

A. Food trucks shall be exempt from obtaining a permit under one or more of the following conditions:

- (1) The food truck is operating under contract with the Village of Long Grove.
- (2) The food truck is contracted by the Long Grove Park District and operates solely on Park District property.
- (3) The food truck is contracted by an educational institution approved or authorized by the State

of Illinois and operating solely on its property.

(4) The food truck is operating as part of an approved special event.

B. All food trucks, regardless of whether they meet one or more of the above criteria, shall still be required to meet the “Conditions”.

Denial of license -

An applicant may be denied a food truck permit if they have previously failed to comply with the provisions of a food truck permit.

Revocation of license -

The Village Manager may revoke any issued food truck license under any of the following conditions:

- A. The applicant is found in violation of this ordinance, or of the statutes of the State of Illinois or ordinances of the Village of Long Grove relating to public health, safety, or fire protection.
- B. The applicant has made a false material statement in the application.
- C. The applicant fails to comply with any of the provisions of this article or the terms or conditions of the permit issued pursuant to this article.
- D. The property owner communicates to the Village in writing that the food truck no longer has permission to operate.