



MOBILE FOOD UNIT (MFU)

(BUSINESS REGULATIONS CODE, CHAPTER 767)

APPLICATION DATE _____

EVENT DATE(S) _____

APPLICANT | OWNER-OPERATOR

FULL NAME _____ FOOD UNIT NAME _____
ADDRESS _____ PHONE _____
EMAIL _____

SPONSOR | EVENT DETAILS

SPONSOR NAME _____ EVENT NAME _____
SPONSOR ADDRESS _____ EVENT LOCATION _____
DESCRIPTION OF UNIT PLACEMENT _____

APPLICATION CONDITIONS

A Mobile Food Unit (MFU) permit is required to operate on Village owned or leased property, and/or Village streets, alleys, and rights-of way. **Select the option that applies:**

- as part of a Village-wide approved public event, or
- as part of an approved private event where the Chief of Police permits a temporary street blockade (i.e., block party) which is sponsored by the property owner or resident of an abutting property.

**permit not required for mobile food units operating exclusively on private property.*

FIRE INSPECTION REQUIREMENT

Scheduling a fire inspection is the first step of the application process. A fire inspection is required prior to any Mobile Food Unit operating on Village owned or leased property, and/or Village streets, alleys, and rights-of way.

Contact the Fire Marshal at 440-247-1671 or fireprevention@chagrin-falls.org to schedule an inspection.

INSURANCE REQUIREMENT

Obtain proof of liability insurance in the form of a certificate of insurance with minimum limits of \$500,000 per occurrence and \$1,000,000 aggregate. The Village of Chagrin Falls must be named on the certificate as additionally insured with date(s) of operation noted.

APPLICATION REQUIREMENTS

Permits are non-transferrable and must be submitted in full at least five (5) business days prior to the event date. The following must be provided, in full, with the permit application (only complete applications accepted):

- Date and time of scheduled fire inspection _____ at _____
- Copy of liability insurance naming Village of Chagrin Falls as additionally insured
- Permit fee, \$100 per unit, each day of operation
- Copy of required licenses to operate in Cuyahoga County, Ohio

OPERATIONAL REQUIREMENTS

- Must display license from Cuyahoga County Board of Health.
- Must operate at least (5) five feet from any driveway or alley and at least (10) ten feet from any street intersection.
- Must obtain an approved fire inspection from the Village Fire Department.
- If operating for a public event, may only operate during the open times of the public event.
- Must not be left unattended while in operation.
- When allowed to park overnight, any MFU left without active attendance must be secured sufficiently to prevent access, use of equipment, and movement of the unit.
- Must provide adequate trash containers to receive all garbage created by MFU and clear litter for the area of operation at the end of each day.

ACKNOWLEDGEMENT + ACCEPTANCE

I _____, permittee of _____
(owner/operator) *(mobile food unit name)*

shall defend, indemnify, and hold harmless the Village of Chagrin Falls, its officers, and employees from any and all claims for damages to property or death or injury to persons and the reasonable attorney fees incurred in defending any such claims which may occur in connection with an activity carried out under the terms of the permit. I agree to comply with all requirements of Chapter 767 of the Codified Ordinances of the Village of Chagrin Falls, OH.

The Chief Administrator of the Village has the authority to suspend or revoke the permit for reasons stated in Codified Ordinances, Chapter 767.06. Violation of Chapter 767 is a misdemeanor of the first degree.

SIGNATURE _____

DATE _____

OFFICE USE ONLY

ADMINISTRATIVE ACTIONS

- Approved
- Approved (with conditions) _____
- Denied (reasons) _____
- Email permit to Fire Marshal

REQUIREMENTS SATISFIED

- Permit Application Rec'd (at least 5 days prior to event)
- Date of Fire Inspection
- Certificate of Insurance
- Street Blockade Approval (if applicable)
- Overnight Parking Permission (if applicable)

CHAPTER 767
Mobile Food Units

- 767.01 Intent
- 767.02 Definition
- 767.03 Conditions for Mobile Food Unit Operation in the Municipality
- 767.04 General Conditions for Mobile Food Unit Operation in the Municipality
- 767.05 Permit Application Process
- 767.06 Permit Suspension and Revocation; Penalties

767.01 INTENT

The purpose of this chapter is to establish regulations for Mobile Food Units, also referred to as “Food Trucks,” and other mobile food vending vehicles, in order to prevent safety, traffic, parking and health hazards, as well as to preserve the peace, safety, and welfare of the Municipality.

767.02 DEFINITION

“Mobile Food Unit” means any apparatus or equipment that is used to cook, prepare, or serve food or beverages, and that routinely changes or can change location and is operated from a moveable vehicle or apparatus, including but not limited to motorized vehicles, trailers, and hand or pedal propelled carts. This definition does not include (i) any vehicle used to serve or sell pre-packaged ice-cream or other frozen confections operating in a Residential Zoning District which only stops to vend products; (ii) any “meals-on-wheels” type program vehicles delivering food to residents who need assistance with their daily nutrition; or (iii) any vehicle operating as part of a delivery service for food that is pre-ordered and delivered directly to a residence or business.

767.03 CONDITIONS FOR MOBILE FOOD UNIT OPERATION IN THE MUNICIPALITY

Mobile Food Units may operate in the municipality only if the Mobile Food Unit is (i) placed on Municipal owned or leased property, and/or Municipal streets, alleys and rights-of-way that is part of a Municipality-wide public event that has been approved by Council (“Public Event”), or (ii) operates completely on non-Municipal owned property for an event, sponsored by the property owner or resident of such property or (iii) operates on a portion of a Municipal Street or alley that abuts an approved private event, sponsored by the property owner or resident of such abutting property, where the Chief of Police permits the street or alley to be temporarily blockaded for the private event pursuant to Codified Ordinance Section 311.03.

- A. Mobile Food Units at approved Public Events. Council may authorize Mobile Food Unit operation on property owned or leased by the Municipality including, but not limited to, parks, parking lots, streets, alleys, or other rights-of-way only in connection with and as part of a Municipality-wide Public Event.
 - 1. The presence and placement of any Mobile Food Unit shall be approved as part of the Public Event.
 - 2. The Mobile Food Unit operator or owner shall obtain a Mobile Food Unit permit (“MFU Permit”) from the Municipality.
 - 3. The placement of the Mobile Food Unit shall be approved by the Chief Administrative Officer and the Municipality Police and Fire Departments. No Mobile Food Unit shall operate in a location fewer than five feet from a driveway or alley and no fewer than ten feet from street intersections.
 - 4. The operator or owner of the Mobile Food Unit shall obtain an approved inspection certificate from the Municipal Fire Department.
 - 5. A Mobile Food Unit operating as part of a Public Event may only operate during the open times of the Public Event. A Mobile Food Unit shall not be left unattended; any Mobile Food Unit that is found to be unattended shall be considered a public safety hazard and may be cited for violation of the Ordinances of the Municipality and impounded.
 - 6. Unless specially allowed by terms of the Public Event or MFU Permit, no Mobile Food Unit shall be parked on Municipality streets, parking lots, public rights-of-way, park property, or other public property overnight. When allowed to park overnight, any Mobile Food Unit left without active attendance must be secured sufficiently to prevent access, use of equipment, and movement of the unit.
 - 7. The Public Event organizer or Mobile Food Unit operator shall provide adequate trash containers to receive all garbage created by its operation in the Municipality and shall clear any litter from its area of operation at the end of each day.

767.04 GENERAL CONDITIONS FOR MOBILE FOOD UNIT OPERATION IN THE MUNICIPALITY

Any Mobile Food Unit operating within the Municipality shall comply with the following requirements:

- A. Display an appropriate, valid license from the Cuyahoga County Board of Health.
- B. When located on Municipal owned or leased property, and/or Municipal streets, alleys and rights-of-way, display the MFU Permit issued by the Municipality and all other licenses and certificates signifying compliance with state and county laws, ordinances, codes, orders, and regulations.
- C. Be subject to inspections during operation in the Municipality for compliance with local, state, and county laws, ordinances, codes, orders, and regulations.

767.05 PERMIT APPLICATION PROCESS.

- A. No Mobile Food Unit, placed on Municipal owned or leased property, and/or Municipal streets, alleys and rights-of-way shall operate in the Municipality without a valid MFU Permit issued by the Municipality. The MFU Permit must be obtained from the Chief Administrative Officer by the owner or operator of the Mobile Food Unit.
- B. MFU Permits issued in accordance with this Chapter are not transferrable.
- C. Application for a MFU Permit shall be made to the Chief Administrative Officer on a form provided to the applicant at least five (5) business days prior to the date when the Mobile Food Unit will conduct business in the Municipality. The request for a MFU Permit shall contain:
 1. A completed application form;
 2. The permit fee of \$100 per Mobile Food Unit for each day or part of a day the Mobile Food Unit operates within the Municipality;
 3. Evidence that the Mobile Food Unit has obtained all required licenses to operate in Cuyahoga County, Ohio;
 4. A signed statement that the permittee shall defend, indemnify, and hold harmless the Municipality, its officers, and employees, from any and all claims for damages to property or death or injury to persons and the reasonable attorney fees incurred in defending any such claims which may occur in connection with an activity carried out under the terms of the permit; and
 5. Proof of liability insurance in the form of a certificate of insurance with limits no less than one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) aggregate, five hundred thousand dollars property damage coverage (\$500,000.00) and the Village of Chagrin Falls is named on the certificate as additionally insured during a term at least equal to the term of the MFU Permit, as a condition of the MFU Permit.
- D. The CHIEF ADMINISTRATIVE OFFICER, Municipal Police Department, or Fire Department may request additional information prior to issuing a MFU Permit, in order to carry out the purpose of this Chapter.
- E. The CHIEF ADMINISTRATIVE OFFICER may approve the MFU Permit, approve the MFU Permit with conditions, or deny the MFU Permit if the CHIEF ADMINISTRATIVE OFFICER determines that the application does not comply with this Chapter. If denied, the CHIEF ADMINISTRATIVE OFFICER shall transmit in writing or by electronic mail the reasons for the denial to the applicant.

767.06 PERMIT SUSPENSION AND REVOCATION; PENALTIES

- A. The CHIEF ADMINISTRATIVE OFFICER may temporarily suspend any MFU Permit if the location and/or operation of the Mobile Food Unit is in conflict with the public interest, for example if the area occupied by the Mobile Food Unit is needed for a public event, construction, repair, or any other public purpose.
- B. The CHIEF ADMINISTRATIVE OFFICER may revoke a MFU Permit upon finding any provision of this Chapter or condition of approval has been violated or if the Mobile Food Unit is not in compliance with any state, county, or local laws ordinances, orders, codes or regulations. Such action shall be effective immediately.
- C. An applicant may appeal denial or revocation of a MFU Permit as provided in Chapter 1111 of the Planning and Zoning Code of the Municipality.
- D. Whomever violates any of the provisions of this Chapter shall be guilty of a misdemeanor of the first degree. Each day such violation continues shall constitute a separate offense.