

City of Anna

Food Vendor Application Form

Applicant Information

Full Name: _____
Last First M.I.

Permanent Address: _____
Street
City State Zip

Name of Business: _____

Address of Operation: _____
Street
City State Zip

Phone Number: _____ Cell Phone Number: _____

State Sales Tax Identification Number: _____

Other Required Information

Please Attach the Following Information:

1. An Annual License fee of \$150.00
2. Proof of public liability insurance, with applicable minimum coverage's of \$1,000,000.00/\$2,000,000.00, per individual/per event
3. Copy of State issued driver's license or identification card
4. Copy of valid operating permit issued by the Illinois Department of Public Health
5. Written authorization from the owner to operate at the proposed location

Background Check

I, _____, consent to and authorize a background check by the CITY of Anna Police Department.

Agreement Signature

I acknowledge that I have received a copy of Ordinance 2017-10 and furthermore agree to the terms and conditions therein.

Signature: _____ Date: _____

ORDINANCE NO. 2017 – 10

**AN ORDINANCE REQUIRING MOBILE PREPARED FOOD VENDORS WITHIN THE
CITY OF ANNA, ILLINOIS TO OBTAIN A LOCAL LICENSE**

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ANNA, ILLINOIS

SEPTEMBER 19, 2017

ORDINANCE NO. 2017 – 10

AN ORDINANCE REQUIRING MOBILE PREPARED FOOD VENDORS WITHIN THE
CITY OF ANNA, ILLINOIS TO OBTAIN A LOCAL LICENSE

THAT WHEREAS there is an increasing interest and demand for mobile prepared food vendors to be able to operate at various locations within the corporate limits of the City of Anna; and

WHEREAS, Section 11-42-5 of the Illinois Municipal Code (65 ILCS 5/11-42-5) provides that the corporate authorities of each municipality may license, tax, and regulate all places for eating or amusement; and

WHEREAS, the Mayor and City Council [hereinafter the “CORPORATE AUTHORITIES”] have determined that it is necessary to enact this Ordinance to protect and promote public health, safety, sanitation, and the general well-being of the public, and in particular, the citizens of the City of Anna; and

WHEREAS, the City Council previously adopted Ordinances No. 2011-10, 2013-08, and 2015-07 regulating mobile prepared food vendors, which It wishes to amend and modify;

NOW THEREFORE, be it ordained by the CORPORATE AUTHORITIES of the City of Anna, Union County, Illinois, as follows:

SECTION 1: REPEALER

All previously adopted Ordinances to regulate mobile food vendors within the corporate limits of the City of Anna, and specifically Ordinances 2011-10, 2013-08, and 2015-07 are hereby repealed. Additionally, all other Ordinances, resolutions, orders, or parts thereof which conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 2: DEFINITIONS

A “MOBILE PREPARED FOOD VENDOR” under this Ordinance is defined as a person, entity, or business that sells, serves, or gives away for donation, within the CITY’S Corporate limits, any prepared foods, liquids, ice creams, or flavored ices, for human consumption, from any motorized or non-motorized vehicle, trailer, or cart, with or without wheels, which is not permanently affixed to land.

SECTION 3: LICENSE REQUIRED

Mobile prepared food vendors, as defined herein, are required to obtain a local license from the CITY prior to selling, serving, or giving away for donation any prepared foods, liquids, ice creams, or flavored ices for human consumption, EXCEPT a mobile prepared food vendors license is not required for: (a) City approved festivals or special events; or (b) Fundraising events for any school related activity, church organization, fraternal organization, veteran's organization, or chartered not for profit organization; or (c) for outdoor food and beverage sales by an existing commercial restaurant business on immediately adjacent property.

SECTION 4: FEE FOR VENDOR'S LICENSE

A mobile prepared food vendor shall pay a fee of \$150.00 per year to obtain a mobile prepared food vendor's license. The license fee is non-refundable and shall be due and payable along with the initial license application or annual renewal. The mobile prepared food vendor's fee will not be pro-rated.

SECTION 5: APPLICATION FOR MOBILE PREPARED FOOD VENDOR'S LICENSE

In order to obtain a mobile prepared food vendor's License from the CITY, an applicant must provide the following to the CITY:

- (1) \$150.00 license fee, in accordance with Section 4 of this Ordinance; and
- (2) The permanent address and phone number of the owner/mobile prepared food vendor; and
- (3) The proposed address or the location of the mobile prepared food vendor; including authorization from the property owner to operate at that location; and
- (4) A State sales tax identification number, and
- (5) Proof of liability insurance, with applicable minimum coverage of \$1,000,000.00/2,000,000.00 per individual/aggregate; and
- (6) Proof of public liability insurance must be submitted each year; and
- (7) Copy of State issued driver's license or identification card; and
- (8) Completion of a form consenting to and authorizing a background check by the City of Anna's Police Department; and
- (9) Any other relevant information that the CITY may find reasonably necessary for the acquisition and approval of a mobile prepared food vendor's license.

SECTION 6: ISSUANCE AND NUMBER OF MOBILE PREPARED
FOOD VENDOR'S LICENSES

The number of mobile prepared food vendor's licenses that may be issues by the CITY shall not exceed ten (10). Licenses shall be issued to the owner/mobile prepared food vendor. Licenses are not transferable and are revocable as outlined in Section 13 hereunder.

SECTION 7: PRIORITY

Any mobile prepared food vendor doing business within the CITY at the time that this ordinance is adopted shall be given priority in obtaining a license over any mobile prepared food vendor that is not operating within the CITY at the time this ordinance is adopted.

SECTION 8: RENEWAL OF MOBILE PREPARED FOOD VENDOR'S LICENSES

Those previously granted a mobile prepared food vendor's license shall be given the opportunity to apply for renewal of said license by submitting a renewal application and license fee to the CITY prior to January 1 of the year succeeding the year that said license was issued. If a mobile prepared food vendor fails to renew it's license by January 1, then said license shall have expired and is available to be issued to any other applicant pursuant to the terms of this Ordinance.

SECTION 9: HOURS OF OPERATION

A mobile prepared food vendor licensed by the CITY pursuant to the terms of this Ordinance shall be limited to operating the vending establishment from 6:00 A.M. until 10:00 P.M., daily.

SECTION 10: PUBLIC HEALTH

For the protection and promotion of public health and sanitation in the CITY, all licensees must meet the following requirements to be issued, and maintain a mobile prepared food vendor's License:

- (1) The licensee must have a valid permit from the Illinois Department of Public Health;
and

- (2) A copy of the permit issued by the Illinois Department of Public Health must be furnished to the CITY when a license is applied for, or for renewal of an existing license; and
- (3) A copy of the valid Illinois Department of Public Health permit must be prominently displayed by the licensee so that it may be viewed by the public.

SECTION 11: MOBILE PREPARED FOOD VENDOR VEHICLE CONDITION AND INSPECTION

For the protection and promotion of public health, sanitation, and safety, a mobile prepared food vendor vehicle, as defined in Section 2 of this Ordinance, shall be subject to inspection and approval by the CITY, and must meet the following requirements:

- (1) Mobile prepared food vendor vehicles, trailers and/or carts must have a valid State issued license as required by State law;
- (2) The mobile prepared food vendor must prominently display a copy of it's valid CITY License so that it may be viewed by the public; and
- (3) Mobile prepared food vendor vehicles, trailers and carts must be equipped with an operational fire extinguisher; and
- (4) All external tanks must be properly secured and maintained.

SECTION 12: PENALTY

Any person or entity operating as a mobile prepared food vendor within the CITY without a License as provided by this Ordinance, shall be fined Five Hundred Dollars (\$500.00) for each offense and a separate offense shall be deemed committed on each day during which a violation occurs or continues.

SECTION 13: REVOCATION

For the protection and promotion of public health, sanitation, safety, and general well-being, a mobile prepared food vendor's license issued by the CITY is revocable for good cause. Written notice of revocation shall be given to the licensee. Should the Licensee wish to contest the revocation then the Licensee shall be entitled to a due process hearing before the Corporate Authority for the City of Anna at its next regularly scheduled meeting. The decision of the Corporate Authority following the requested hearing shall be final.

SECTION 14: SEVERABILITY

If any section, paragraph, clause, or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 15: FORCE AND EFFECT

This Ordinance shall be in full force and effect on SEPTEMBER 19, 2017.

SECTION 16: PUBLICATION

This Ordinance shall be published in Pamphlet form within ten (10) days of its passage.

PASSED AND ADOPTED: SEPTEMBER 19, 2017.



MAYOR

RECORD OF VOTE:

YEA

NAY

MAYOR HARTLINE

X

COMMISSIONER BIERSTEDT

X

COMMISSIONER ISOM

X

COMMISSIONER KAMP

X

COMMISSIONER WEBB

X

ATTEST:

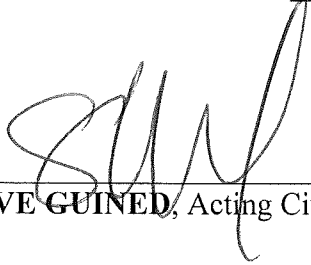


FILED FOR RECORD ON _____,

9/20

2017

(Corporate Seal)



STEVE GUINED, Acting City Clerk