



Application for Temporary Food Vendor License

Application Information: _____

Business Name: _____

Applicant's Name: _____

Business Address: _____ City _____

State: _____ Zip Code: _____

Business Phone Number _____

Email Address: _____

General Business Description:

*Please provide a brief description of the food products to be offered and the preparation method.
(Grill, Fryer, Smoker.)*

Food Products: _____

Food Preparation Methods: _____

Vending Unit Information

Make: _____ Model: _____ Year: _____

Length: _____ Width: _____

Please describe your sources of power and fresh water:



Please describe your plan for disposing of trash and wastewater:

Please list location, dates, and times of planned operations:

Additional Documents Required

- Copy of Approved permit from the Stephens County Health Department.
- For Ice Cream Trucks, a copy of the approved permit from the State Department of Agriculture.
- Signed consent from property owner indicating that they give permission for use of their property.

___ Check here if the Health Department has indicated that a permit is not required for your type of operation.

I understand that the operation of Mobile Food Vehicles and Temporary Food Vendor facilities is regulated by Chapter 62 of Royston City Ordinance, and violations of the ordinance or any rules and obligations may result in denial, suspension, or revocation of this license.

Applicant's Signature: _____ Date: _____

1 Code Portions Amended: Chapter 62; Article VIII; Section 62-169 et. seq.

2 1st Reading: April 11, 2023

3 2nd Reading: May 09, 2023

4 Adoption: May 10, 2023

5 Effective Date: Upon Date of Adoption

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7
8 AN ORDINANCE BY THE
9 CITY COUNCIL OF ROYSTON, GEORGIA

10
11 AN ORDINANCE TO AMEND CHAPTER 62 - STREETS, SIDEWALKS & OTHER PUBLIC
12 PLACES, OF THE CODE OF ORDINANCES, REQUIRING LICENSES FOR MOBILE FOOD VENDORS IN
13 THE CITY OF ROYSTON, GEORGIA; THE STANDARDS, POLICY AND PROCEDURE TO BE FOLLOWED
14 FOR ISSUANCE OF SAME; AND FOR OTHER PURPOSES

15
16 WHEREAS, it has been determined that an ordinance establishing the requirements for a
17 licensing of mobile food trucks in the City of Royston is necessary and in the public interest.

18
19 NOW THEREFORE, THE COUNCIL OF THE CITY OF ROYSTON HEREBY ORDAINS:

20
21 I.

22
23 CHAPTER 62 - STREETS, SIDEWALKS & OTHER PUBLIC PLACES, OF THE CODE OF ORDINANCES
24 shall be amended by adding a new ARTICLE VIII – MOBILE FOOD VENDORS; and SECTIONS 62-
25 169 et. seq. as follows:

26
27
28 Sec. 62-169. Definitions.

29
30 (a) *Commissary* shall mean an approved catering establishment, restaurant, or other
31 approved place in which food, containers or supplies are kept, handled, prepared, packaged or
32 stored.

33
34 (b) *Mobile food vendor* shall mean a retail food establishment that reports to and operates
35 from a commissary and is readily moveable, is a motorized wheeled vehicle, or a towed
36 wheeled vehicle designed and equipped to prepare and serve food.

37
38 (c) *Pushcart* shall mean a non-self-propelled vehicle limited to serving commissary
39 prepared or prepackaged food and non-potentially hazardous food, unless the equipment is
40 commercially designed and approved to handle food preparation and service. Pushcarts shall
41 not be required to comply with mobile vehicular safety requirements.

42
43 (d) *Temporary food establishment* shall mean a retail food establishment, other than a
44 licensed mobile food vendor or pushcart, that is not intended to be permanent and that

operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

(e) *Ice cream truck* shall mean a motor vehicle in which ice cream, popsicles, ice sherbets or other frozen desserts of any kind are carried for the purpose of retail sale on the streets of the city.

(f) *Public property* shall mean any street, right-of-way, or other property owned or maintained by the City of Royston.

(g) *Approved public property* shall mean public property locations selected at the sole discretion of city administration for mobile food vendors to operate.

(h) *License* shall mean the annually issued written permit by the city in exchange for completed application, required documents, and required fees.

Sec. 62-170. License required.

(a) It shall be unlawful for any person to sell, or offer for sale, food of any type from a commissary, mobile retail food establishment, ice cream truck, pushcart or temporary food establishment without a license first having been granted under this section, except for city-sponsored events, in which a temporary nonprofit food service permit must be issued by the City of Royston.

(b) Only one permit is required for all operating locations and times.

(c) An application for a license or a permit hereunder shall be submitted to the city clerk or his or her designee setting forth all information required hereunder and in compliance with this article. The city clerk or his or her designee shall develop a form of application for the purpose of compliance with this article.

(d) The following information shall be provided with each application for a mobile food vendor permit:

- (1) Name of the mobile food vendor;
- (2) Make, model, and license plate number of vending unit;
- (3) Owner's contact information;
- (4) Operator's contact information;
- (5) Type of vendor (street vending unit or sidewalk vending unit);
- (6) Copy of approved permit from the Stephens County Health Department;
- (7) With regard to an ice cream truck, a copy of the approved permit from the State Department of Agriculture
- (8) List of operating locations and times;

1 (9) Signatures from property owners indicating consent for the use of their property
2 (if private property);

3 (10) Signature of applicant indicating agreement to the listed requirements.
4
5

6 Sec. 62-171. Prohibited conduct and requirements.
7

8 (a) No mobile food vendor shall conduct business or operate in the public right-of-way
9 without approval.
10

11 (b) No mobile food vendor operating under this ordinance shall be eligible for an alcoholic
12 beverages license in the City of Royston.
13

14 (c) A mobile food vendor shall not operate on any private property without the prior
15 consent of the owner.
16

17 (d) Except for ice cream trucks, mobile food vendors are allowed only in commercial zoning
18 districts or other areas as approved by the City Clerk.
19

20 (e) A mobile food vendor shall not operate on approved public property sites more than 14
21 days in a given month (30 day period of time) without consent of the city.
22

23 (f) Except for ice cream trucks, a mobile food vendor shall not make sounds or
24 announcements to call attention to the mobile food vehicle either while traveling on the public
25 rights-of-way or when stationary. At all times said mobile food vendor shall be in compliance
26 with the city noise ordinance.
27

28 (g) The license under which a mobile food vendor is operating must be firmly attached and
29 visible on the mobile food vendor or pushcart at all times.
30

31 (h) Any driver of a mobile food vendor motorized vehicle must possess a valid Georgia
32 driver's license.
33

34 (i) Mobile food vendors shall not be located within 15 feet of any street intersection or
35 pedestrian crosswalk or ten feet of any driveway without approval of the city clerk.
36

37 (j) No sale or offer for sale shall be made by any mobile food vendor between 11:00 p.m.
38 and 6:30 a.m. unless such sale is in conjunction with a city-approved special event.
39

40 (k) Vending structures shall not be left unattended or stored at any time on the open
41 vending site when vending is not taking place or during restricted hours of operation.
42

43 (l) No sale or offer for sale of ice cream, frozen milk, frozen dairy or ice confection products
44 shall be made from a mobile food vendor unless each side of the vehicle is marked, in letters

1 and numbers at least three inches in height, with the name and address of the mobile food
2 vendor licensee.

3
4 (m) The mobile food vendor shall comply with all state, federal and local health and safety
5 regulations and requirements and shall obtain and maintain any and all licenses required by any
6 other health, organization or governmental organization having jurisdiction over this subject
7 matter.

8
9 (n) The following safety regulations shall apply to any and all vehicles operating under this
10 article or used for mobile retail food establishments:

11
12 (1) Every vehicle shall be equipped with a reverse gear signal alarm with a sound
13 distinguishable from the surrounding noise level.

14 (2) Every vehicle shall be equipped with two rear-vision mirrors, one at each side,
15 firmly attached to the outside of the motor vehicle, and so located as to reflect
16 to the driver a view of the highway to the rear, along both sides of the vehicle.

17
18 (o) The mobile food vendor may sell food and non-alcoholic beverage items only.

19
20 Sec. 62-172. Indemnity.

21
22 As part of the permitting process set forth herein, any person or entity receiving a permit set
23 forth herein shall execute an indemnity agreement indemnifying and releasing the City of
24 Royston, its agents, employees and elected officials from any and all liability against any and all
25 claims, actions and suits of any type whatsoever.

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28 Sec. 62-173. Hearing; license denial, revocation, suspension; appeal.

29
30 (a) The city shall have the right to deny, revoke or suspend any license granted hereunder,
31 for violation of any applicable provision found in the Official Code of Ordinances or under this
32 article.

33
34 (b) If the city determines that facts exist for the denial, suspension or revocation of a
35 license under this article, the city shall notify the applicant or licensee (respondent) in writing of
36 the intent to deny, suspend or revoke the license, including the grounds therefore, by personal
37 delivery or by certified mail. The notification shall be directed to the most current business
38 address on file with the city. Within five working days of receipt of such notice, the respondent
39 may provide to the city, in writing, a response that shall include a statement of reasons why the
40 license or permit should not be denied, suspended or revoked. Within five working days of the
41 receipt of the respondent's written response, the city shall notify the respondent in writing of
42 the hearing date on the respondent's denial, suspension or revocation proceeding.

1 (1) Within 15 working days of the receipt of the respondent's written response, the
2 city commission shall conduct a hearing at which the respondent shall have the
3 opportunity to be represented by counsel and present evidence and witnesses
4 on his behalf. If a response is not received by the city commission in the time
5 stated or, if after the hearing, the city commission finds that grounds as specified
6 in this article exist for denial, suspension or revocation, then such denial,
7 suspension or revocation shall become final five days after the city commission
8 sends, by certified mail, written notice that the license has been denied,
9 suspended or revoked. Such notice shall include a statement advising the
10 applicant or licensee of the right to appeal such decision to a court of competent
11 jurisdiction.

12
13 (2) If the city commission finds that no grounds exist for denial, suspension or
14 revocation of a license, then within five days after the hearing, the city
15 commission shall withdraw the intent to deny, suspend or revoke the license,
16 and shall so notify the respondent in writing by certified mail of such action and
17 shall contemporaneously issue the license.

18
19 (c) When a decision to deny, suspend or revoke a license becomes final, the applicant or
20 licensee (aggrieved party) whose application for a license has been denied, or whose license
21 has been suspended or revoked, shall have the right to appeal such action to a court of
22 competent jurisdiction. Upon the filing of any court action to appeal, challenge, restrain or
23 otherwise enjoin the city's enforcement of the denial, suspension or revocation, the city shall
24 immediately issue the aggrieved party a provisional license. The provisional license shall allow
25 the aggrieved party to continue operation of the business or to continue employment as a
26 business employee, as the case may be, and will expire upon the court's entry of a judgment on
27 the aggrieved party's action to appeal, challenge, restrain or otherwise enjoin the city's
28 enforcement.

29
30 Sec. 62-174. Issuance and renewal.

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32 Licenses will be issued on an annual basis in exchange for completed application, required
33 documents, and required fees. The issuance of license is at the sole discretion of the city.

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35 Sec. 62-175. Fees.

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37 The fee for every application for license under this section shall be set by resolution.

38
39 This Ordinance shall be effective upon the date of its adoption.


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42 II.

1 In accordance with Section 2-62 Administrative Staff Approval, this Ordinance has been examined
2 and approved for administration by the City Staff; and, has been approved as to form and legality
3 by the City Attorney.
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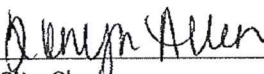
7 III.
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9 Should any Section or provision of this Ordinance be declared by a court of competent
10 jurisdiction to be unconstitutional or invalid, such declaration shall not affect the validity of the
11 Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional
12 or invalid. All Resolutions and Ordinances and parts of Resolutions and Ordinances in conflict
13 with the provision of this Ordinance, except as provided herein, are hereby repealed.
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17 Adopted this 9th day of May, 2023.
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19

20 
21 _____
22 Mayor
23

24 Attest:

25 
26 _____
27 City Clerk
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