



# Food Vendor Permit

Date Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Permit #: \_\_\_\_\_

Business name: \_\_\_\_\_ Food Truck: \_\_\_\_\_ Food Trailer: \_\_\_\_\_ Food Cart: \_\_\_\_\_

Location of food truck: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Days and hours of operation: \_\_\_\_\_

Means of disposing of liquid waste and grease: \_\_\_\_\_

Business owner(s): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Property owner(s): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**ADDITIONAL DOCUMENTATION REQUIRED:**

1. Site plan showing location of food truck or trailer on the property
2. Food vending permit from the Moore County Environmental Health Department
3. North Carolina Sales and Use Certificate
4. \$70.00 permit fee (\$35.00 food vendor's fee and \$35.00 property owner's fee)

**We have read and agree to comply with Section 5.9 of the Town Unified Development Ordinance.**

**THIS PERMIT EXPIRES ON DECEMBER 31<sup>ST</sup> OF THE CURRENT YEAR.**

Date: \_\_\_\_\_  
Business Owner

Date: \_\_\_\_\_  
Property Owner

**APPROVED:**

Date: \_\_\_\_\_  
Town of Southern Pines Zoning Official

COMMUNITY DEVELOPMENT DEPARTMENT  
TOWN OF SOUTHERN PINES  
180 SW BROAD STREET  
SOUTHERN PINES, NORTH CAROLINA 28387

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## **UDO §5.9 Food Trucks, Trailers and Carts**

All trucks, trailers or carts providing retail sales of food (food trucks, food trailers or food carts) shall comply with the regulations of this section.

### **5.9.1. Districts Where Allowed**

- (A) Trucks and trailers for retail sales of food shall be limited to the GB district.
- (B) Food carts for retail sales of food shall be limited to the NB and GB districts. Food carts shall not be self-propelled or exceed eight (8) feet in width by ten (10) feet in length or eight (8) feet in height.

### **5.9.2 Locations**

- (A) A maximum of one (1) retail sales – food truck, trailer or cart shall be located on a Lot or Parcel.
- (B) Food trucks, trailers or carts shall be located a minimum of one hundred (100) feet from the main entrance to any eating establishment or similar food service business, and one hundred (100) feet from any outdoor dining area, as measured from the designated location on the Lot or Parcel accommodating the retail truck, trailer or cart.
- (C) Food trucks, trailers and carts shall be located on a minimum distance of fifteen (15) feet from the edge of any driveway or public sidewalk, utility box or vaults, handicapped ramp, building entrance, exit or emergency access/exit, emergency call box or fire hydrant.
- (D) Food trucks, trailers and carts shall not be located within any area of the Lot or Parcel that impedes, endangers, or interferes with pedestrian or vehicular traffic.
- (E) Food trucks, trailers and carts shall not occupy any parking spaces required to fulfill the minimum requirements of the principal use, unless the Principal Use's hours of operation do not coincide with those of the food truck business. Nor shall any retail sales – food truck occupy parking spaces that may be leased to another business and used to fulfill its minimum parking requirements.
- (F) Food trucks, trailers and carts shall not occupy any handicap accessible parking space as specified in G.S. 20-37.6.

### **5.9.3 Operations**

- (A) No freestanding signage or audio amplification shall be permitted as part of the food truck, trailer or cart vending operation.
- (B) Hours of operation of food trucks, trailers and carts shall be limited to the hours between 6:00 a.m. and 8:00 p.m., unless the designated location on the lot accommodating the use is located within one hundred (100) feet of the property line of a single-family or duplex dwelling, in which case the hours of operation shall be limited to the hours between 7:00 a.m. and 7:00 p.m.
- (C) When open for business, the food truck, trailer or cart operator, or his or her designee, must be present at all times, except in cases of an emergency.
- (D) The food truck, trailer or cart vendor is responsible for the proper disposal of waste and trash associated with the operation. Town trash receptacles are not to be used for this purpose. Vendors shall remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. The vendor shall keep all areas of the permitted lot free and clean of grease, trash, paper, cups, cans or other materials associated with the vending operation. No liquid waste or grease is to be disposed of

in tree pits, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances shall grease be released or disposed of in the Town's sanitary sewer system.

- (E) All equipment required for the operation shall be contained within, attached to or within twenty (20) feet of the food truck, trailer or cart. All food preparation, storage, and sales distribution shall be in compliance with all applicable County, State and Federal Health Department sanitary regulations.

#### **5.9.4. Authorization**

- (A) A Town zoning permit shall be obtained by the property owner (as listed in the Moore County, North Carolina property tax records) for any Lot or Parcel proposed to accommodate a food truck, trailer or cart. If at any time evidence is provided that the permitted Lot or Parcel is being used other than in compliance with these regulations, the zoning permit shall be rendered null and void, and the owner shall be punished for such violation as hereinafter set forth. This zoning permit shall be required to be renewed annually.
- (B) A food truck, trailer or cart permit shall be obtained annually by the vendor. Prior to the issuance of the permit, the vendor shall provide evidence of having obtained a Town zoning permit (as described in paragraph (A)), a food vending permit from the Moore County Environmental Health Department, a North Carolina Sales and Use Certificate for collecting and paying the proper sales taxes, and a means for the disposal of grease within an approved grease disposal facility.
- (C) If at any time evidence of the improper disposal of liquid waste or grease is discovered, the food truck permit for the retail sales – food truck business shall be rendered null and void, and the retail sales – food truck business shall be required to cease operation immediately. The vendor shall be punished for the violation as hereinafter set forth.
- (D) Copies of the zoning permit and food vending permit shall be kept in the food truck, trailer or cart at all times.
- (E) If at any time, the Moore County Environmental Health Department revokes or suspends the issued food vending permit, the Town permit for the food truck, trailer or cart business shall be revoked or suspended simultaneously.

#### **5.9.5 Penalties**

- (A) This section shall be enforced by law as provided in G.S. 160A-175 or as provided in this code. All criminal sanctions shall be up to the dollar limit provided in G.S. 14-4(a), as currently enacted or as hereafter amended, or any similar limitations.
- (B) The penalty for violating this section shall be as follows: For the first offense, the fine shall be \$100. For the second offense, the fine shall be \$300. The retail sales – food truck permit shall be revoked after the third offense.