

**TOWN OF FREEDOM
ORDINANCE NUMBER 2024-04
ESTABLISHING AN ORDINANCE GOVERNING MOBILE FOOD VENDORS**

The Town Board of the Town of Freedom, Outagamie County, Wisconsin, has determined that it is in the public interest to regulate the time of operation of food trucks within the Town limits.

This ordinance is adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, creates Chapter 30 to establish regulations regarding mobile food vendors operating in the Town of Freedom.

The Town further finds that this regulation shall be an interim determination and shall be effective until June 1st, 2025.

This ordinance is effective on publication or posting on July 1, 2024.

The Town Clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. Stats. Adopted this 26th day of June, 2024.

Signed: 
Justin Schumacher, Chair

Attest: 
Dana McHugh, Clerk

Chapter 30

Mobile Food Vendors

Section 30-1: Purpose and Intent

The purpose of this ordinance is to regulate the operation of mobile food vendors within the Town of Freedom in order to protect public health, safety, and welfare, and to ensure the orderly conduct of such businesses.

Section 30-2: Definitions

For the purpose of this ordinance, the following terms shall have the meanings indicated:

1. **Mobile Food Vendor:** Any person, business, or entity engaged in the sale of food, beverages, or similar consumable items from a mobile vehicle or portable cart.

Section 30-3: Licensing and Permits

1. **Required License:** No person shall operate a mobile food vending business within the Town of Freedom without first obtaining a valid operating license from the Town Clerk.
2. **Application Process:** Applicants for a mobile food vendor license shall submit a completed application form, along with any required fees, to the Town Clerk. The application shall include, but not be limited to, information regarding the type of food to be sold, proposed locations of operation, and proof of compliance with all applicable health and safety regulations set by appropriate local, county, state, and/or federal authorities.
3. **License Fee:** A license fee of \$100 shall be paid annually by each mobile food vendor operating within the Town of Freedom.

Section 30-4: Operation Requirements

1. **Health and Safety Standards:** All mobile food vendors shall comply with all applicable health and safety regulations established by the Town, County, and State. Vendors originating from other municipalities will need to provide proof of adequate licensure and legal operation from their community of origin as well.
2. **Hours of Operation:** Mobile food vendors shall only operate during the hours specified in their license, and shall not operate before 8am or after 10pm on any day.
3. **Locations of operation** are not restricted, but must comply with all applicable regulations set by municipal, county, state, and/or federal authorities.

Section 30-5: Enforcement and Penalties

1. **Enforcement Authority:** The Town Administrator, in conjunction with local law enforcement, shall be responsible for enforcing the provisions of this ordinance.
2. **Penalties:** Any person found to be in violation of this ordinance shall be subject to a fine of not less than \$50 and not more than \$500 for each offense, and/or revocation of their mobile food vendor license.

Section 30-6: Special Event Exemption

1. Exemption Criteria: A mobile food vendor obtaining or covered by a special event permit shall be exempt from the provisions of this ordinance and governed exclusively by the rules and stipulations contained specifically within the special event permit.
 - a) If a separate individual, group, or other entity obtains a special event permit and the mobile food vendor is serving that event, the mobile food vendor will not be required to obtain a separate special event permit. Examples of this would include events like graduation parties, weddings, fundraisers, etc.
2. Scope of Exemption:
 - a) During the approved special event, mobile food vendors may operate outside of the regular operating hours, locations, or other provisions outlined in this ordinance, as long as they adhere to the conditions specified in subsection 1 above.
 - b) Exempt mobile food vendors will not be required to pay the \$100 fee to operate during the special event.
3. Enforcement: The Town Administrator or designated authority shall oversee compliance with the conditions of the special event exemption and may take appropriate enforcement actions in case of violations.
4. Revocation of Exemption: The Town reserves the right to revoke the special event exemption for any mobile food vendor found to be in violation of the conditions set forth in this provision or any other applicable regulations.

Section 30-7: Severability

If any provision of this ordinance is declared invalid or unenforceable for any reason, the remaining provisions shall continue in full force and effect.

Section 30-8: Effective Date

This ordinance shall take effect immediately after its passage and publication in accordance with applicable law.

