

## **Mobile Food Vendor Requirements & Rules and Regulations** **(Biloxi Code of Ordinances Sec. 12-12-1 to 9)**

- Applications for new permits or renewal permits shall be filed 20 days in advance of obtaining authorization.
- Fees - \$250 per vehicle for 90 days/\$25 Renewal for additional 90 days  
\$50 Special Event Mobile Food Vending Fee (valid for 2 days)
- Fines for Violation - \$300 1<sup>st</sup> violation / \$500 2<sup>nd</sup> / \$1,000 3<sup>rd</sup> and may result in suspension or revocation of any city permit or license
- May operate on property zoned RB, DT, CB, NB or WF with approved DRC site plan and permit. Vehicle must be moved off-site each night at the close of business.

### **DRC Application Requirements**

1. The name, mailing address, physical address, telephone number(s), and email address of the applicant(s). If any applicant is anything other than a natural person, then all documents related to the creation and maintenance of the entity such as articles of incorporation and any similar relevant documents, including the names of the partners and their addresses, shall be included.
2. A valid privilege license.
3. A food vending permit from the Mississippi Department of Health for the Mobile Food Vehicle. MSDH Food Safety – ph. 601-516-7689
4. shall be issued a state tax number by the Mississippi Department of Revenue designating them as a City of Biloxi business.
5. An accurate description of the Mobile Food Vehicle.
6. Photographs of all sides of the mobile food vehicle and each associated accessory device and/or signage.
7. A copy of a photo ID (e.g. driver's license, passport, or similar)
8. A Site Plan including: photos of the site and a detailed layout noting truck orientation and service plan is required for each private site.
9. A valid copy of Lease(s) or Letter(s) of consent from property owners for each private site.
10. A list of products to be sold.
11. Proof of a valid insurance policy that provides minimum liability coverage of \$300,000.00 per mobile food vehicle, with the city named as an additional insured. Additionally, proof of a valid vehicular insurance policy shall be provided to the City.
12. A written indemnity agreement that will hold harmless the city, its officers, and employees, for any loss or liability or damage, including costs, for bodily injury or property damage sustained by a person as a result of the negligent installation, use, or maintenance of a permitted space.
13. Copies of all letters and other notices from any governmental, quasi-governmental,

professional, or business association or entity, related directly or indirectly to alleged or actual improper conduct in the food service business, issued to applicant or any person who will have responsibility for operations of the mobile food vehicle for which a permit is requested. This shall include all related response and follow up documents showing any results, findings or actions.

14. The dates, jurisdiction, court, and disposition of all misdemeanors and violations directly or indirectly related to food, food, permit operations, and/or business operations, related to the applicant or any principal of the applicant.
15. Such other additional information required by law, rule, or ordinance, or that any department of the city, Mayor, City Council, or the permit applicant reasonably deems appropriate to assist the city in determining whether the permit should be granted. The applicant shall be provided reasonable time to supplement the application.

## **Mobile Food Vending Rules and Regulations**

Mobile food vehicles shall conform to the following rules and regulations:

1. Proof of Permit must be displayed in plain view
2. Located on private property or upon approved governmental property
3. Operating Hours - Monday- Thursday 6:00 a.m. to 10:00 p.m. /Friday-Saturday 6:00 a.m. to 11:30 p.m. and Sunday 10:00 a.m. to 8:00 p.m. Cleanup and removal of the vehicle shall be completed within 30 minutes of closing. Vehicle must be moved off site at the close of business.
4. must not be attached to trees, garbage receptacles, or utility poles.
5. may not locate within 50 feet of any restaurant, measured from any point of the principal structure to the nearest point of the mobile food vehicle.
6. may not locate within any area, which would block the view of traffic or traffic signals or traffic signs.
7. may not locate within twenty (20) feet of any fire hydrant.
8. The operator(s) must be present at all times.
9. Sales of goods are limited to food and beverage.
10. The sale of alcoholic beverages is prohibited, except for areas properly licensed to permit "Go Cup" sales, subject to the specific regulations of the "Go Cup" Ordinance.
11. are responsible for all waste and trash removal. The containment area must be kept clear of grease, trash, paper, cups or cans associated with the operation. No liquid waste or grease is to be disposed of onto sidewalks, streets, or other public places; nor shall it be disposed of in drains or sanitary sewers.
12. shall not provide stands, shelves, bins, equipment, signs, covers, or any kind of accessory or feature unless the same was accurately described and included in the application, and was fairly included in the picture or other graphics required as part of the application.
13. No flutter flags are allowed.

14. During the hours of operation, the permit holder shall provide a trash receptacle for use by customers located adjacent to the mobile food vehicle in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic.
15. shall contain all refuse, trash and litter within the mobile food vehicle.
16. shall be responsible for the proper disposal of such refuse, trash, and litter, and shall place it in the public trash container, or in any private container with proper permission.
17. is responsible for all litter and trash within 15 feet of the mobile food vehicle at any time the vendor is selling or offering to sell any merchandise or service.
18. must have self-contained utilities and shall not use the city's utilities or private utilities that are not self- contained and integral to the vendor unit.
19. If the mobile food vehicle utilizes a generator, it shall be in compliance with the City of Biloxi noise ordinance.
20. No speakers or other noise production devices are allowed.
21. No mobile food vendor shall sell or attempt to sell any item to the occupant of any motor vehicle, unless it is parked in a lawful parking space.
22. must comply with all local, state, and federal rules regarding sanitation and protection of food from airborne contamination.
23. shall keep records utilizing generally accepted accounting practices for the purposes of compliance with all federal, state and local tax laws.
24. must collect the additional one percent sales tax required by all food providers in the City of Biloxi, along with all other tax and licensing fees required by the State of Mississippi.
25. must be licensed businesses within the City of Biloxi with all operations pertinent to the vehicle operated within the City of Biloxi.
26. must be issued a State tax number by the Mississippi Department of Revenue designating them as a City of Biloxi business.