



TOWN OF CAROLINA BEACH
1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428
910 458 2978

ANNUAL (calendar year) FOOD TRUCK PERMIT APPLICATION

PRIMARY BUSINESS NAME/ADDRESS

MAILING ADDRESS IF DIFFERENT FROM STREET ADDRESS

APPLICANT'S PHONE NUMBER

EMAIL

REQUESTED LOCATIONS TO OPERATE A FOOD TRUCK: _____

I agree to abide by all the laws and regulations of the Town to include specific requirements for food trucks under Chapter 14. I understand that violations of these regulations is cause for revocation of this permit allowance.

PRINT NAME

Date

Applicant Signature

Date

PRINT NAME

Date

Property Owner Signature

Date

PERMIT FEE \$100

STAFF REVIEW

Application Review/Approval **Signature:** _____ **Date:** _____

Inspections of Primary Business **Signature:** _____ **Date:** _____

Violations: _____

Post issuance audit of Primary Business and Food Truck Location

Signature: _____ **Date:** _____

Violations: _____

Sec. 14-21. Food trucks.

(a) *Findings and intent.*

- (1) Allowing food truck businesses to operate in Carolina Beach promotes diversification of the town's economy and employment opportunities. Food trucks support the incubation and growth of entrepreneurial/start-up businesses,
- (2) North Carolina General Statute 160A-174 grants towns the power to define, prohibit, regulate, acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town through the creation of ordinances.

(b) *Definitions.* The following definitions apply to this article:

Food truck: A readily movable trailer or motorized wheeled vehicle, currently registered with the N.C. Division of Motor Vehicles, designed and equipped to serve food.

Regulatory fee: A fee assessed to cover the cost of regulating a particular business activity that is assessed to the particular business being regulated.

(c) *Permitting.*

- (1) All food truck operators shall obtain an annual permit from the town manager or their designee, unless otherwise exempted in this chapter. Permits shall be valid for a calendar year. This permit shall be posted in a visible location on the food truck.
- (2) Food truck operators shall have the signed approval of the property owner for each location at which the food truck operates. This approval must be made available with the permit application. Any additional sites must be submitted to the town for review/approval prior to being implemented.
- (3) Food truck vendors shall provide documentation of approval from the health department of the county in which the food truck's associated commissary restaurant is located.
- (4) Each food truck operator will be subject to an annual regulatory fee that will be assessed to cover the costs associated with regulation of food truck businesses. The amount regulatory fee will be reviewed and adjusted as necessary on an annual basis in the town's rates and fees schedule. A permit will not be issued until this regulatory fee has been paid.
- (5) The town permit and county health permit must be displayed during the food truck's hours of operation.

(d) *Regulations.* Food trucks shall be allowed in all non-residential districts with the following restrictions:

- (1) The food truck shall be positioned at least 100 feet from the customer entrance of an existing restaurant during its hours of operation, unless the food truck vendor provides documentation that the restaurant owner supports a closer proximity.
 - (2) A trash receptacle shall be provided for customers. All associated equipment, including trash receptacles, must be within three feet of the food truck.
 - (3) Temporary connections to potable water are prohibited. All plumbing and electrical connections shall be in accordance with the State Building Code.
 - (4) Food trucks shall only operate on private property unless they are part of a town approved special event.
 - (5) Grease must be contained and disposed of in an approved grease receptacle located at the associated commissary.
 - (6) Grey water must be contained and disposed of in the sanitary sewer at the associated commissary.
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- (7) Food trucks must have the following fire extinguisher on board during hours of operation: Minimum Class 2A, 10B, and C rated extinguisher. If food preparation involves deep frying, a Class K fire extinguisher must also be on the truck. All National Fire Protection Association (NFPA) standards shall be met to include fire extinguishers and fire suppression hood systems shall be maintained.
 - (8) A food truck vendor shall not operate the food truck as a drive-in window.
 - (9) Lighting shall be such that minimizes the glare on roadways and surrounding properties.
 - (10) No signage shall be allowed other than signs permanently attached to the motor vehicle and one temporary sign within three feet of the truck may be permitted in accordance with the temporary sign standards in chapter 40, zoning.
- (e) *Suspension and revocation of permit.*
- (1) The permit issued for the food truck business may be revoked if the vendor violates any of the provisions contained in this article.
 - (2) The Town Manager may revoke a permit if he or she determines that the food truck vendor's operations are causing parking, traffic congestion, or litter problems either on or off the property where the use is located or that such use is otherwise creating a danger to the public health or safety.
 - (3) The Town Manager reserves the right to temporarily suspend food truck permits during times of special events in the downtown area.
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