



CITY OF BEAVER FALLS

715 FIFTEENTH STREET ♦ BEAVER FALLS, PA 15010
(724) 847-2808 EXT. 200 ♦ FAX (724) 847-4748
WWW.BEAVERFALLSPA.ORG

APPLICATION FOR MOBILE FOOD VENDOR:

All business establishments must go through and pass an inspection from one or more city departments before a license can be issued and, in some cases, to renew an existing license.

Please complete the attached application and return to the City of Beaver Falls with fees due.

If you are submitting a check or money order, checks are payable to: ***City of Beaver Falls:***

1. **STANDARD FEE, 1 UNIT = \$100.00 per mobile food vendor.**

Inspections days and times are as follows:

Monday thru Friday: 9:00 a.m. to 3:30 pm.

Please note:

1. All retail food facilities and restaurants must have a Retail Food Facility License prior to operating a Retail Food Facility from the Pennsylvania Department of Agriculture. This includes new facilities, mobile food vendors and change of ownerships for existing businesses. Licenses are non-transferable to another proprietor, new facility or location. Please contact the PA Dept. of Agriculture, Region 4 at (724) 832-1073 or visit their website at www.agriculture.pa.gov.
2. Review the attached City ordinance for food sales by mobile vendors.

If you have any questions, please contact our office.

Sincerely,

CITY OF BEAVER FALLS



City of Beaver Falls
Dept. of Code Enforcement & Zoning
715 Fifteenth Street, Beaver Falls, PA 15010
Office: (724) 847- 2808 Ext. 200
Fax: (724) 847-4748
www.beaverfallspa.org

Mobile Food Vendor Application

\$100.00 FEE

FEE COVERS PER SITE/INCLUDES ONE (1) RE-INSPECTION

I. APPLICANT INFORMATION:

A. APPLICANT/BUSINESS OWNER NAME:

ADDRESS:

CITY, STATE, ZIP:

DAYTIME PHONE: ()

CELL PHONE: ()

FAX: ()

B. BUSINESS NAME:

FEIN:

BUSINESS MAILING ADDRESS:

CITY, STATE, ZIP:

DAYTIME PHONE: ()

CELL PHONE: ()

FAX: ()

II. ZONING:

ZONING DISTRICT:	☐ SGD South Gateway District	☐ DSD Downtown South District	☐ DCD Downtown Central District	☐ DND Downtown North District	☐ C-2 Commercial
	☐ CLI Commercial/Light Industrial	☐ CON Conservation	☐ I Industrial	☐ PEI Public/ Educational/ Institutional	

Brief description of business and services to be provided:

III. PROPERTY INFORMATION:

1. PROPERTY ADDRESS:

A. PROPERTY OWNER:

ADDRESS:

CITY, STATE, ZIP:

DAYTIME PHONE: ()

CELL PHONE: ()

FAX: ()

2. PROPERTY ADDRESS:

B. PROPERTY OWNER:

ADDRESS:

CITY, STATE, ZIP:

DAYTIME PHONE: ()

CELL PHONE: ()

FAX: ()

APPLICANT / OWNER CERTIFICATION

I hereby I agree to conform to all applicable laws of this jurisdiction. I understand that any falsification could lead to denial or criminal penalties, or revocation of any permit pursuant to this application. I agree that occupancy will not commence prior to final approval and/or prior to any abatement of condition noted by the City officer. I have received a copy the food sales by mobile vendors ordinance.

Applicant/ Agent - Print

Applicant/ Agent - Signature

Date

V. PAYMENT:

INSPECTION FEE	\$	DATE PAID: / / 20	CASH	CHECK #
PERMIT NO.	TAX OFFICE: ☐ MERCANTILE LIC. REQUIRED (INITIAL) ☐ BUSINESS LIC. REQUIRED (INITIAL)			

CITY OF BEAVER FALLS
BEAVER COUNTY, COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 3095

AN ORDINANCE OF THE CITY OF BEAVER FALLS, COUNTY OF BEAVER, AND COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE # 3041 APPROVING FOR FOOD SALES BY MOBILE VENDORS, REGULATING THE ISSUANCE OF LICENSES AND ENFORCEMENT AND PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, The Council of the City of Beaver Falls has determined that it is necessary for the health and safety of the public that the City regulate the food sales by mobile vendors in the City;

BE IT ORDAINED AND ENACTED by the Council of the City of Beaver Falls, a Third Class City under the laws of the Commonwealth of Pennsylvania, and it is hereby ordained and enacted by virtue of the authority of the same as follows:

Section I. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter, unless the context clearly indicates a different meaning.

APPLICANT

Any person or business who applies for a license/license renewal under the provisions of this chapter.

FOOD PRODUCTS

Sandwiches, ice cream, soft drinks, candy, and all other articles of food or drink intended or prepared by the vendors thereof for human consumption.

LICENSE

An approval from the PA Department of Agriculture, the Police Department and Code Department that enables the holder to conduct business within the City of Beaver Falls.

LICENSE AND TAX APPEALS BOARD

Established and authorized to carry out the powers set forth in this chapter.

LICENSEE

The holder of a license permitting business to be concluded within the City of Beaver Falls.

MOBILE FOOD UNIT

Any motorized or non-motorized vehicle, including but not limited to carts, stands. Kiosks, any other device designed to be portable and not permanently attached to the ground and ancillary equipment from which food products, as hereinafter defined, are sold or intended to be sold by a mobile food vendor.

MOBILE FOOD VENDOR

A person who sells, intends to sell, or offers to sell food products, as hereinafter defined in or about the streets of the City from a mobile food unit.

NONFOOD PRODUCTS

Balloons, novelty items, jewelry, clothing, books, or other tangible items not intended for human consumption.

OPERATING HOURS

The designated time frame a mobile food unit is authorized for all of the functions involved in selling or intending to sell food within the City right-of-way.

PEDESTRIAN

A person who is walking or otherwise travelling in the public right-of-way.

PERSON

Any natural individual, firm, partnership, association, or corporation.

SERVICES

Tarot card readings, horoscopes, palm readings, spiritual guidance advice or other nontangible services.

Section II. License required.

- A.** No person shall commence operation of mobile food unit until all required licenses have been issued by the P.A. Department of Agriculture, Police Department, Code Department or other designated City official.

- B.** All licenses shall be prominently displayed at all times during operation.
- C.** Any mobile food vendor without the required license(s) and permit(s) shall be deemed in violation of this chapter, and the mobile food vendor shall be subject to penalties and fines as provided within this chapter and otherwise provided by law.

Section III. Mobile food vendor license.

- A.** A mobile food vendor must have a mobile food vendor license to operate a mobile food unit in the City of Beaver Falls.
- B.** Mobile food vendor licenses shall be subject to a license fee to be promulgated by regulation and subject to the approval of City Council as approved by general law, a portion of which, not to exceed \$100.00. shall be reserved to assist the Business District Authority, or any successor thereof, in defraying the costs of waste removal and administrative costs.
- C.** The Code Department shall be responsible for creating application forms and an application process to regulate the issuance of the mobile food vendor license.
- D.** In order to secure a mobile food vendor license, an authorized person must submit to the City of Beaver Falls an application, any required fee(s), and all accompanying materials as provided by the Code Department.
- E.** Applications issued under this chapter shall be subject to review and approval by the Code Department, or any designee thereof, who shall have the authority to ensure and enforce compliance with any provision of this chapter, any amendments thereto, and applicable City regulations and guidance.
- F.** The Code Department shall be authorized to deny, revoke or suspend any license application for any mobile food unit found in noncompliance with the established requirements.

Section IV. Mobile food unit locations and restrictions.

- A.** No mobile food vendor shall hereafter sell or offer for sale any food or nonfood products and services in a manner that would substantially obstruct a public right-of-way, impair the movement of pedestrians or vehicles, or pose a hazard to public safety.
- B.** All street vendors shall position themselves at least 50 feet from another street vendor and shall locate the cart at the curb in such a way as to cause any line which forms to do so along the curb.

C. A mobile food vendor may not sell or offer for sale any products or services;

- (1). Within 15 feet of an entrance to any property
- (2). Within 500 feet of an entrance to a public or private school
- (3). Within 15 feet of a fire hydrant
- (4). On any sidewalk having a width less than 4 feet
- (5). From any vehicle or ancillary equipment not approved and inspected by the Code Department.
- (6). On private property without written approval of the property owner responsible for the maintenance of the sidewalk and/or right-of-way area to be obstructed.

D. No street vendor shall hereafter sell or offer for sale any products or services within 500 feet of the designated boundaries of any City organized, sponsored or sanctioned event or activity to which vendor access is restricted or regulated, provided that this restriction shall not apply to street vendor who receives a permit from the director of the department sponsoring the event to operate within the boundaries of any City organized, sponsored or sanctioned event or activity, in addition to all other license required hereunder.

E. All sales by mobile food vendors shall cease to operate no later than 10:00 p.m. each day. Mobile food units shall be removed from public property no later than 11:00 p.m. each day.

Section V. Park permit required.

No street vendor shall sell or offer for sale any food products at City parks and recreational sites or upon City owned real estate without possessing a valid permit issued by the City.

Section VI. Responsibility for Litter.

Any street vendor hereafter selling or offering for sale food and nonfood products or services shall pick up and remove any and all papers, wrappers, bottles, or other refuse dropped by the customers thereof in the vicinity of the cart from which such food or nonfood items or services are sold. Additionally, a street vendor shall provide for all customers a containers for the deposit of all refuse, which container shall be removed by the street vendor at the close of each vendor's business day. Under no circumstances shall a street vendor use a container or a receptacle provided for the use of the general public.

Section VII. Cleanliness.

All equipment used by a street vendor shall at all times be kept and maintained in a clean and sanitary condition. All openings therein shall be completely protected by glass or screening which shall be kept closed except when a customer is being served. An adequate water tank with faucets shall be installed therein from which fresh hot and cold running water shall be provided for handwashing only. Each street vendor shall at all times keep his or her hands clean and otherwise be clean and neat in appearance.

Section VIII. Product requirements.

No street vendor, shall hereafter sell or offer for sale any food products unless the same are made or prepared in a factory approved and licensed by the U.S. Department of Agriculture which furnishes its products in a sanitary wrapper or a sanitary bottle and unless, when sold, such food products are wrapped in the original factory wrapper or contained in the original bottle. With respect to all bottled drinks, the same shall be approved by the Code Department, and all drinking straws furnished therewith shall be in an individual wrapper.

Section IX. Approval of facilities.

- A. Under this chapter, mobile food vendor licenses shall be issued based on the same standards that the Code Department or authorized designee would use to license temporary food facilities and the same standards of food regulations adopted by the State of Pennsylvania, which may be modified from time to time.
- B. All installations, facilities and containers required under the provisions of this chapter or obtained by the mobile food vendor for purposes of operating a mobile food unit shall comply with the standards in the latest edition of the "National Sanitation Foundation Regulations for Food Carts" which may be modified from time to time.

Section X. Enforcement and penalty.

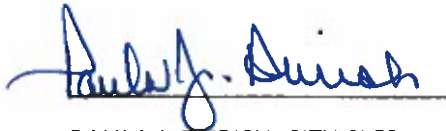
- A.** Authority is hereby conferred upon the Code Department to promulgate rules and regulations with respect to the specific matters for which such authority is herein granted and to change and modify any and all such rules and regulations from time to time in the manner provided by law, subject to the approval of City Council, provided that such rules and regulations shall not be inconsistent with the provisions herein, local, state and federal law. A copy of such rules and regulations shall be filed with the City Clerk.
- B.** A person who violates any provision of this chapter or the rules and regulations promulgated under this chapter, or refuses, neglects or fails to comply with any notice given to such person by a duly authorized representative of the City in conformity with or pursuant to the provisions of this chapter or such rules and regulations, or obstructs or interferes with any person in the execution of this chapter, shall be subject to penalties established by the Code Department.
- C.** When it appears to the Code Department that the operation of the mobile food unit poses an immediate and imminent threat to the public health and safety that will occur if the mobile food unit is not immediately closed, the Code Department shall have the power to order the immediate closure of such establishment until such time that the violations complained of have been corrected or the Board of Health or other appropriate hearing board overrules the determination of the Code Department.
- D.** Nothing set forth in this section may limit the pursuit of other appropriate actions or proceedings at law or in equity available to the City.
- E.** Penalties. Any person, firm, entity or corporation violating this ordinance or any part hereof shall be subject to the loss of privileges, penalties, and fines. Any person who violates any provision of this Ordinance may be charged with such violations and upon conviction thereof, shall be sentenced to pay a fine of not more than Five Hundred Dollars (\$500.00) for each violation or, alternatively, sentenced to pay a fine of not more than the maximum permitted under Pennsylvania law as the same may be from time to time amended and in effect as of the date of conviction.

Section XI. This Ordinance shall take effect immediately on the final passage.

Section XII. Any Ordinance, or parts of any ordinance inconsistent herewith are hereby repealed.

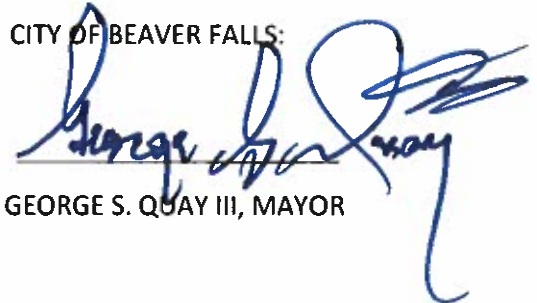
PASSED AND ADOPTED BY THE COUNCIL of the City of Beaver Falls, This 24th day of Sept., 2019

ATTEST:

A handwritten signature in blue ink, appearing to read "Paula J. Durish", written over a horizontal line.

PAULA J. DURISH, CITY CLERK

CITY OF BEAVER FALLS:

A handwritten signature in blue ink, appearing to read "George S. Quay", written over a horizontal line.

GEORGE S. QUAY III, MAYOR