

Mobile Food Vendor Frequently Asked Questions

What is the difference between a Transient Merchant and a Mobile Food Vendor?

- "Transient merchant" means any person, firm, or corporation who engages in a temporary or itinerant merchandising business, intending to remain in business in the City of Waverly for less than one year, and in the course of such business hires, leases, or occupies any building or structure whatsoever or who operates out of a vehicle which is parked anywhere within the City limits. Temporary association with a local merchant, dealer, trader, or auctioneer, or conduct of such transient business in connection with, as a part of, or in the name of any local merchant, dealer, trader, or auctioneer shall not exempt any person, firm, or corporation from being considered a transient merchant.
- "Mobile food vendor" means any person who prepares, stores, or sells any food item in or from a vehicle or unit which is either parked in a permanent location or which moves from place to place and stops temporarily for such sales.

Is there an application fee to operate a Mobile Food Unit?

- The Mobile Food Vendor fee depends on the length of time the applicant chooses. They are: \$50/day, \$100/week, \$125/month, \$250/year

If you pay for an annual application fee, are you able to change locations or do you have to stay in one location?

- The permit does not restrict you to one location; however, additional locations have to still follow what is allowed in the City and the applicant needs to provide the City Clerk's office with the written consents from the new locations.

Can a Mobile Food Unit operate on Public Property?

- Mobile Food Units are not allowed to operate on public right-of ways. If a Mobile Food Unit wants to operate in public parking lots, they have to obtain consent from the owner. (example- Waverly Health Center's permission for hospital parking lot, Waverly Utilities' permission for utilities parking lot, City of Waverly's permission for downtown parking lots)

Can a Mobile Food Unit be operated on residential properties?

- They are only allowed in the case of a residential block party or private catering arrangement approved by the City.

Can a Mobile Food Unit serve on sidewalks?

- The unit may not be parked on a sidewalk, but if the serving area includes a portion of a sidewalk, it is allowed as long as it doesn't impede traffic.

What are the hours a Mobile Food Unit can operate?

- Units within 300 feet of a residential use or residentially zoned property shall be limited to hours of operation between 7:00 a.m. and 10:30 p.m. unless approved differently by the City Administrator.

I own a restaurant and now, a Mobile Food Unit is going to be set up next to me, is that allowed?

- A mobile food unit may only operate within 200 feet of a permanent restaurant, business offering food or beverage services or special event if they have received written consent of the restaurant, business owner or special event coordinator.

Do all Mobile Food Units need to complete a Fire Department's Self Inspection form?

- No, only units that have cooking facilities with grease laden vapors (Class III and Class IV state licenses) need to complete the inspection form.