

Licensing Provisions:

20-1008 Food Service Establishment License Required

Commented [BM1]: For mobile vendors, must be a recognition of state license.

1. ~~Annual or temporary Food Service Establishment~~A new license(s) shall be issued by the City Clerk following approval of such by the Fire Marshal, Planning and Community Development Department, County Health Department, City Clerk, Sign Inspection Division, and Environmental Services, as needed ~~and set forth herein~~.

2. ~~Annual Food Service Establishment License for Mobile Food Establishment: A person desiring to operate a mobile food establishment, as defined by Oklahoma statute, may apply for an annual license upon first receiving a food establishment license from the State Department of Health. This annual license shall be issued in recognition of the applicant's compliance with the licensing requirements of the State Department of Health, and any requirement of the City of Norman not inconsistent with State Department of Health requirements or state law.~~

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- 2.- ~~Temporary Food Service Establishment License: A person desiring to operate a temporary food service establishment may apply for either a one-day, 30-day or a 180-day temporary license at least 24 hours prior to any sales at said establishment. This temporary license shall be issued by the City Clerk following approval of such application by the County Health Department and City Clerk. Any~~The temporary license may be renewed for an additional ~~180-day~~term following approval by the County Health Department and City Clerk.

3. There shall be two types of ~~temporary~~ licenses issued as follows:

1. *Fixed temporary food service license.* This ~~temporary~~ license shall be for temporary food service businesses operating at a fixed location for a maximum of 180 days. This license may not be renewed for an additional 180 days at the same location. These food service businesses must comply with all provisions of the City zoning code.
2. *Mobile temporary food service license.* ~~This temporary licenses shall also be available for facilities that are vehicle mounted and are readily moveable~~mobile food establishments, as defined by Oklahoma statute, which may apply for a temporary license upon first receiving a food establishment license from the State Department of Health. This license shall be issued in recognition of the applicant's compliance with licensing requirements of the State Department of Health, and any requirement of the

City of Norman not inconsistent with State Department of Health requirements or state law.

- 2-4. Any licensee which intends to operate in a City park at a Special Event sponsored by an entity other than the City of Norman must also be issued a Park Food Vendor Permit from the Norman Parks and Recreation Department. To obtain a Park Food Vendor Permit, an applicant's Food Service License must be in good standing, applicant must satisfy and operate pursuant to applicable policies approved by the Board of Parks Commissioners, and must furnish to the City a certificate of insurance naming the City of Norman as additional insured for the purposes of the park event.

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20-1009 Application Procedure For Annual or Temporary Food Service Establishment License

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1. *Contents of application.* Applicants for a permit under this article must file with the City Clerk a (verified) sworn application in writing on a form to be furnished by the City Clerk, which shall give the following information, except to the extent that the provision of any information is inconsistent with State Department of Health requirements or state law applicable to mobile food vendors:

1. Name and description of applicant;:-
2. Permanent or mailing aAddress;:-
3. Brief description of business, goods to be sold, location desired;:-
4. Time period for which applicant wishes to do business;:-
5. License number and description of vehicle to be used, if any;:-
6. Verification that applicant is bonded as a Group II vendor by the State Tax Commission or other proof that sales tax has been or is being paid on the merchandise sold or to be sold, if applicable;:-
7. Proof that a County health permit has been obtained;:-
8. As applicable, proof that a Food Service Establishment license was obtained from the Oklahoma Department of Health; and
9. As applicable to mobile food preparation vehicles/food vending vehicles, proof of the State Fire Marshall's approved vehicle inspection within one (year) of the date of application (and where such inspection is renewed

during the license term, provision of the renewed inspection), and other necessary approvals by state agencies, as applicable.

8-2. Payment of fee. At time of filing, the fee, as provided in NCC 20-109 and Appendix A11, shall be paid to the City Clerk.

9-3. Insurance. Each applicant, if the applicant does not operate a fixed, permanent restaurant within the City, shall file with the application a certificate of insurance from the appropriate insurer that the applicant has general liability and vehicular insurance in the amount required by the State. Where any licensee operates at a City event or otherwise upon City property, including a Park, the licensee shall provide a certificate of insurance naming the City of Norman as additional insured for the purposes of that event.

2-4. Review of application.

1. The City Clerk shall review the application to ensure:

1. That applicant is aware of his responsibility to collect and pay sales tax and that applicant is properly registered with the State Tax Commission. If applicant is not properly registered with the State Tax Commission, the permit will not be issued.
2. That the chosen location for issuance of a fixed temporary food service establishment license is commercially zoned and does not extend onto the public right-of-way (except where the licensee is operating at a City event in compliance with this section).
3. That the applicant's business operation will not obstruct a safe line of sight from any street or private drive used to exit the subject property, or cause other sight distance related problems, or otherwise obstruct the free passage of pedestrians or vehicles along any street, sidewalk, or parkway.
4. That NCC Ceh. 28 is to be properly complied with during applicant's business activity.
5. That applicant's business operations will not reduce the required off-street parking of the host business, if any.
6. That a valid county health permit is obtained and maintained for the license term.

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2. Within seven days after receipt of ~~the a complete~~ application, the City Clerk shall either approve or disapprove of the application.
 1. If the application is approved, the Clerk shall issue the permit within three days after the approval.
 2. If the application is not approved, the City Clerk must state with specificity the reasons for nonapproval and the City Clerk shall notify the applicant within three days after nonapproval. Proper mailing to the address shown on the application shall be adequate notification to the applicant.

20-1010 Conditions Of Permit Issuance

1. ~~The issuance of fixed temporary food service establishment license shall not be construed to provide~~~~All temporary food vendors must have the~~ permission of the property owner(s), ~~which must be obtained by a licensee~~ prior to operating a temporary food vending unit on the subject property.
2. No mobile ~~temporary~~ food vendor, ~~whether they be an annual or temporary licensee,~~ may stop for longer than 12 hours at a single location ~~or address in a 24-hour period at one time, unless operating on private property with permission of the property owner(s).~~ A single location or address shall include a single parking lot shared by multiple businesses.
 1. This section shall not apply to food sales at events that are not open to the general public or are sponsored, catered, or hosted by a business or group.
 2. This section shall not apply on University of Oklahoma home football game days ~~or licensed Special Events.~~
3. ~~Except where operating with permission as part of a City event, or during a licensed Special Event, m~~Mobile temporary food vendors may not sell food on public right-of-way except for a brief stop for point of sale. For the purposes of this section, public right-of-way means any street or highway and property adjacent to streets and highways which is dedicated to public use and over which the federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion; or any bridge, alley, sidewalk, pedestrian way, stairs or elevator which is dedicated to public use and over which the federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion.

20-1011 Permit Issuance

1. Permits shall be issued by the City Clerk.
2. A permit ~~must be issued not less than 24 hours prior to any actual selling activity by the applicant~~ is effective on the first day following the day of issuance by the City Clerk.
3. The format of such permit will generally follow the format of licenses, as provided in NCC 20-101, and such permit shall be prominently displayed at the applicant's selling location.

20-1012 Permit Fee

The application fee to be paid to the City Clerk upon submission of the application for a ~~temporary food service establishment~~ license shall be, as provided in the City fee schedule for ~~annual or temporary (-a one-day, 30-day or 180-day permit) or Park Food Vendor permit; for a 30-day permit, or for a 180-day permit.~~

20-1013 Outside Sales ~~for Non-Mobile Food Service Establishment Licensees~~

1. ~~Non-mobile f~~Food service establishments holding an annual City license may have outside sales on their premises if all conditions of the Food Service Establishment Regulations, zoning ordinances and fire code are met.
2. ~~Non-mobile f~~Food service establishments with temporary licenses issued by the City may have outdoor sales if all conditions of the Food Service Establishment Regulations, zoning ordinances and fire code are met.

Appendix A Fee Schedule:

(n)	Food service establishments:	-
(1)	Annual	\$50.00
(2)	Temporary One-day	\$20.00
(3)	Temporary 30-day	\$530.00
(4)	Temporary 180-day	\$2540.00
(5)	Temporary renewal	\$10.00
(6)	Park Food Vendor	\$10.00

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