

## **ORDINANCE NO. 886**

### **AN ORDINANCE OF THE TOWN OF SARATOGA, CARBON COUNTY, WYOMING AMENDING TITLE 5 SECTION 5.40.090 SECTION N, MOBILE VENDING ON PRIVATE PROPERTY, OF THE TOWN OF SARATOGA MUNICIPAL CODE REGULATING MOBILE VENDING WITHIN THE TOWN OF SARATOGA AND TO PROVIDE AN EFFECTIVE DATE**

WHEREAS, the Governing Body of the Town of Saratoga wishes to preserve the public peace, health, safety, and welfare of all residents of the Town of Saratoga; and,

WHEREAS, Title 5 of the Town of Saratoga Municipal Code concerns business licenses and regulations; and,

WHEREAS, the Town of Saratoga Municipal Code prior to this Ordinance is silent regarding the regulation and licensing of mobile vendors; and,

WHEREAS, the Governing Body of the Town of Saratoga has determined it is in best interest of the citizens of the Town to amend Title 5 of the Town of Saratoga Municipal Code to include regulations and licensing of mobile vendors to preserve the public peace, health, safety, and welfare of all residents of the Town of Saratoga; and,

WHEREAS, the governing body of the Town of Saratoga has given public notice of said amendment and the ordinance has been made available for the public to review at the office of the Town Clerk; and,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF SARATOGA, CARBON COUNTY, WYOMING that Title 5 of the Saratoga Municipal Code shall be amended to read as follows:

**Section 1.** Chapter 5.40 of the Saratoga Municipal Code is hereby created to read as follows:

#### **Chaeter 5.40 MOBILE VENDING**

##### **5.40.010 Definitions.**

"Mobile" means able to move or be moved freely and easily; not affixed to the ground. Mobile vending operations are truly of a mobile nature who have the ability to "routinely" or "regularly" change locations.

"Mobile food vendor" means an outdoor vendor operating from a mobile vehicle, trailer, or pushcart licensed for use in the retail sale or service of ready-to-eat or packaged food including a vendor operating from a mobile food truck, trailer, or pushcart on which food is cooked or prepared.

"Mobile vending unit" means any portion of a mobile vending operation in which service or activity associated with the operation is provided. This shall not include generators or other machinery exclusively used to provide power to the operation.

##### **5.40.020 Mobile Vending License - Required**

No person shall engage in mobile vending within town without first having obtained a license from the town clerk's office, as provided in this section, unless exempt under Section 5.40.030.

#### **5.40.060 Mobile Vending License - Suspension and Revocation**

A. A mobile vending license shall be a privilege, good for the period for which it is issued, subject to the condition, however, that it may, for good cause, be suspended at any time by the town clerk or his/her designee, requiring the vending to cease until violation is resolved. Revocation may occur by action of the town council after a public hearing of which the licensee shall have not less than ten days advance written notice in which the charges or complaints against the licensee are specified. Good cause shall be interpreted to include, but not to be restricted to:

1. Violations of any of the provisions of this article;
2. Failure to comply with agreed upon and signed regulations and license requirements;
3. Violation of any of the provisions of this code or other ordinances of the town or the laws of the United States or this state, the violation of which reflects unfavorably on the fitness of the holder to provide services which promote the health, safety, and welfare of the public.

B. Any mobile vending operator or property owner that is part of an ongoing or pending violation with the town will not be allowed to operate, nor will be issued any further mobile vending license, or any other entitlements from the town until the violation is resolved. This shall include any permits associated with a special events permit. Any person found to be in violation of this chapter shall also be fined as provided in the general penalty section of the Saratoga Municipal Code.

1. This shall not include any criminal or parking violations with the police department.

#### **5.40.070 Insurance Required**

All mobile vendors shall maintain commercial general liability insurance with a combined single limit of one million dollars per occurrence and products liability with a combined single limit of one million dollars per occurrence.

#### **5.40.080 General Regulations and Requirements**

A. All mobile vending operations shall be required to have all valid and applicable licenses and approvals to provide desired service.

B. All mobile vending units shall be inspected in an appropriate manner that is approved by the Wyoming Department of Agriculture to receive license.

C. All work or inspections performed shall be done by licensed and approved contactors. This shall include propane systems and piping, fire suppression systems, fire extinguishers, and installation of new kitchen equipment.

D. All mobile vending operations are required to have at least one person on-site at all times while in operation, that is qualified to move said operation and all units and accessories associated with the mobile vending operation.

E. Propane Requirements:

1. All propane tanks used in association with a mobile vending operation shall have a proper and up-to-date certification.
2. All propane tanks shall be properly secured to a mobile vending unit.
3. All propane tanks shall conform to Wyoming Department of Transportation standards and regulations.

I. Off-street parking shall be adequate to accommodate both the permanent use and the vending operation.

J. The location of the vending operation and all units associated with such shall not impede required fire access lanes, accessible routes, setbacks on the property, or clear vision triangles.

K. Mobile vending operation shall have proper authorization to use property.

L. Suitable receptacle(s) for litter/ recycling shall be located on-site or on-vehicle, and not located within the city right-of-way.

M. No unit used or item associated with the vending operation shall impede city right-of-way, including sidewalks.

N. There shall be a maximum of one mobile vendor per lot without an approved special events permit.

**There shall be a maximum of five (5) mobile vendors per lot without an approved special events permit.**

O. Flashing or strobe lights associated with the mobile unit shall not be permitted.

#### **5.40.100 Mobile Vending on Public Property**

Mobile vending may be permitted within public property at specific locations and during times when the Town of Saratoga streets department designates public parking spaces for the specific purpose of mobile vending use on a temporary basis. The use of such areas shall be on a first-come basis. No vending shall be permitted within public property other than within a posted area.

A. Areas within the following locations may be designated for mobile vending use on a temporary basis:

1. Within the Never Forget Park parking lot.
2. Within the Hobo Pools parking lot.

B. The hours of operation shall be between seven a.m. and ten p.m.

C. Any temporary signage shall conform to the standards of Saratoga Municipal Code Chapter 18.63 and be removed outside hours of operation and shall not be located within the town right-of-way.

D. Vending on public property shall not exempt the operator from any permits or approval, such as food service or fire prevention.

E. All units used or associated with the vending operation shall be located so as not to interfere with the normal operations of any permanent use located on the property.

F. The location of the vending operation and all units associated with such shall not impede required fire access lanes, accessible routes, setbacks on the property, or clear vision triangles.

L. Suitable receptacle(s) for litter/ recycling shall be located on-site or on-vehicle, and not located within the city right-of-way.

M. No unit used or item associated with the vending operation shall impede city right-of-way, including sidewalks.

O. Flashing or strobe lights associated with the mobile unit shall not be permitted.

5.40.110 Mobile Vending Within Town Right-of-Way

No vending shall be permitted within town right-of-way.

**Section 2.** This ordinance shall be in full force and effect from and after its approval, passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_ day of \_\_\_\_ 2025.

PASSED ON SECOND READING THIS \_\_ day of \_\_\_\_\_ 2025.

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_ day of \_\_\_\_\_ 2025.

Town of Saratoga, Wyoming

\_\_\_\_\_  
Chuck Davis, Mayor

ATTEST:

ATTESTATION

I, Marie Christian, the Town Clerk for the Town of Saratoga, Wyoming, do hereby certify that the above ordinance was duly and properly published or posted in the manner required by law.

\_\_\_\_\_  
Jennifer Anderson, Town Clerk