

**CITY OF SHEBOYGAN
ORDINANCE 15-24-25**

BY ALDERPERSONS RUST, PERRELLA, AND PETERSON.

AUGUST 5, 2024.

AN ORDINANCE amending sections 14-308 and 14-309 of the Sheboygan Municipal Code so as to allow food trailers to be food trucks.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: **AMENDMENT** “Sec 14-308 Definitions” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 14-308 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Mobile food vehicle means a commercially manufactured, ~~self-contained, motorized,~~ mobile food unit in which ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale or distribution.

Mobile food vehicle vendor means the owner of a mobile food vehicle; hereinafter referred to as "vendor."

(Code 1997, § 78-100; Ord. No. 88-11-12, § 1, 4-16-2012)

SECTION 2: **AMENDMENT** “Sec 14-309 Restrictions” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 14-309 Restrictions

- (a) It is unlawful for any person to do any of the following within a public right-of-way or on public property in the city without first having obtained a valid mobile food vending license as prescribed in this article:

- (1) Operate a mobile food vehicle;
 - (2) Serve, sell, or distribute food from a mobile food vehicle;
 - (3) Cook, wrap, package, process, or portion food in a mobile food vehicle for service, sale, or distribution.
- (b) No person shall park, stop, or operate a mobile food vehicle, nor shall any mobile food vehicle vendor permit any person to park, stop or operate a mobile food vehicle in a location adjacent to or within a 100-foot radius of the nearest edge of any building or section of a building comprising a licensed food establishment, excluding any patio, awning, or temporary enclosure attached thereto, the kitchen of which is open for serving food to patrons. This requirement may be waived if the most recent application for a mobile food vending license was submitted together with the written consent of the proprietor of the adjacent licensed food establishment.
- (c) Each and every mobile food vehicle vendor shall at all times keep a measuring wheel with a measuring capacity of no less than 500 feet on the mobile food vehicle. The measuring wheel shall be available for use by any person operating or working on the mobile food vehicle and by any police officer or other municipal official tasked with enforcing the provisions of this article.
- (d) All mobile food vehicle vendors shall abide by all parking and traffic laws, ordinances, statutes, rules, and regulations at all times, except that a mobile food vehicle that is of such a length that it occupies all or a portion of two marked parking spaces may park in the spaces so long as it abides by all other parking restrictions, including depositing required coins in both parking meters, when applicable.
- (e) Any mobile food vehicle which is not self-contained and motorized shall, whenever it is parked on a public right-of-way, remain connected at all times to an operable motor vehicle which is properly licensed for operation upon the roadway and capable of towing the mobile food vehicle, such that the mobile food vehicle may be moved at any time.
- (f) A person with a valid driver's license of such a classification to allow the operation of the mobile food vehicle shall be with the vehicle at all times that any activity is taking place in the mobile food vehicle. The mobile food vehicle vendor is liable for any violation of this section.
- (g) No person shall park, stop, or operate a mobile food vehicle, nor shall any mobile food vehicle vendor permit any person to park, stop or operate a mobile food vehicle in a location within 500 feet of the boundary line of any property upon which a fair, farmer's market, festival, carnival, circus, special event, or civic event licensed or sanctioned by the city is occurring, except when the vendor has obtained a permit or otherwise properly obtained permission to do so.
- (h) All signage must be permanently affixed to the mobile food vehicle. No accessory signage shall be placed outside or around the mobile food vehicle.
- (i) Nothing in this article shall be deemed to supersede or repeal any ordinance relating to noise, park closing hours, or parking, except as specifically provided in this article. Mobile food vehicle vendors shall take every precaution to ensure that their operation does not materially affect the peace and welfare of the general public nor cause any unreasonably loud, disturbing and unnecessary noise or any noise of such character, intensity or duration as to be detrimental to the life or health of any individual or which

is in the disturbance of public peace and welfare.

(Code 1997, § 78-101; Ord. No. 88-11-12, § 1, 4-16-2012)

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan