

(132) Itinerant Merchant. A person or entity ~~who engages~~ engaged in the temporary or transient business of selling and delivering goods, wares, or merchandise within the Town's limits, and who, for the purpose of carrying on such business, uses any lot, premises, building, room, vehicle, structure, or place. This definition includes, but is not limited to, yard sales, vendors at craft fairs, temporary sales events, and sellers operating from a temporary location such as a tent, booth, or mobile food unit such as a food truck or pushcart.

	MF-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
ACCESSORY AND TEMPORARY															
ACCESSORY DWELLING [pursuant to 10-4(A)]															
ACCESSORY STRUCTURE [pursuant to 10-4]															
ACCESSORY USES, OTHER [pursuant to 10-4]															
ACCESSORY RETAIL [pursuant to 10-4(E)]															
DRIVE-THROUGH FACILITIES															
DUMPSTERS AND ENCLOSURES [pursuant to 10-4(B)]															
HOME OCCUPATION [pursuant to 10-4(D)]															
FOOD TRUCKS & PUSHCARTS <u>MOBILE FOOD UNITS</u> [pursuant to 10-3(N O)]	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
MODULAR/MOBILE OFFICE, TEMPORARY [pursuant to 10- 3(S)]															
OUTDOOR DISPLAY, OUTDOOR STORAGE, OUTDOOR SALES [pursuant to 10-3(W)]															
STORAGE, INDUSTRIAL [pursuant to 10-3(Y)]															
TEMPORARY OUTDOOR VENDORS [pursuant to 10-3(N O)]								T		T					T
TEMPORARY USES, OTHER															
VEHICLE STORAGE IN CONJUNCTION WITH REPAIR															
YARD SALES		P	P	P	P	P									P

Section 10-3: Supplemental Use Standards

(N) Itinerant Merchants, ~~Food Trucks~~ Mobile Food Units, & Yard Sales. The purpose of this ordinance is to regulate itinerant merchants within the Town of Shallotte, ensuring public health, safety, and welfare, while supporting commerce and local businesses.

(1) ~~Food Trucks & Pushearts~~ Mobile Food Units.

- a. Permit Requirement: No person shall operate a ~~food truck or pusheart~~ mobile food unit on public or private property without first obtaining an annual ~~food truck/push-cart~~ mobile food unit zoning permit from the Town of Shallotte, as well as any permit required by the State and/or County. The following zoning permit requirements apply:

1. All ~~food truck/pusheart~~ mobile food unit permits expire on December 31st of the year in which they are issued.
 2. The ~~food truck/push-cart~~ mobile food unit permit issued by the Town of Shallotte must be displayed in a prominent location on or within the ~~food truck or pusheart~~ mobile food unit at all times during operation.
 3. All mobile food vendors shall obtain and maintain ~~a any required permit from the County's~~ state or county health department permit and keep such posted in a conspicuous place during hours of operation.
 4. ~~Food trucks and pushearts~~ Mobile food units must have an associated commissary kitchen or be certified by the state or county that the Mobile food unit meets the requirements to serve at its own commissary and must present this information to receive a Mobile food unit permit from the Town.
 5. ~~Food Trucks and pushearts~~ Mobile food units serving prepared foods must provide a current health certificate upon request.
 6. No zoning permit is required if invited by the Town for special events; however, all other criteria of this Article remain applicable.
 7. A ~~food truck/pusheart~~ mobile food unit permit shall be revoked if the Town finds that the terms of the permit have been violated or that there is a hazard to public health, safety and welfare.
- b. Location:
1. ~~Food trucks and pushearts~~ Mobile food units shall not operate on any parcel without written permission from the property owner on which they are situated and shall present proof of written permission when requested by Town officials.
 2. ~~Food trucks and pushearts~~ Mobile food units may be operated in designated areas of on-street parking and other Town-owned properties during special events sponsored by the Town.
 3. In residential zoning districts, a property owner may sponsor a ~~food truck or pusheart~~ mobile food unit to cater for a private event on private property.
 4. A property and/or homeowners association may sponsor a ~~food truck or pusheart~~ mobile food unit on common area property such as a clubhouse, pool facility, and/or park owned by the association.
 5. Mobile food units that are owned, operated, or otherwise associated with a permitted business shall be parked only within approved, striped parking spaces of the associated business's parking lot when not in active operation.
 6. Mobile food units shall not be parked or stored in fire lanes, drive aisles, landscaped areas, loading zones, or any other area not specifically designated and approved as a parking space.
- c. Time:
1. Mobile food vendors are permitted to operate on a particular parcel for a maximum of fourteen (14) consecutive days within any given calendar year.
 2. The Zoning Administrator, or their designee, has the discretion to grant an extension of up to an additional fourteen (14) days, allowing for a total of twenty-eight (28) consecutive days within the same calendar year.
 3. After reaching the maximum allowed duration of twenty-eight (28) consecutive days, mobile food vendors must cease operations on that parcel for a minimum period of two (2) weeks before the parcel is eligible to be used again.
- d. Other Regulations:
1. ~~Food trucks and pushearts~~ Mobile food units shall be located no closer than 50 feet to an existing restaurant, unless the operator provides written documentation demonstrating support from the restaurant owner for closer proximity.
 2. ~~Food truck and push-cart~~ Mobile food unit operators are responsible for the collection and removal of all trash, waste, and litter associated with the operation. Garbage must be collected and disposed of at an off-site facility, unless specific permission has been given by the owner

to use on-site dumpsters or other disposal facilities. A trash receptacle is required for ~~food truck and pushcart~~ mobile food vendor customer use.

3. Pushcarts shall not be operated on any public sidewalk or in any public street right-of-way without the express written permission of the Zoning Administrator, or his or her designee.
 4. ~~Food trucks~~ Mobile food units shall not be operated as a drive-thru.
 5. Mobile food units shall operate as stand-alone, self-contained food service establishments and may not be used as an accessory kitchen or food preparation area for any brick-and-mortar restaurant or other food service business, and shall not be parked, staged, or otherwise operated with the intent of supplementing or expanding the kitchen operations of that establishment.
 6. Nothing in this section shall prohibit a mobile food unit from contracting with an approved commissary kitchen, provided such commissary use complies with all applicable state and local regulations.
 7. Signage for food trucks ~~and trailers~~ shall consist only of signs permanently attached to the ~~food truck~~ mobile food unit, and one temporary sign within four feet of the food truck ~~or trailer~~. The temporary sign may be an A-frame, bistro, banner, or the like, with an area no larger than 40 square feet.
 8. Signage for pushcarts is limited to signs permanently affixed to the pushcart and one portable A-frame style menu board which must be no further than three (3) feet from the pushcart.
 9. ~~Food trucks and pushcarts~~ Mobile food units shall not block fire lanes and other emergency access areas, loading areas, driveways, or alleys.
 10. ~~Food trucks and pushcarts~~ Mobile food units shall be limited to one food truck or trailer and one pushcart per parcel at any given time. A temporary permit may be obtained to conduct a food truck rally, rodeo, fair, or the like. These food truck gatherings are limited to two consecutive days per calendar month. ~~Food trucks~~ Mobile food units participating in ~~food truck~~ mobile vendor gatherings must all meet the requirements within this article.
 11. Limits on the number of ~~food trucks~~ mobile food units on a given parcel do not apply to Town sanctioned events.
- e. Violations:
1. Failure to obtain and display a ~~food truck or pushcart~~ mobile food unit permit while operating within the Town's zoning jurisdiction shall result in a civil penalty of one hundred dollars (\$100.00) for the first offense and the property owner will be notified.
 2. Each additional offense will result in a five hundred dollar (\$500.00) per day civil penalty.
 3. After five or more civil penalties, the Town reserves the right to withhold the issuance of a ~~food truck/pushcart~~ mobile food unit permit for up to three hundred sixty-five (365) days.