



CITY OF BRYAN, OHIO

Carrie M. Schlade, Mayor



FOOD TRUCK PERMIT \$50 / \$25 (charitable organization) Codified Ordinance 773.01

Name _____

Address _____

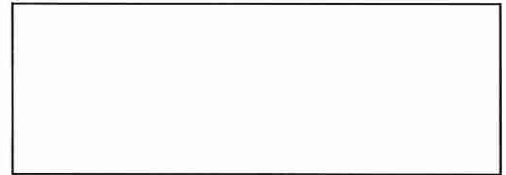
Drivers License # _____ (copy required) DOB _____

Product / Business Name _____

Phone # _____

Has applicant ever been convicted of any crime, felony or misdemeanor, or violation of any municipal ordinance: If so, the nature of the offense and the punishment assessed: False or misleading information shall be grounds for denial of the permit.

Bryan Police Department Stamp



I certify that the above is true and correct.

Signature _____ Date _____

LICENSES VERIFIED: Vendors License Health Dept

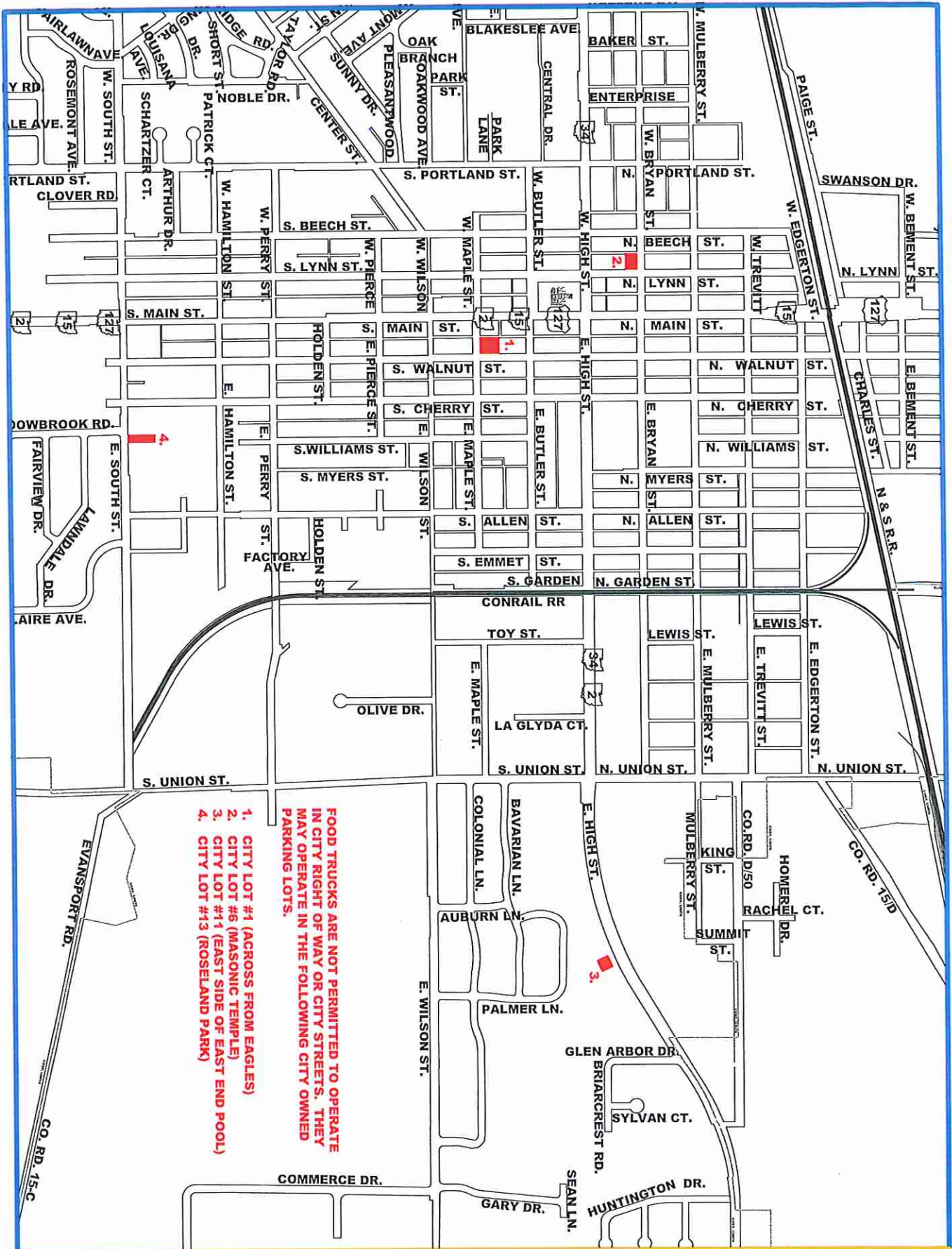
Date From _____ To _____

License Fee _____ Paid _____ Waived _____

Given under my hand and official seal this _____ Day of _____ 20 _____

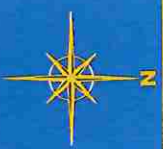
License may be revoked at any time by Mayor

Mayor Carrie M. Schlade



FOOD TRUCKS ARE NOT PERMITTED TO OPERATE IN CITY RIGHT OF WAY OR CITY STREETS. THEY MAY OPERATE IN THE FOLLOWING CITY OWNED PARKING LOTS.

1. CITY LOT #1 (ACROSS FROM EAGLES)
2. CITY LOT #6 (MASONIC TEMPLE)
3. CITY LOT #11 (EAST SIDE OF EAST END POOL)
4. CITY LOT #13 (ROSELAND PARK)



SCALE
N.T.S.
DATE
10/20/21

STREET MAP

CITY OF BRYAN
ENGINEERING DEPT.
103 N. BEECH ST.
BRYAN, OH 43506
419.656-0873
engineering@cityofbryan.com
www.cityofbryan.com

ORDINANCE NO. 10, 2022

AN ORDINANCE TO AMEND BRYAN MUNICIPAL CODE SECTION 773, OF THE CITY OF BRYAN CODIFIED ORDINANCES, PERTAINING TO TEMPORARY STORES AND TRANSIENT DEALERS AND ADDING REGULATIONS PERTAINING TO FOOD TRUCKS, AND RESCINDING ANY SECTION INCONSISTENT HEREWITH.

THEREFORE, BE IT ORDAINED, by the Council of the City of Bryan, Williams County, Ohio, four-fifths (4/5) of the members thereto concurring:

SECTION 1: That Section 773 of the City of Bryan Codified Ordinances shall be retitled and amended from Temporary Stores and Transient Dealers to **Transient/Temporary Stores, Transient Dealers and Food Truck Regulations**.

SECTION 2: That Section 773.01 of the Bryan Codified Ordinances shall be amended to read as follows:

773.01 DEFINITIONS.

As used in this chapter:

(a) "Temporary store" or "transient business" means a store, room, office building, lot, railroad car or other place opened and maintained for the solicitation of goods or services, or the sale to the public of goods, wares or merchandise where the transient dealer, that is, the seller or owner of the goods, wares or merchandise operates the place of business for a period of less than 120 business days.

(b) "Transient dealer" means a person who opens and maintains a temporary store or transient business; any such store and/or place which shall be opened, operated and maintained in the City shall, prima facie, be presumed to be a temporary store or transient business, within the meaning of this chapter, but the presumption may be overcome by evidence satisfactory to the Mayor that the place of business is not a temporary store or transient business, and that the person is not a transient dealer as herein defined, in which case the Mayor shall not be required to issue a license.

(c) "Person" means any individual, association, partnership or corporation or the operator for or the agent of such person as herein defined, who sells to the public at wholesale or retail through or by means of a temporary store or transient business any goods, wares or merchandise except as herein provided.

(d) "Food Truck" shall include any motor vehicle, pushcart or other mobile method of selling food, goods, merchandise, services or wares.

SECTION 3: That Section 773.02 of the City of Bryan Codified Ordinances shall be amended and shall read as follows:

773.02 LICENSE REQUIRED.

(a) No person shall engage in operating a temporary store, transient business or food truck within the City without first obtaining a license from the Mayor.

(b) A Transient Business, Temporary Store or Food Truck License shall not issue unless the applicant has secured appropriate approvals from the Williams County Health Department, Valid Operator's License and obtained a Vendor's License, if required. All licenses shall be prominently displayed during operation.

(c) Applicant(s) must submit an application no less than 30 days prior to intended operation date.

(d) Applicant(s) must pass a background check as approved by the City Attorney and the Mayor.

(e) Applicant(s) shall pay the required fee as determined in Section 773.05 upon submission of the application.

SECTION 4: That Section 773.03 to the City of Bryan Codified Ordinances shall be amended and read as follows:

773.03 LOCATION/EXCLUSIONS TO APPLICATION PROCESS

No transient/temporary store, transient dealership or food truck license shall be granted to operate on City owned property; property located in the City Right of Way or City Street, except City Lot #1, (across from Eagles) City Lot #6 (Masonic Lot), East Side of City Lot #11 (East End Pool) and City Lot #13 (Roseland Park), unless considered a Special Event as determined by the Mayor (i.e., Bryan Jubilee, Day in the Park, Amphitheater Events.)

SECTION 5: That Section 773.04 to the City of Bryan Codified Ordinances shall be amended and read as follows:

773.04 EXCEPTIONS

This chapter shall not apply to persons selling by sample only, nor to any agricultural articles or products offered or exposed for sale by the producer, nor to sales pursuant to the order of any court of competent jurisdiction, nor to any person owning or operating a branch store or stores within the City, provided such persons or the principal of such person has been engaged in the same kind of business in the City for a period of more than 120 business days prior to the date of the opening of the branch store or stores.

SECTION 6: That Section 773.05 to the City of Bryan Codified Ordinances shall be amended to read as follows:

773.05 FEE; REFUND.

The Mayor may issue a license to a transient dealer or to any person, to open a temporary store, or food truck or transient business as a transient dealer in an approved location, as designated by Ordinance, within the City, upon the payment of an annual license fee in the sum of Fifty Dollars (\$50.00) for commercial permits or an annual Twenty-five Dollars (\$25.00) for charitable organizations, which shall be due at the time of application. The fee may be waived for special events as determined by the Mayor. The fee shall be refunded to the person if the store or place of business proves not to be a temporary store or transient business.

SECTION 7: That Section 773.06 of the Bryan Codified Ordinances shall read as follows:

Section 773.06 **GENERAL REQUIREMENTS**

(a) All Food Trucks or Transient Business must keep the surrounding area immediately adjacent to the business clean and must dispose of all waste generation from the operation. Food Truck Operators/Employees shall not dispose of waste in City Waste Receptacles.

(b) No Food Truck shall discharge waste water, sewage, or grease into the city storm water or sewage drainage system.

(c) No Food Truck shall utilize loud speakers or other noise-making devices in such a way as to create a nuisance, or in violation of the City's Ordinances.

(d) Food Trucks shall take up no more than one parking space when granted access to City lots.

(e) Hours of operation for any food truck, transient business or temporary store, shall be from 7am to 2am.

SECTION 8: That Section 773.99 to the City of Bryan Codified Ordinances shall be amended to read as follows:

773.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00) and each day that any person maintains and operates the temporary store transient business, transient dealership or Food Truck, without having obtained the license as herein provided, shall be construed a separate offense.

SECTION 8: That any and all existing Ordinances and Resolutions that are inconsistent herewith are hereby repealed.