



INFO

GENERAL RESTRICTIONS FOR MOBILE FOOD VENDORS

MOBILE FOOD CARTS & MOBILE FOOD VEHICLES

Duluth City Code Chapter 27 regulates the business activities of mobile food vendors. Under the code, both mobile food carts and mobile food vehicles are subject to restrictions on when, where, and how they conduct business within the city.

LICENSE REQUIRED

No person or business may operate a mobile food cart or mobile food vehicle within the city of Duluth without a license:

- ❖ **Mobile Food Cart:** An outdoor food and beverage service establishment that is a non-motorized vehicle self-propelled by the operator.
- ❖ **Mobile Food Vehicle:** An outdoor food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered.

APPLICATION PROCESS

Applications are to be submitted to the Duluth City Clerk's Office at the following address:

City Hall 318
411 West First Street
Duluth, MN 55802.

Inspection(s) Required: Mobile food carts and mobile food vehicles are subject to inspection by the Duluth Police Department and Duluth Fire Department prior to approval. A copy of your Minnesota Department of Health license (as applicable) should be submitted at the time of application.

Insurance Required: Before any license may be issued, the prospective licensee must show that they possess a commercial general liability insurance policy in an amount not less than \$100,000 per individual, \$500,000 per single incident, and \$100,000 for property damage occurring in any year. The city of Duluth must be named as an additional insured on the policy.

GENERAL RESTRICTIONS

- ❖ Mobile food carts or mobile food vehicles must park in a parking lot or designated parking area and must not impede normal traffic flow.
- ❖ Mobile food carts and mobile food vehicles must park 400 feet away from a permitted event if they do not have permission to be a part of the event.
- ❖ Mobile food carts and vehicles must park 200 feet away from any restaurant.
- ❖ In parking lots that charge for parking, each mobile food vehicle or mobile food vehicle operator must pay for the number of stalls and for the time the cart or vehicle occupies the parking spaces.
- ❖ Operators of mobile food carts and mobile food vehicles must maintain at least one clearly designated waste container for customer use per each cart/vehicle and are responsible for all litter and garbage left by customers.
- ❖ Operators of mobile food carts and mobile food vehicles are prohibited from discarding waste in city drains or trash receptacles.

MOBILE FOOD CARTS & MOBILE FOOD VEHICLES IN DULUTH PARKS

The Duluth Parks & Recreation Department allows licensed mobile food carts and mobile food vehicles to operate in designated locations within the park system with a Parks & Recreation Commercial Operator Permit. In addition, operators must also obtain the necessary mobile food cart/mobile food vehicle license from the city clerk's office as well as any licenses required by the Minnesota Department of Health. The locations listed below are the only locations within the Duluth Park System where mobile food carts and mobile food vehicles are allowed:

- Chambers Grove Park;
 - Gichi-ode' Akiing Park (aka Lake Place Park);
 - Trailhead Parking Lot for Western Waterfront Trail;
 - Memorial Park;
 - Lincoln Park;
 - Wade Stadium;
 - Wheeler Athletic Complex – see *Special Instructions for Parks* below;
 - Enger Park;
 - Bayfront Festival Park – see *Special Instructions for Parks* below;
 - Park Point Recreation Area;
 - Chester Park;
 - Hartley Park – see *Special Instructions for Parks* below;
 - Hawk Ridge – see *Special Instructions for Parks* below;
 - Lester Park Parking Lot;
 - Brighton Beach Park;
 - Soccer Complex at Arlington Avenue – see *Special Instructions for Parks* below;
 - Athletic Fields Complex at Jean Duluth Road – see *Special Instructions for Parks* below.
- ❖ When a permitted event is being held in a park, mobile food carts are only allowed within the park with the permission of the permitted event licensee. Mobile food vehicles are not allowed and neither type of vendor is allowed in the park's parking lot.
 - ❖ At events hosted by the Parks & Recreation Department, only mobile food carts and mobile food vehicles with up to date permits will be invited to attend.

SPECIAL INSTRUCTIONS FOR PARKS

The following locations have city-sponsored concession areas or partner-sponsored activities. Mobile food carts and mobile food vehicles are not permitted at these locations when the concession areas are open. If the concession areas are closed, then food carts and vehicles are permitted. Operators must contact city partners in advance to determine if the parking lot will already be used for one of their events.

- Wade Stadium
 - Concessions in the stadium are open during Huskies games and during other permitted special events.
 - Wheeler Athletic Complex
 - Concession area is usually open on league nights (Monday – Thursday from 6:00 p.m. to 10:00 p.m.) and on weekends for scheduled tournaments.
 - Park Point Recreation Area
 - Mobile food carts and mobile food vehicles are allowed to operate in the parking lot or at the base of the stairs at the Park Point Beach House. Gate access is required for operating near the Beach House. Contact the Parks Permit Coordinator for a gate key.
 - Hartley Park
 - Parking area is adjacent to the Hartley Nature Center – a city partner. The Hartley Nature Center uses this parking lot for programming and special events.
 - Hawk Ridge
 - Concession area is usually open from August 1 – October 31.
 - Soccer Complex at Arlington Avenue
 - Parking area is used exclusively by the Arrowhead Youth Soccer Association (AYSA) and is often full when there are games. The gate at Arlington Avenue is closed when there are no games.
 - Athletic Fields Complex at Jean Duluth Road
 - Concession area is usually open on game nights, Monday – Thursday from 5:00 p.m. to 10:00 p.m. and on weekends when there are tournaments.
 - Parking area is used exclusively by AYSA and the Duluth Eastern Little League and is often full when there are games.
 - Bayfront Festival Park is considered to be private property (not park property) for the purpose of peddler, mobile food cart, and mobile food vehicle licenses. The property is operated by the DECC (through a management agreement with the City of Duluth). Events at Bayfront Festival Park arrange for their own vendors. You will need to contact the event promoter directly if you wish to have a food cart or food vehicle at the park during an event. A listing of these events can be found at: www.bayfrontfestivalpark.com.
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- ❖ Mobile food carts and mobile food vehicles may not travel or operate on the Lakewalk, Baywalk, Cross City Trail, or any other paved city trail at any time.

 - ❖ The vendor must observe users in a park to determine whether a permitted event is occurring. Most events have a staging area with tents, equipment, etc. and large numbers of people, so the vendor should be able to easily identify an event. A “permitted event” is defined as both special events (concerts, movies, walks/races, etc.) and weddings. This would not include picnic permits.

- ❖ There will not be reservations for a food cart or vehicle to use a park. It will be on a first-come basis. Operators will have to be self-regulating. Exceptions to this policy are at Gichi-ode' Akiing and Park Point Rec Area, where Parks & Recreation has a food truck schedule and registration is required.
- ❖ Operators are responsible for cleanup and trash removal generated by their operation in the immediate area. Operators must provide waste containers for customer use and for their removal. Operators must provide for recycling if any items sold can be recycled (such as plastic bottles and aluminum cans).
- ❖ Glass bottles are not allowed in parks (Duluth City Code §35-8(i)).
- ❖ Mobile food carts or mobile food vehicles must park in the parking lot and must not impede normal traffic flow.
- ❖ Mobile food carts and mobile food vehicles may not park on the grass or pathways.
- ❖ Mobile food vehicles must park 400 feet away from a permitted event if they do not have permission to be part of the event.
- ❖ Mobile food cart or mobile food vehicles found operating without a license or in areas not designated in the list above will be subject to disciplinary measures including but not limited to administrative fines, license suspension, and/or license revocation.
- ❖ Mobile food carts or mobile food vehicle operators will be assessed for all damages or additional services required as a result of their operations within a park, including trash cleanup.
- ❖ Mobile food carts or mobile food vehicles operating within a park without a license or in areas where food carts/vehicles are not allowed are subject to disciplinary action, including but not limited to, administrative fines, license suspension and/or revocation.
- ❖ The Parks & Recreation guidelines/rules will be reviewed annually and, if necessary, revised before new licenses are issued.
- ❖ Operators are only allowed in parking lots during park hours of 6:00 a.m. to 10:00 p.m.