



Town of Apple Valley Mobile Food Facilities Application



FOR TOWN USE ONLY

Date Submitted: _____ Case No.: _____ Received By: _____
 Planning Fee: _____ Other Fees: _____ Case Planner: _____

FEES

Planning:

Mobile Food Facility Permit *(Per Truck/Annual)* \$95
 Home Occupation Permit *(If residence is in town)* \$109

Finance

Town of Apple Valley Business License \$54
(Annual fee)

Applicant is responsible for obtaining all permits, as required, by the Planning Division.

NOTE: To guarantee a timely review process, this application and all required materials must be submitted a minimum of Thirty (30) days prior to service.

Please type or print legibly in ink

PROJECT ADDRESS/LOCATION _____

MOBILE FOOD FACILITY INFORMATION

Type/Name of facility _____
 Location of facility: _____
 Hours/time of operation: _____
 Number of persons expected per day: _____ Number of employees _____
 Company, Policy Number, Agency and Amount of Liability Insurance (submit certificate of insurance naming Town of Apple Valley as additional insured): _____

APPLICANT INFORMATION

Property Owner _____ Telephone _____
 Address _____ City _____ State _____ Zip _____
Applicant _____ Phone _____
 Address _____ City _____ State _____ Zip _____
 Telephone _____ Fax _____ Email _____

PROPERTY INFORMATION

Assessor's Parcel No.(s) _____ Property Size: _____
 General Plan Designation _____ Zoning _____

DEFINITION OF MOBILE FOOD FACILITY (MFF)

A Mobile Food Facility (MFFs) is a truck-like vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed for public consumption. Catering trucks (from which pre-packaged food is sold) and hot food trucks (on which the food is prepared and then sold) and Ice Cream vehicles are MFFs.

MATERIALS REQUIRED:

- Documentation from the County of San Bernardino Division of Environmental Health Services (DEHS) approval.
- Completed and signed application form.
- Completed and signed applicant responsibility sheet.
- Written permission of the property owner to conduct the described event.
- One (1) set of a dimensioned site plan showing the location of the Mobile Food Facility, parking, and the location and dimensions of all existing and proposed structures.
- Town of Apple Valley Business License.
- Town of Apple Valley Home Occupation Permit if residence is within town limits.
- One (1) copy of your California Sales Tax Permit and a completed Local Tax Allocation for Temporary Sales Form (attached).
- One (1) copy of your current California DMV registration for proposed Mobile Food Facility.
- One (1) copy of a minimum \$1,000,000 certificate of liability insurance, or as amended by the Town Risk Manager, naming the Town of Apple Valley as additional insured, and/or an indemnity/performance bond.



Certification

I hereby certify that the statements furnished above and the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date _____

Signature _____

Print _____



OWNER'S AUTHORIZATION AND AFFIDAVIT

I am/We are the legal owner(s) of said property and do hereby certify that all the foregoing information is true and correct and recognize that if any information proves to be false or incorrect the Town shall be released from any liability incurred and any permits or approvals may be null and void.

Printed Name(s) of Legal Owner(s) _____ Date _____

_____ Date _____

Signature(s) _____ Date _____

_____ Date _____

This will serve to notify you and verify that I am/we are the legal owner(s) of the property described in the project application and do hereby authorize the listed representative to file this and represent my/our interest in the application.

Signature _____

(A Letter of Authorization form may be submitted in lieu of the legal owner's signature.)

Signature of Representative _____ Date _____



Town of Apple Valley Conditions of Approval



PLANNING DIVISION:

Please note: *Herewith failure to comply with a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve or alleviate the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval:

1. Permit Required:

- A.** Except as otherwise provided by the Municipal Code or state or federal law, no person or entity shall advertise, conduct, maintain, operate, or provide admission for any MFFs within the incorporated areas of the Town without possessing an unexpired, unsuspended, and unrevoked MFFs permit from the Community Development Director/or designee.
- B.** Zoning compliance decal, business license, and County health permit must be displayed during hours of operation.
- C.** The zoning permit(s) issued for the MFFs vendor's (the annual permit held by vendor and/or the permit held by the owner of the zoning lot) may be revoked if the Community Development Director determines the MFFs prepared food vendor's operations are causing parking, traffic congestion, noise, or litter problems either on or on adjacent properties.

2. Closure if no Permit:

- A.** MFFs conducted without the required permit is subject to closure at any time during the business operations. It shall be the responsibility of the applicant to have the permit approval letter on-site during the business hours. The applicant, business owner, and/or landowner may be liable for the costs of the agencies participating in the closure of the business.

3. Business License and Permit:

- A.** The MFFs vendors shall comply with all local, county and state retail sales tax regulation, including food and beverage tax regulations.
- B.** An annual Mobile Food Vehicle and Business License permits shall be obtained from the Town.
- C.** Permitting license can be revoked per violation of the Municipal and Development Codes and other related County health and safety Code issues.
- D.** Coordinated complaint response and enforcement of regulations for MFFs truck operations is within the jurisdiction of the County of San Bernardino Division of Environmental Health Services (DEHS) would remain responsible for investigation and resolution of health related issues; The Town is responsible for investigation and resolution of alleged violation of local safety regulations).

4. Fees, Bonding, and Insurance:

- A.** All estimated total fees and charges shall be deposited by the applicant with the affected department(s) at least 30 days before the scheduled occurrence of the MFFs.
- B.** The applicant may be required to provide sufficient liability insurance naming the Town as an additional named insured. The insurance shall be sufficient to protect, defend, and indemnify the Town, its agents, employees, officers, servants, and volunteers from and against any claim, damage, injury, liability, and loss of any nature arising out of, or in any way connected to, the MFFs. The amount, quality, and type of the insurance shall be determined in compliance with the policy established by the Risk Management Department. The Town may require a bond to be posted before the MFFs to ensure that all conditions are met, including the cleanup and restoration of landscape.

Please note: *The case planner will check next to the Conditions that are applicable to your business.*

5. CONTENT AND COMPLIANCE CRITERIA OF STATIONARY MFFs

The applicant shall supply a site plan application and other related information to the Planning Department may reasonably require based upon the location, intensity, and level of services required for each proposed MFFs. The applicant must show, provide and comply with the following criteria:

- 1. One MFFs truck per permit.
- 2. Operate only on the property for which the permit is granted.
- 3. Notation of land uses must be depicted on the site plan as well as adjacent properties.
- 4. Facility shall be operated within 200 feet travel distance of an approved and readily available toilet and hand washing facility.
- 5. Site lighting must be provided for safety purposes and spot lights are not permitted, and lighting must not impact adjacent property owners.
- 6. Fire protection, including location of fire hydrants and supplemental water sources.
- 7. Medical/first aid facilities to be provided on site.
- 8. MFFs vendors shall not operate the vehicle as a drive-in window business.
- 9. Only a menu board sign on the vehicle is permitted and no portable or other display signs and similar like advertising are permissible.
- 10. No outdoor seating and tables shall be provided on site.
- 11. The MFFs must have a Town approved annual sticker visibly displayed prominently on the vehicle.
- 12. Any sale of alcohol must have approval from the Alcohol and Beverage Control (ABC);
- 13. No MFFs are permitted on a vacant unimproved lot.
- 14. The noise level from the food truck motor and generator must comply with the Town's Noise Ordinance.
- 15. Any damaged landscaping shall require immediate restoration.
- 16. Additional and reasonable criteria could also be applicable pertaining to any public health and safety issues.

A. TRAFFIC REGULATIONS

- 1. No ingress/egress shall be blocked or impeded.
- 2. No onsite required parking for the existing primary existing use or uses shall be used for the MFFs operation.
- 3. At least five (5) parking spaces adjacent to the MFF must be provided for customers.

B. SAFETY AND UTILITIES

1. MFFs vendors shall provide documentation of San Bernardino County Division of Environmental Health services approval.
2. A temporary connection to potable water is prohibited.
3. Grease shall be disposed of in a grease trap at an existing restaurant, commissary or food preparation facility (not disposed in a dumpster or storm drains).

6. MFFs AT CONSTRUCTION SITES AND ICE CREAM TRUCKS

MFFs are permitted to operate in the Town on an annual basis at "construction sites" located in residential, commercial, office professional and industrial districts. This also includes "ice cream truck routes" located in residential areas.

Applicant(s) must comply with provisions contained in paragraph 5 (above, with the exception of conditions 4 and 5) and the applicant must show, provide and comply, with the following criteria for MFFs:

1. One MFF truck per permit.
2. Operate at construction sites within residential, commercial, office professional, and industrial zoning districts.
3. Ice cream trucks are only permitted in approved routes within residential zoning districts.
4. Operate during normal business hours (24-7 hour operation is not permitted).
5. Facility must not exceed noise levels permissible within residential, commercial professional office and industrial zoning districts.
6. Medical/first aid facilities to be provide.
7. Any damaged landscaping shall require immediate restoration.
8. MFFs vendors shall not operate the vehicle as a drive-in window business.
9. Only a menu board sign on the vehicle is permitted, and no portable or other display signs and similar like advertising is permissible.
10. No outdoor seating and tables shall be provided on site.
11. The MFFs must have a Town approved annual sticker visibly displayed prominently on the vehicle.
12. Any sale of alcohol must have approval from the Alcohol and Beverage Control (ABC); and
13. A request to play or broadcast music from ice cream trucks must be in compliance with Development Code noise regulations as permitted within the residential districts.
14. Additional and reasonable criteria could also be applicable pertaining to any public health and safety issues.

A. TRAFFIC REGULATIONS

1. No ingress/egress shall be blocked or impeded; and
2. No ice cream truck shall park in the travel lane on any residential street to conduct business.

7. Suspension and Revocation of Permit:

- A.** A permit may be suspended or revoked to protect the public health, safety and welfare, as well as the rights to due process of permit holders per the Community Development Director.
- B.** Any decision by the Community Development Director to revoke the permit or to amend the permit can be appealed per Development Code 979.030 C.

-END OF CONDITIONS-

Sign here that you have read and agreed to the above referenced "*Mobile Food Facilities Conditions of Approval*"

Applicant Signature _____ **Date** _____

Print Name _____ **Date** _____

FOR TOWN USE ONLY

Approved by _____ **Date** _____
Planning Division