

**Permit period: July 1 to June 30**

You will find the following documents included in this packet:

- Mobile Food Vendor Application
- Altoona Municipal Code:
  - Chapter 5.20: Mobile and Temporary Food Vendors
  - Chapter 3.08: Fees and Fee Schedule
- Maps of areas within the City where Mobile Food Vendors may operate

Questions: Please contact the Clerk’s office at [cityhall@ci.altoona.wi.us](mailto:cityhall@ci.altoona.wi.us) or 715-839-6092.

A complete application packet for submittal to the City of Altoona will include the following:

1.	Completed City of Altoona Mobile Food Vendor Application	
2.	Photo ID or other acceptable picture proof of identification	
3.	Copy of food and beverage license issued by the Eau Claire City-County Health Department, the State of Wisconsin, or another agency with jurisdiction.	
4.	Copy of Certificate of Liability Insurance with minimum coverage of: <ul style="list-style-type: none"> <li>a. Mobile Food Establishment - \$1,000,000</li> <li>b. Mobile sidewalk cart - \$250,000</li> </ul>	
5.	Written permission from private property owner, if applicable.	
6.	Inspection report from the Altoona Fire Department. To arrange an inspection appointment, please contact Dave Daken, Assistant Chief/Fire Inspector at 715-318-5856 or via email at <a href="mailto:ddaken@altoona-wi.gov">ddaken@altoona-wi.gov</a> .	
7.	Payment of applicable fee: <ul style="list-style-type: none"> <li>a. Mobile Food Establishment base fee: \$25.00</li> <li>b. Mobile Sidewalk Cart base fee: \$25.00</li> <li>c. River Prairie Access: \$25 base fee + \$100.00 = \$125.00</li> </ul>	
8.	Please submit your application, attachments, and fee to the Clerk’s office at: Altoona City Hall, 1303 Lynn Ave, Altoona, WI 54720	

**\$25.00 - Base Fee** valid July 1 - June 30

**\$125.00 - River Prairie Access** (\$100.00 + \$25.00 Base Fee)

Date Paid: \_\_\_\_\_ Cash  Credit Card  Check # \_\_\_\_\_

Receipt # \_\_\_\_\_ Acct Code 100-00-44156-000

**PLEASE PRINT CLEARLY. THANK YOU.**

**Type of License**     Annual Base License - \$25.00     Annual Base License + River Prairie Access - \$125.00

**APPLICANT INFORMATION**

**First Name** (must match ID)    **Middle Name** (must match ID)    **Last Name** (must match ID)    **Male**   
**Female**

**Email Address**    **Telephone No.**

**Street Address of Where You Live**    **City**    **State**    **Zip**

**Date of Birth**    **Driver's License or ID #**    **DL State**    **DL Expiration**    **Social Security # (last 4 digits)**

**Height**    **Weight**    **Hair Color**    **Eye Color**

**Have you violated any laws?**     NO     Yes: What state(s) have you violated laws in?

**LIST ALL PAST VIOLATIONS** If you need more room, please use a separate sheet of paper, and attach hereto.

Year _____	Nature of Offense _____	Year _____	Nature of Offense _____
Year _____	Nature of Offense _____	Year _____	Nature of Offense _____

**LIST ANY CURRENT PENDING CRIMINAL VIOLATIONS**

Year _____	Nature of Offense _____	Year _____	Nature of Offense _____
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**Are you currently on probation or parole?**     No     Yes > *Agent's name and phone #*

**Have you ever used a different name or changed your name?**     NO     YES, list ALL other names here:

**Have you ever been contacted by any consumer protection agency?**     NO     YES

**Did you attach a copy of your driver's license or photo ID to this application?**     NO     YES  **Your application cannot be processed at this time**

**BUSINESS INFORMATION**

**Business Name**

**Website Address**    **Business Telephone No**

**Street Address of Your Business is Located**    **City**    **State**    **Zip**

**Business Owner's Name**    **Business Owner's Address**    **Business Owner's Telephone No**

**Do you have a mobile food vendor base of operation?**     NO     YES If yes, please provide the location in the space below.

**List goods and/or services offered and method of delivery**

**BUSINESS INFORMATION (continued)**

<b>Type of Vending Unit</b>	<input type="checkbox"/> Food Trailer	<input type="checkbox"/> Food Truck	<input type="checkbox"/> Ice Cream Truck	<input type="checkbox"/> Sidewalk Cart
	<input type="checkbox"/> Stand	<input type="checkbox"/> Booth	<input type="checkbox"/> Tent	

Vehicle Information				
Make	Model	Year	License Plate #	State
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

List the name, location, and dates of the last three cities where a municipal license was required where you conducted business:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NOTE Parking is operated on a first come, first served basis. Because of this you may find parking spaces occupied by non-vendors.**

List the specific locations, times, and days you would like to vend within the City of Altoona

\_\_\_\_\_

\_\_\_\_\_

Did you attach a copy of your Certificate of Liability Insurance? \$1,000,000 - mobile food establishment   \$250,000 - mobile sidewalk cart	<input type="checkbox"/> NO  <b>Your application cannot be processed at this time</b>
	<input type="checkbox"/> YES

Did you attach a copy of a valid food and beverage license issued by the Eau Claire City-County Health Department, the State of Wisconsin, or another agency with jurisdiction?	<input type="checkbox"/> NO  <b>Your application cannot be processed at this time</b>
	<input type="checkbox"/> YES

If operating on private property, have you attached written permission from the property owner?	<input type="checkbox"/> NO  <b>Your application cannot be processed at this time</b>
	<input type="checkbox"/> YES

A passing inspection report from the Altoona Fire Department is required before a license can be issued. Please contact Dave Daken, Assistant Chief/Fire Inspector at 715-514-7035 or ddaken@altoona-wi.gov to schedule an appointment. Please record your appointment information here >>>>>>	Fire Inspection Appointment	
	Date	Time
	_____	_____

**APPLICANT'S STATEMENT**

I appoint the City Clerk or his/her agent to accept services of process in any civil action brought against me arising out of any sale or service performed by me in connection with my mobile food vending activities in the event I cannot, after reasonable effort, be served personally.

I hereby certify that the answers on this application are true and correct to the best of my knowledge. I agree, in the consideration of the granting of this license, to comply with the laws of the State of Wisconsin, and the provisions of the Municipal Code of Ordinances of the City of Altoona, Wisconsin.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

**STAFF USE ONLY**

Fire Department	Police Department	Clerk's Office
Date _____ Staff Initials _____	Date _____ Staff Initials _____	Date _____ Staff Initials _____
Inspection Passed _____	Emailed to PD _____	Approved _____
Inspection Failed _____	Approved _____	Not Approved _____
	Not Approved _____	

## Chapter 5.20

### Mobile and Temporary Food Vendors

#### Sections:

5.20.010	Purpose and Authority
5.20.015	Scope
5.20.020	Definitions
5.20.030	Mobile Food Establishment Licensing Requirements
5.20.040	Mobile Food Establishments Operating at Special Events
5.20.050	Non-Profit Operators
5.20.060	Farm Stand Operators
5.20.070	General Operating Requirements
5.20.080	Penalties

#### 5.20.010 Purpose and Authority

The purpose of this ordinance is to regulate mobile and temporary food vending activities in order to protect public health, safety, and welfare, while accommodating commercial uses that generally promote an active and social pedestrian environment within appropriate areas of the City of Altoona. This ordinance is also written with specific consideration given to the continued successful operation of existing brick and mortar restaurant establishments in recognition of the investments they make, and tax revenue they generate within Altoona. The overall goal of this ordinance is to provide a business climate in Altoona that offers fair opportunities for both mobile food vending operations and permanent restaurants in order to provide residents and visitors with a variety of food options and a vibrant food scene in our community.

The Common Council carries out these purposes under its legislative authority and police power under Sec. 62.11(5), Wis. Stats. to regulate and license to protect the public's health, safety, and welfare. This ordinance is consistent with the holdings *La Crosse Rendering Works, Inc. v. City of La Crosse*, 231 Wis. 438 (1939) among others, given that vested or seemingly vested interests must yield to the good of the community, and the Common Council's power to establish standards against which human activity may be judged and to protect the health, safety, and welfare of the public. This ordinance shall apply to the extent indicated herein to pre-existing, already-licensed, or operating entities under the preceding version of Section 5.20 for ice cream and popcorn vendors.

#### 5.20.015 Scope

This Chapter shall apply to all mobile food establishments in the City of Altoona, regardless of whether mobile food establishments exist or are permitted before the adoption of this Chapter. Any mobile food vendor licensed under the repealed version of Chapter 5.20 shall be credited the cost of the first license applied for by then-existing license-holders when applying for a license consistent with this chapter.

#### 5.20.020 Definitions

A. "Ice cream truck" means a mobile food establishment that sells either frozen dessert servings that are prepackaged/enclosed in a wrapper or container having been manufactured, prepared or wrapped in a licensed food establishment or ice cream that is not pre-packaged.

B. "Licensee" means a mobile food vendor that holds a City of Altoona mobile food vendor license, a State of Wisconsin license, Eau Claire County license or a license from another authorized permitting jurisdiction.

C. "Mobile food establishment" means a restaurant or retail food establishment where food is served or sold from a mobile food truck, mobile food trailer, mobile sidewalk cart, or temporary food booth, tent or stand.

**D.** “Mobile food truck” means a vehicle specifically designed and used for cooking, keeping, storing or warming food or beverage which is for sale by a vendor, which may move under its own power.

**E.** “Mobile food trailer” means a trailer specifically designed and used for cooking, keeping, storing or warming food or beverage which are for sale by a vendor, which does not move under its own power, but may be towed by a vehicle.

**F.** “Mobile food vendor” means a vendor selling from a mobile food establishment.

**G.** “Mobile sidewalk cart” means a bicycle cart or a wheeled pushcart, specifically designed and used for keeping, storing, or warming food or beverage which are for sale by a vendor, which may be moved by one person without the assistance of a motor. Each sidewalk cart shall be non-motorized and capable of being moved and kept under control by one person.

**H.** “Temporary farm stand” means a booth, tent, or stand which exclusively sells non-processed raw agricultural products.

**I.** “Temporary food booth, tent, or stand” means a booth, tent, or stand vending unit which sells food or beverages.

### **5.20.030 Mobile Food Establishment Licensing Requirements**

**A. License Application.** Unless operating in conjunction with a permitted event (reference Section 5.20.040), each owner of a mobile food establishment that wishes to operate in the City of Altoona shall annually file an application for a City of Altoona mobile food vendor operator’s license with the city clerk or designee on forms provided by the City. Each applicant shall pay an established license fee before a license is issued. The owner must pass a background check conducted by the Altoona Police Department and if applicable, the owner must also pass a fire inspection conducted by the Altoona Fire Department as required by Ch. 101.14(2), Wis. Stats. prior to issuance of a permit. The background check and fire inspection fees shall be included in the cost of annual license. The application form provided shall require the following information from the applicant: (part Ord 6D-21, 2021)

1. Name, address and telephone number of the person, firm, association or corporation that owns the unit.

2. Birth date, height, weight, color of hair and eyes of the applicant.

3. The length of time for which the right to conduct business is desired.

4. Make, model and license number of any vehicle or trailer to be used in the operation.

5. A statement as to whether the applicant has been arrested or convicted of any crime or ordinance violation as well as the nature of each offense and the place of arrest or conviction, if applicable.

6. The location or locations from which the applicant desires to operate the unit.

7. A copy of the applicant’s valid food and beverage license issued by the State of Wisconsin, agent health department or other agency with jurisdiction.

8. A copy of the vendor’s proof of insurance as required by **5.20.070**.

9. A copy of written permission to operate on private property if applicable.

10. If applicable, the three jurisdictions where the applicant conducted business immediately preceding the application including identification of any licenses or permits required and the governmental entity that issued such license or permit.

11. The address of the mobile food vendor service base of operation and evidence of satisfactory inspection of the said service base.

12. A copy of any authorization required under 5.20.070.

13. At the time of filing the application, the applicant shall present a driver’s license or other acceptable picture proof of identification to the Clerk for examination

**B. License Approval Process.** Upon receipt of an application for a license, the clerk will coordinate a background check and will refer the application to the Chief of Police or his or her designee in order to complete an investigation of the statements made in such application. In addition, a fire inspection will be conducted by a City Fire Inspector on any applicable mobile vending unit as required by Ch. 101.14(2), Wis. Stats. Any such application will be processed within ten (10) business days. Upon

completion of the background check and fire inspection, the permit will be issued unless the City Clerk determines any of the following: (part ord 6D-21), 2021).

1. The circumstances of a pending criminal charge against the applicant substantially relate to the licensed activity.
2. The applicant has been convicted of any felony, misdemeanor or other offense, the circumstances of which substantially relate to the circumstances of the particular job or licensed activity.
3. The applicant made a false statement on the application.
4. The applicant is under eighteen (18) years old. Only applicable to operators of mobile food establishment vehicles due to CDL requirements.
5. The applicant is found to have unpaid civil judgment(s) which relates to the duties and responsibilities of the permitted occupation which shall be determined by the nature and the amount of the judgment, the relationship of the judgment to the purpose of the permit and the extent that the permit would allow someone to engage in further activity that would lead to unsatisfied civil judgments.
6. The applicant fails the fire inspection, if required. (part Ord 6D-21, 2021).
7. The application is incomplete.

**C. Appeal Process for Licensed Vendors.** Any decision of the city clerk or their designee with respect to the issuance or refusal to issue a permit or their revocation of a permit may be appealed to the city council by filing a letter of appeal stating the reasons for the appeal of such decision with the city clerk within five (5) working days of the date of issuance of the decision being appealed. The city council shall review the appeal and issue a final decision within thirty (30) working days of the date of the filing of the appeal.

**D. License Revocation or Suspension for Licensed Vendors.** A license may be suspended or revoked by the City Clerk, or the Chief of Police, if it is found at any time that the license holder made any material omission or materially inaccurate statements in the license application, if the license holder violates any provision of this article or any condition of permit issuance, if there are material and substantiated complaints related to the mobile food vendor or the operation thereof, or if the license holder is convicted of any crime or ordinance or statutory violation directly related to the licensed activity. Notice of suspension or revocation will be served on the applicant and will include a statement of the act(s) upon which the denial is based. The appeal process is addressed in Section **5.20.030 D**.

**E. Operational Requirements.** Operational requirements for all mobile food establishments shall be consistent with Section 5.20.070 of this ordinance.

#### **5.20.040 Mobile Food Establishments Operating at Special Events and Block Parties.**

Mobile food establishments are exempt from City licensing procedures set forth in this chapter if operating in conjunction with permitted special events and block parties provided the vendor is fully permitted through the Eau Claire County Health Department, the State of Wisconsin or other applicable permitting entity. However, non-profit operators and farm stand operators may also operate independent of special events and block parties without a City license subject to the provisions noted below. The City of Altoona may require that the special event and block party organizer submit a list of vendor operator names for the purpose of conducting background checks. If background checks or fire inspections are required, then the fee of the background checks or fire inspections shall be borne by the vendors. The fee is noted in the fee schedule in chapter 3.08 of the Altoona municipal code. (part Ord. 6D-21, 2021).

#### **5.20.050 Non-Profit Operators**

Non-profit group temporary food vendors are exempt from licensing procedures set forth in this chapter; provided, however, their operations are limited to three (3) non-consecutive days per licensing year.

Non-profit groups may operate on private property if granted permission, and, provided further, that public health, safety and welfare is not compromised, as determined in the City's sole and absolute discretion. Non-profit groups may vend in public places designated in this chapter subject to acquiring express written permission from the City, and further adhering to any conditions required by the City, which such conditions may address compensation for use of City property as well as limitations on hours

of operation and specific places of operation. Non-profits groups may also operate in conjunction with permitted special events.

#### **5.20.060 Farm Stand Operators**

Temporary farm stands are exempt from licensing procedures set forth in this chapter and may operate on private property if granted permission, and, provided further, public health, safety and welfare is not compromised, as determined in the City's sole and absolute discretion. Temporary farm stands may vend in public places designated in this chapter subject to acquiring express written permission from the City, and further adhering to any conditions required by the City, which such conditions may address compensation for use of City property as well as limitations on hours of operation and specific places of operation. Temporary farm stands may also operate in conjunction with permitted special events.

#### **5.20.070 General Operating Requirements**

##### **A. Operations**

1. The licensee or the licensee's employee or agent shall be present within the vending site during all times in which items are sold.
2. Vendor display of license and contact information:
  - a. Each license issued or required under this chapter shall be displayed in a conspicuous location which is visible to the public.
  - b. The licensee shall permanently and prominently paint on or affix to the mobile food vendor a sign no smaller than twelve inches by twelve inches (12 x 12) displaying contact information, at a minimum, the name, address, and telephone number of the licensee. Such required information shall substantially fill the entire minimum space described herein.
  - c. If operating on private property, the vendor must keep written permission from the property owner within the vending unit at all times.
  - d. Vendors exempt from licensing, including non-profit temporary food vendors and temporary farm stands, shall display contact information consistent with (b).
3. Temporary free-standing signs associated with mobile food vendors shall be prohibited unless allowed by sign permit.
4. No mobile food vendors shall use bells or lights, noise-makers, including music, to attract customers. Ice cream/dessert vendors are exempt from this restriction. Any noise originating from a mobile food vendor operation shall comply with Chapter 9.36 of the Altoona Municipal Code at all times.
5. Mobile food vendors are prohibited from use of city water, electricity or other utilities in the course of its operations unless explicitly provided permission from the City of Altoona with an arrangement made for compensation.
6. Special event permitting of mobile food vendors shall take precedence over annual mobile food vendor permits with respect to location and duration of mobile food vendor operations, except as specifically described special event requirements of mobile food vendors provided herein.

**B. Required Insurance** Mobile food vendors required to obtain a City of Altoona operating permit shall provide proof of liability insurance for any single accident and for any property damage in the amount of \$250,000 for a mobile sidewalk cart or \$1,000,000.00 for any other mobile food vendor. Such liability insurance shall be in effect at all times the vendor is licensed in accordance with this section. A certificate of insurance for such coverage shall be delivered to the city clerk or designee prior to issuance of a license. If such insurance coverage is cancelled, not renewed, or changed, the insurer and licensee shall immediately provide notice to the city clerk or designee by certified mail. Failure to maintain such insurance may result in the suspension or revocation of the license.

##### **C. Vehicle Regulations**

1. Each mobile food vendor platform or vehicle shall be designed and constructed specifically for the purpose of vending the product or products to be vended.
2. Each mobile food vendor platform or vehicle shall have valid license plates and registration as required by Chapter 341, Wis. Stats.

3. Each mobile food vendor platform or vehicle shall be in compliance with all Federal, State and local laws or regulations which govern motor vehicles, including, but not limited to, vehicle size requirements.

4. Each mobile food vendor platform or vehicle shall be in safe, operable condition with no visible signs of rust or other deterioration.

**D. Garbage Requirements**

1. The licensee and his or her employee(s) shall be responsible at all times for the removal of all refuse resulting from his or her business or customers' use of his or her business. Such refuse shall be placed solely in the mobile food establishment's waste bins. All such containers shall be kept covered with a tight fitting lid. No mobile food establishment shall discharge any material onto the street, sidewalk, gutters, storm drain or the property of another, including, but not limited to, public property. Operators are responsible for ensuring that all waste is disposed of in accordance with city regulations and for maintaining all areas used for food vending and customer activity in a safe and clean condition.

2. Expect for mobile sidewalk carts, all stationary mobile food vendors shall deploy at least two (2) leak-proof, approximately thirty (30) gallon trash containers accessible to the public.

3. All mobile sidewalk carts shall be equipped with at least one (1) appropriately sized leak-proof garbage container.

**E. Specified Locations of Operation**

1. No mobile food vendor may conduct business at any City-owned or controlled location unless expressed permitted by the City of Altoona as described in this chapter.

2. All mobile food vendors shall be located on a paved surface at all times, unless expressly allowed or required.

3. All mobile food vendor business activity taking place in the public right-of-way shall be conducted from the curbside of the vehicle at all times, unless expressly approved by the City.

4. No mobile food vendor shall operate in a way that impedes pedestrian or vehicle circulation.

5. Mobile food vendor parking in designated City owned or controlled property will be allowed to be operated on a "first come, first served" basis within designated vending locations identified in this provision. Parking spaces may be occupied by non-vendors. Designated vending locations will be in effect at all times unless otherwise expressly approved by the City of Altoona or permitted in conjunction with a special event. Please refer to Appendix A of this ordinance for an illustration of the designated parking and operating spaces.

a. River Prairie:

1. Six (6) curbside parking spaces along the Community Plaza on Front Porch Place.

2. Mobile sidewalk carts may conduct business within the Community Plaza and sidewalks immediately adjacent to the Community Plaza.

b. Downtown (1300 block of Lynn Ave):

1. One (1) mobile food vendor may conduct business in either the designated parking spaces on the south side of the street in the 1300 block of Lynn Ave. or in the designated spaces within the Library/City Hall parking lot. At any given time, at most two (2) parking spaces may be occupied by a vendor in the parking lot.

2. Mobile sidewalk carts may conduct business on the sidewalk along the south side of the street in the 1300 block of Lynn Avenue.

c. City of Altoona Parks

1. Cinder City Park/Hobbs Center: Three (3) mobile food vendors may conduct business in designated parking area (14 spaces) on the west side of the Cinder City Park parking lot area. Each vendor is allotted two (2) parking spaces. At any given time, at most six (6) parking spaces may be occupied by vendors.

2. Devney City Park: One (1) mobile food vendor may conduct business in the designated parking spaces within the park parking lot. At any given time, at most two (2) parking spaces may be occupied by a vendor in the parking lot.

3. Altoona City Park (10<sup>th</sup> Street Park): Three (3) mobile food vendors may conduct business curbside in the designated parking area adjacent to the park on 9<sup>th</sup> Street or within spaces in designated



area (18 spaces) on the north side of Bartlett Ave. Each vendor is allotted two (2) parking spaces. At any given time, at most six (6) parking spaces may be occupied by vendors.

4. Mobile sidewalk carts may conduct business on sidewalks and paved paths within and along the perimeter of the parks as specified in Appendix A in this provision, provided all other conditions of this chapter are met.

5. Annually licensed mobile food vendors or temporary food vendor shall conduct business in designated park locations as specified in Appendix A. (Ord 1B-18, 2018)

**F. Distance Restriction from Restaurants Generally**

Mobile food vendors are prohibited from conducting business within two hundred (200) feet of a public entrance of any business which is a licensed or permitted restaurant by the Eau Claire City-County Health Department during the hours the subject business is open to the public, unless written permission is granted by the business. This provision does not apply within the designated River Prairie vending areas.

**G. Distance Restriction from Restaurants During Special Events**

During permitted special events, mobile food vendors may not operate within one hundred (100) feet of any business selling the same or similar type products unless written permission is granted by the business.

**H. Distance Restriction from Permitted Special Events**

Mobile food vendors shall not conduct business within five hundred (500) feet of any City of Altoona permitted special event unless the vendor has obtained written permission from the event organizer or permittee.

**I. Operating on Private Property**

Mobile food vendors shall be prohibited from conducting business on any private property without written permission from the property owner. A copy of the written permission shall be kept in the mobile food unit at all times if operating on property that is not personally owned by vendor. The mobile food vendor shall comply if asked to leave the private property by the property owner or a city official.

No more than two (2) annually licensed mobile food vendors or temporary food vendors shall be allowed to conduct business on a single private commercial or industrially zoned property, except in conjunction with a permitted special event. A conditional use permit may be granted for additional mobile food vendors to operate on a commercial or industrial property.

**J. Operating in Residential Zones**

Mobile food vendors are prohibited from operating in residentially zoned districts or residential property uses. Mobile ice cream/dessert vendors may conduct business within R-1, R-2, and R-3 residential zoned districts from the public right-of-way, while adhering to all other operational regulations of this chapter.

**K. Designated Hours of Operation**

1. Mobile food vendors may operate in designated locations/areas for the duration of designated times of operation and are not required to move during designated times of operation.

2. Day and time of operation restrictions shall be in effect for mobile food vendors in the following designated vending locations, unless operating in conjunction with permitted special events:

a. River Prairie:

1. Sunday through Thursday: 10 a.m. to 9 p.m.
2. Friday and Saturday: 7 a.m. to 10 p.m.

b. Downtown (1300 block of Lynn Ave):

1. Sunday through Thursday: 10 a.m. to 9 p.m.
2. Friday and Saturday: 7 a.m. to 10 p.m.

c. City of Altoona Parks, including Cinder City Park, Devney Park and Altoona City Park (10<sup>th</sup> St Park):

1. Sunday through Thursday: 10 a.m. to 9 p.m.
2. Friday and Saturday: 7 a.m. to 10 p.m.
3. Mobile food vendors may operate on private property between 7 a.m. and 3 a.m..

4. In addition to those times listed in (2) and (3) of this section, licensed ice cream/dessert vendors may operate from the public right-of-way within the R-1, R-2, and R-3 residential districts Monday through Sunday, 11 a.m. to a half hour before sunset but no later than 8 p.m. Ice cream / dessert vendors may not conduct business at a location longer than fifteen (15) continuous minutes in residential zoned districts, meaning the vendor must move not less than two hundred fifty (250) feet every fifteen (15) minutes.

5. Temporary Farm Stands may operate between 7 a.m. and 10 p.m.

6. Mobile food vendors may operate at a block party during approved hours of the event.

**L. Mobile Food Vendor Service Base Requirements**

Mobile food establishments licensed annually by the City, which serve prepared foods that are not pre-packaged shall have a licensed service base of operation consisting of an enclosed building of sufficient size to accommodate mobile units for servicing, cleaning, inspection and maintenance. Refer to the Eau Claire County Health Department for this determination.

1. Mobile food establishments that are licensed by the City and only vend individual prepackaged servings may not require a service base of operation. Refer to the Eau Claire County Health Department for this determination.

2. Mobile food establishments operating in conjunction with a permitted special event shall meet service base requirements as required by their respective permitting agency.

3. Mobile food establishments that are licensed by the City shall return to their service base not less than once in each twenty-four hours for servicing and maintenance and more often if necessary.

4. Service bases may be located within any zoning classification in the City of Altoona provided that the mobile food vendor conforms to all other provisions required by code, permit or ordinance, or unless otherwise specified within this ordinance.

5. Service bases located at a property classified as residential use in the City of Altoona:

a. Applicants wishing to locate their service base in a residential zone within the City of Altoona shall obtain a conditional use permit for this accessory use and conform to associated provisions of chapter 19.24.050 of the Altoona Municipal Code.

b. No more than one (1) mobile food establishment may be parked outdoors at a residential property at any given time and shall conform to appropriate parking requirements of that zoning classification.

c. Service bases and associated uses must be inspected by the City of Altoona Building Inspector in addition to any other agency with inspection jurisdiction.

d. Service bases must be built, maintained and inspected pursuant to commercial kitchen requirements.

e. Spaces used for food preparation and storage of all business related materials must be physically separated from dwelling by not less than an accessible door.

f. A separate exterior entrance directly into the service base must be provided; not less than two (2) entrances to the service base must be provided.

g. Service bases located within residential districts must specifically conform to the operational requirements of home occupations as described in Chapter 19.08 of the Altoona Municipal Code.

h. Deliveries to the residential address must take place between 7 a.m. and 7 p.m. so to prevent direct or indirect nuisance to neighbors or to the public.

i. All requirements herein are in addition to the requirements of the Eau Claire City-County Health Department and all other applicable state health and/or building codes.

6. Vendors may not offer other goods or services including retail vending at their residential address.

7. Vendors shall not park vending unit on-street if storing the unit at operator's residential address. Vending units must be parked in driveway of operator's residential address or in a garage.

8. Service bases need not be located in the city where the operation is located. (SS 9-103.11)

**5.20.080 Penalties**

A. The penalty for violation of this chapter shall be as provided in chapter 1.08 of the Altoona municipal code. (Ord 6A-16, 2016)

## Chapter 3.08

### FEES

#### Sections:

<b>3.08.010</b>	<b>Purpose.</b>
<b>3.08.020</b>	<b>Abbreviated Fee Schedule.</b>
<b>3.08.030</b>	<b>Review and Amendments.</b>
<b>3.08.040</b>	<b>Conflict of Provisions.</b>

#### **3.08.010 Purpose.**

The purpose of this Chapter is to provide efficiency, economy and uniformity in establishing and adjusting the fees charged by the City of Altoona as enumerated throughout the City of Altoona's Code of Ordinances into one abbreviated schedule.

#### **3.08.020 Abbreviated Fee Schedule.**

The fees set forth in the Fee Schedule appended to this Chapter as Addendum "A" have been adopted by the Common Council for the City of Altoona.

#### **3.08.030 Review and Amendments.**

The fees set forth in Addendum "A" to this Chapter may be added to or amended from time to time by adoption of an Ordinance. In addition, the Common Council shall review the Fee Schedule on at least an annual basis for the purposes of adjusting and updating the fees charged by the City, and any amendments or additions thereto may be made by Resolution of the Common Council. (Addendum "A" was revised. (Ord. 9A-15, 2015, 8A-15, 6A-15, 1A-15, 8F-14, 5C-13, 1B-12, 2012, 2D-11, 2011, Ord 2A-09, 2009, Ord 3H-08, 2008, Ord 12H-06, 2006, Ord 12F-06, 2006, Ord 1A-04, 2004, Ord. 4C-02, 2002))

#### **3.08.040 Conflict of Provisions.**

The fees set forth in the Fee Schedule attached as Addendum "A" shall supersede any fee established elsewhere in the City of Altoona's Code of Ordinances for the same charges. If a fee is set forth elsewhere in the City of Altoona's Code of Ordinances, and there is no corresponding fee set forth in the attached Fee Schedule, the fee set forth elsewhere in the Code of Ordinances shall control until such time as a fee for the same charge is established in the Fee Schedule. (Ord. 12C-99, 1999)

### ADDENDUM "A"

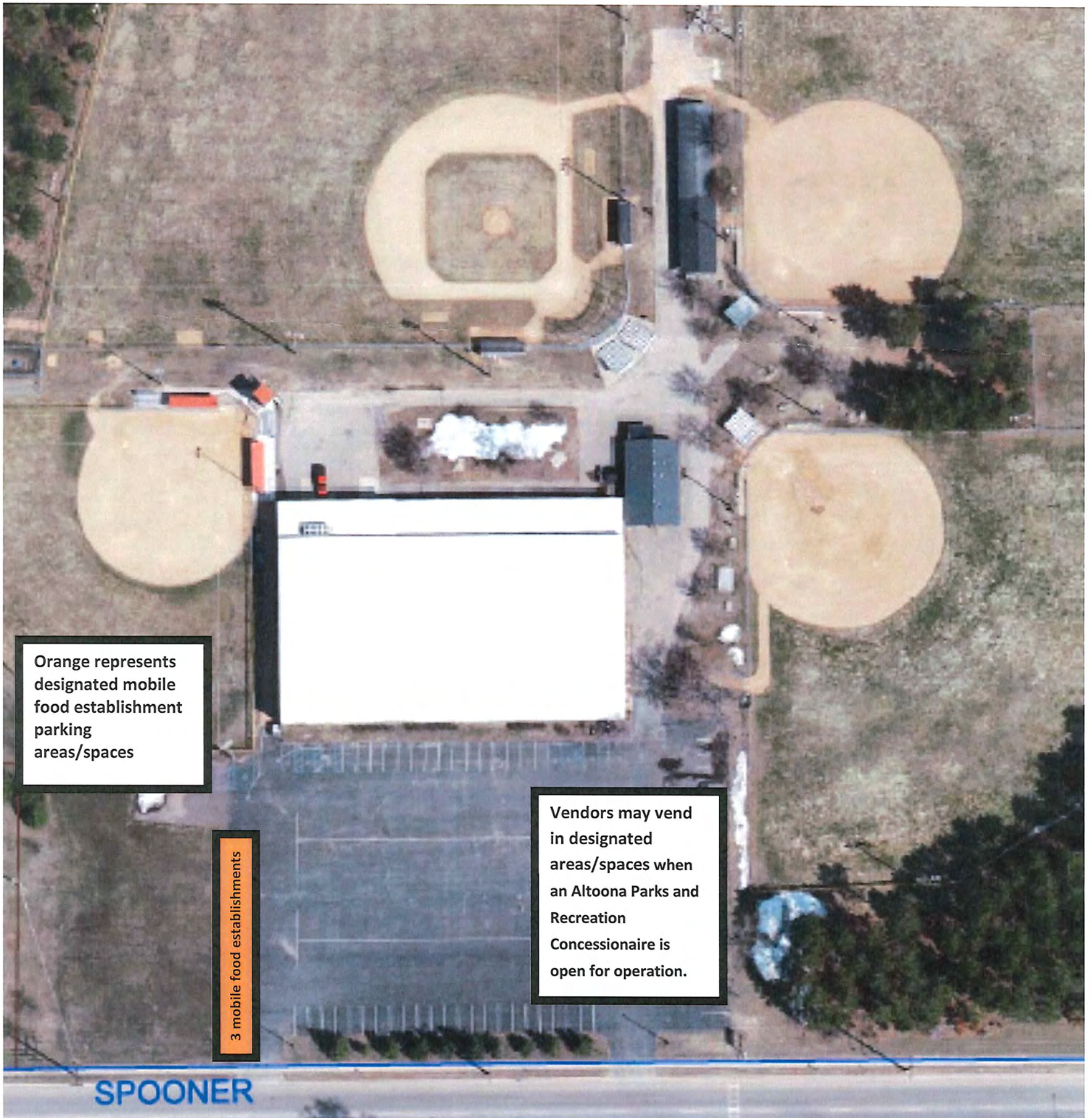
Updated June 24, 2021

<b>Chapter</b>	<b>Type of Fee, Permit or License</b>	<b>Fee</b>
5.20.030	-Mobile Food Establishment Base ~ Annual	\$25
5.20.030	-Mobile Sidewalk Cart Base License ~ Annual	\$25
5.20.030	-River Prairie Vendor Access License- Annual	Base License + \$100



# APPENDIX A

## CINDER CITY PARK



Orange represents designated mobile food establishment parking areas/spaces

3 mobile food establishments

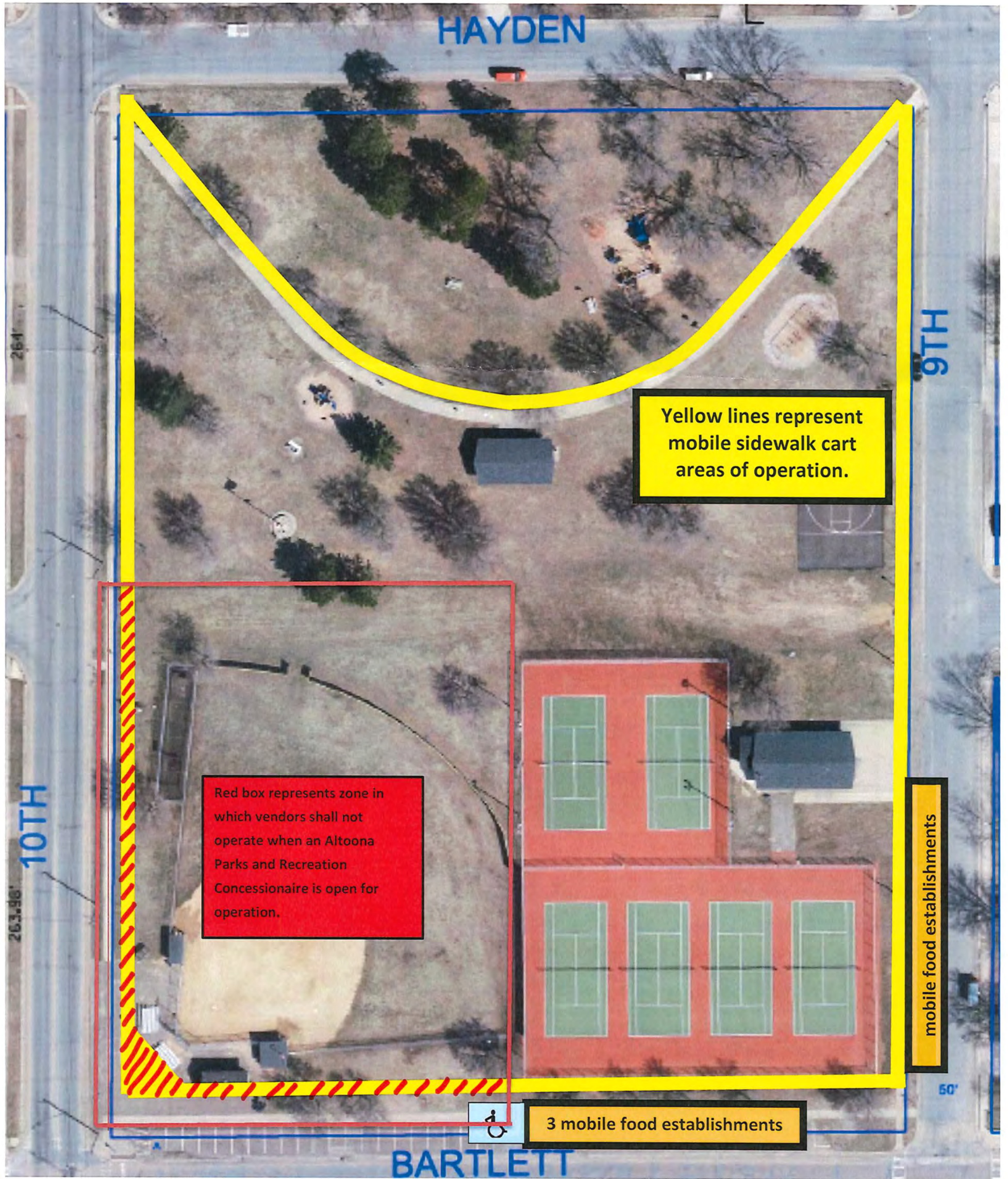
Vendors may vend in designated areas/spaces when an Altoona Parks and Recreation Concessionaire is open for operation.

SPOONER



# APPENDIX A

## 10<sup>TH</sup> STREET PARK



Yellow lines represent mobile sidewalk cart areas of operation.

Red box represents zone in which vendors shall not operate when an Altoona Parks and Recreation Concessionaire is open for operation.

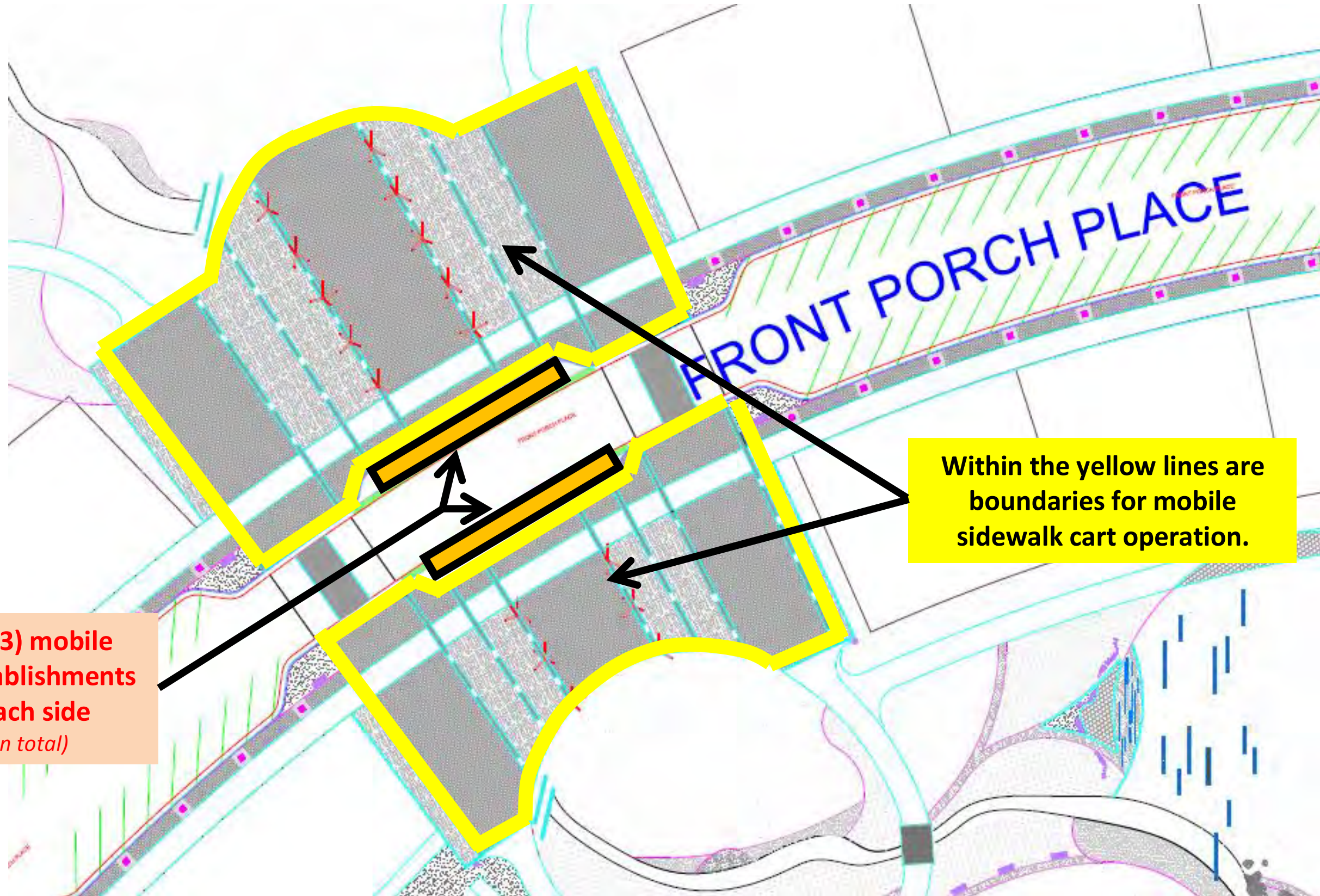
mobile food establishments

3 mobile food establishments





# APPENDIX A | The Plaza @ River Prairie

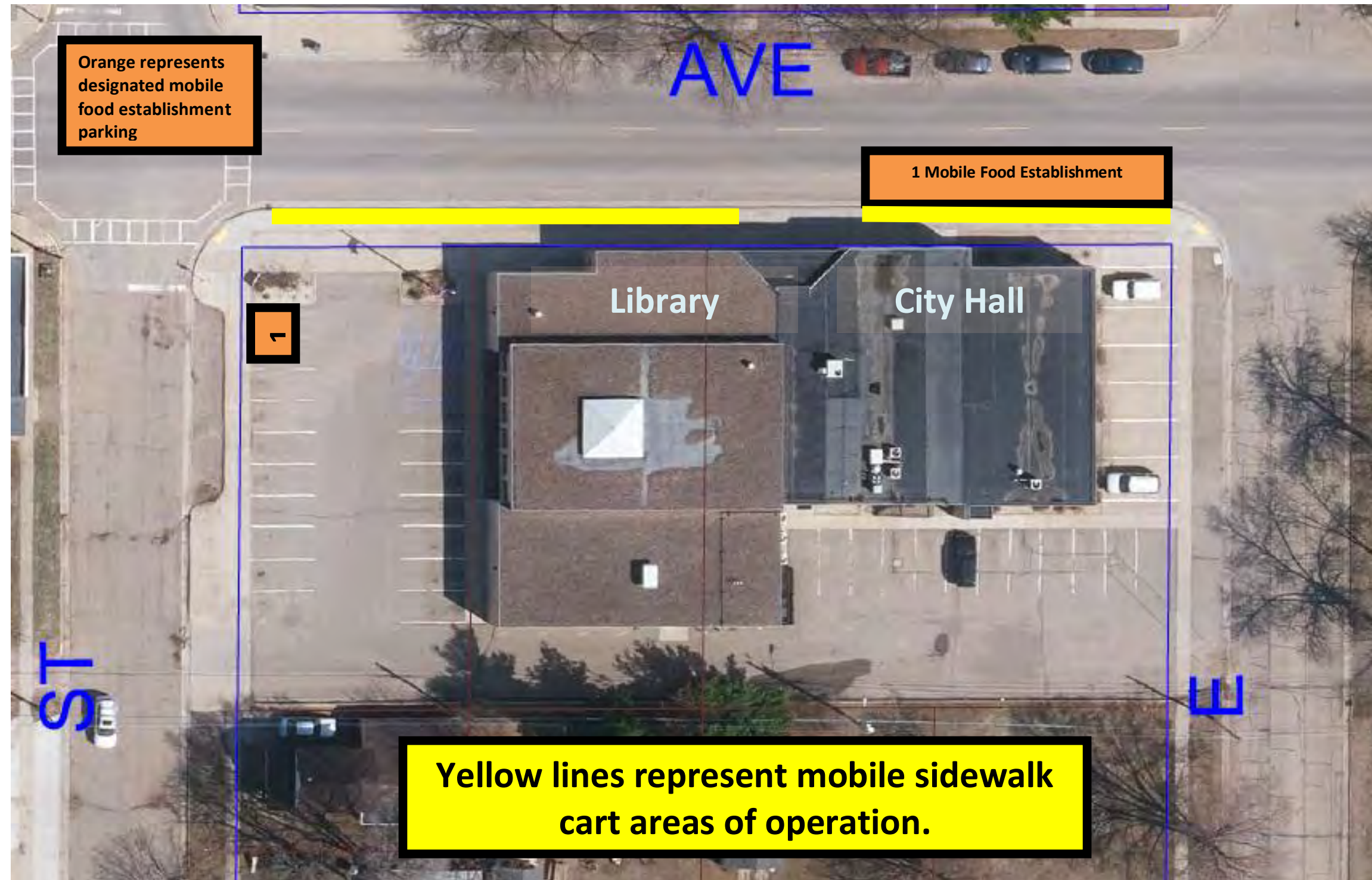


Within the yellow lines are boundaries for mobile sidewalk cart operation.

Three (3) mobile food establishments for each side (six in total)



# APPENDIX A | 1303 Lynn Ave



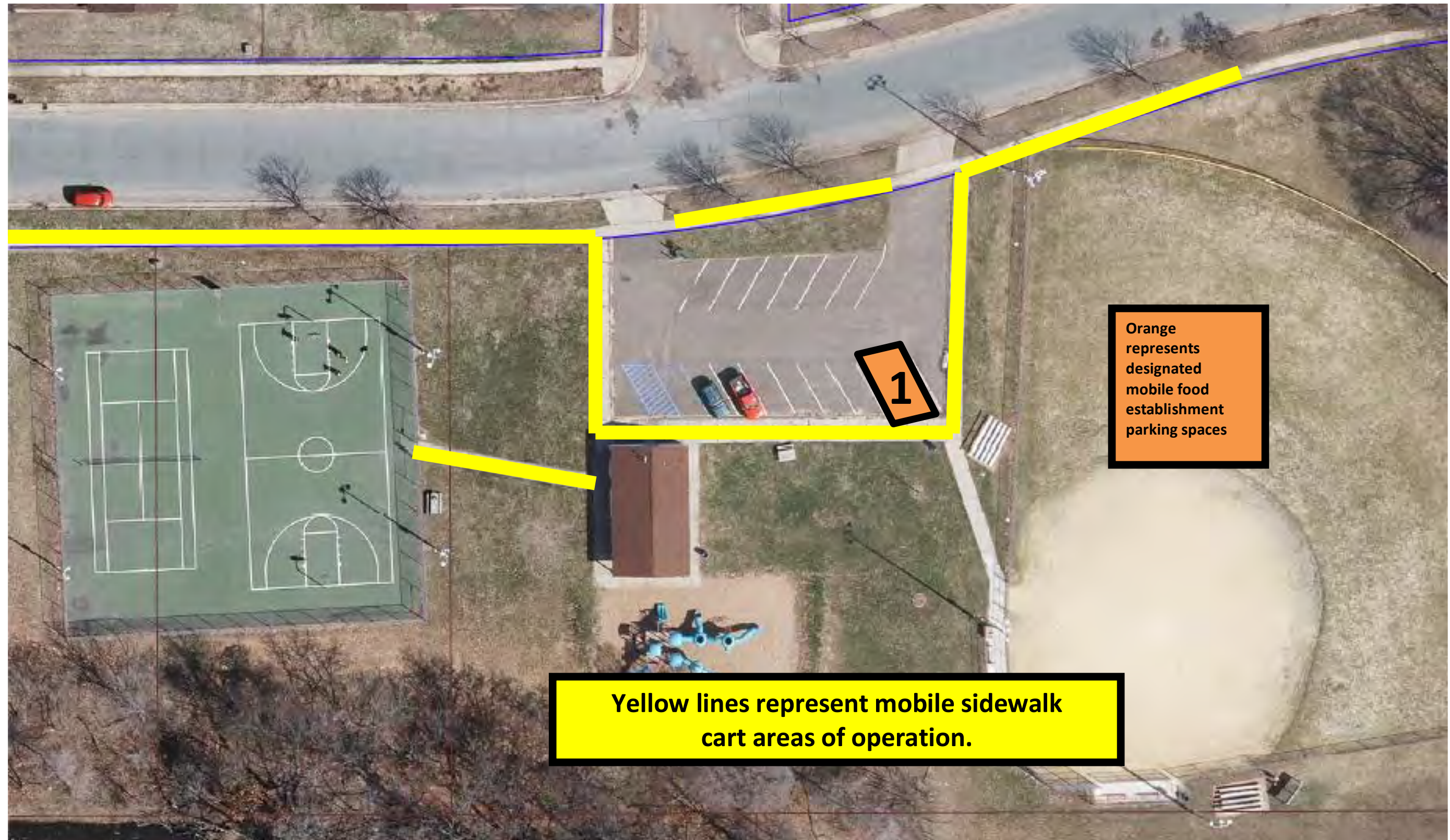
Orange represents designated mobile food establishment parking

1 Mobile Food Establishment

Yellow lines represent mobile sidewalk cart areas of operation.



# APPENDIX A | Devney Park



Orange represents designated mobile food establishment parking spaces

Yellow lines represent mobile sidewalk cart areas of operation.

1