

City of Spearfish

Mobile Food and Beverage Vending User Guide

License Required

- It is illegal to operate a food truck or food cart in the City of Spearfish without being licensed by the City of Spearfish.
- All food truck and food cart operators must apply for a license on forms provided by the City of Spearfish finance office.
- The annual license fee is \$250.
- The license must be kept on the food and beverage vending vehicle at all time and available for viewing upon request by a City official.
- Licenses are **not** required when all of the following apply:
 - Mobile food and beverage vendors operating where a city approved special event permit has been issued, **and** with authorization from the special event sponsor, **and** if the vendor does not operate from any city public street, city sidewalk or city park at any other time other than the city approved special event.
 - Mobile food and beverage vendors that operate on public or private property for a one-time event lasting 3 calendar days per year or less, i.e. private parties/events, auctions, etc.
 - Caterers and food delivery services where food or beverage is prepared in a place other than the delivery vehicle.

Health, Safety, and Sanitation Requirements

- Mobile food and beverage vendors must:
 - Operate according to the minimum public health and food safety requirements determined by South Dakota Department of Health.
 - Comply with the fire safety requirements checklist as provided on the mobile food and beverage vending license.
 - Comply with the licensing requirements of the State of South Dakota including food, sales tax, and mobile food and beverage vending.
 - Provide a trash bin for public use and remove all garbage within twenty-five feet of any food truck or food cart.
 - Not broadcast loud noise that results in a nuisance to the surrounding properties.

Signs

- No signage is permitted except for what appears on the mobile food and beverage truck or cart.

Alcohol

- The distribution of alcoholic beverages is not permitted by mobile food and beverage vendors.

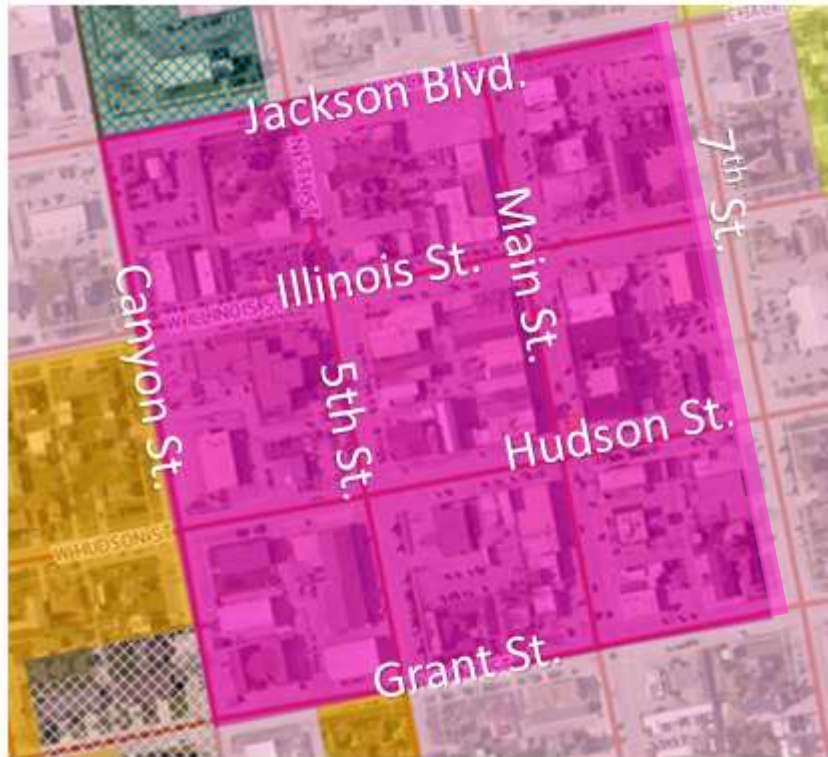
Locations Permitted

- On private property zoned commercial or industrial.
- Parked lawfully on a public street except where prohibited.
- Any parking lot that serves a City of Spearfish park, and they parking lot is owned by the City of Spearfish.

- On public sidewalks, only food carts are permitted. A clear space of four feet in any direction around the food cart must be provided on the public sidewalk.

Locations Prohibited

- Where vending activity is blocking access to a public street, alley, bike path, sidewalk, or access to an adjacent property.
- Vending from any diagonally striped parking space located between the south right of way line of Jackson Boulevard to the center line of Grant Street and the center lines of Canyon Street to 7th Street between the hours of 2AM and 10PM, as shown below.



Liability and Insurance

- Vendors operating from public streets and sidewalks or other city-owned property must maintain commercial general liability insurance with a limit of not less than one million dollars per occurrence and two million dollars general aggregate naming the City of Spearfish as an additional insured.
- A copy of the certificate of coverage must be provided to the City of Spearfish at all times while the license is in effect and notice to the City of Spearfish Finance Officer must be provided when coverage is terminated.

Violations and Revocation

- Licenses can be revoked by the Common Council for violation of any provisions of city code, state law, or city ordinance according to the following procedure:
 - Vendor will be provided with written notice that describes the nature of the violation and a timeline for correction.
 - If the correction is not completed within the time specified, the Common Council may revoke the license at a regularly scheduled City Council meeting.