



Application for Mobile Food Vendor License

LICENSE FEE: \$200.00 plus Investigation Fee(s)

The license shall be valid from April 1 through November 30 unless the Village Board approves alternative dates.
Hours of operation are Monday – Sunday between 6:00 am and 7:00 pm.

Vendors are allowed on the streets of **Miller Way, Village Drive, Sussex Road, North Corporate Circle, South Corporate Circle, Executive Drive (between North Corporate Cir. and South Corporate Cir.)**, on private property with written permission and as allowed by the Park and Recreation Department for the Farmers Market and Special Events. The licensee may not be located on one street or one private property lot for more than 4 hours within a 24 hour period. This time restriction does not apply to Park and Recreation Department authorized licenses for the Farmers Market or Special Events.

BUSINESS INFORMATION

Business Name _____ WI Seller's Permit No. _____

Street _____

City _____ State _____ Zip Code _____

Contact Name _____ Email _____ Phone _____

APPLICANT INFORMATION

Name _____ Email _____ Phone _____

Street _____

City _____ State _____ Zip Code _____

Date of Birth _____ Driver's License/State ID No. _____

VEHICLE DESCRIPTION

Make _____ Model _____ Color _____ Year _____ License Plate No. _____

FOOD VENDOR INFORMATION

Nature of business and brief description of the type of food products to be sold:

Address or location from which business will be conducted: _____

Date(s) of Operation _____ Time(s) of Operation _____

Most recent municipalities where applicant conducted business: _____

Have you ever been convicted of any crime or ordinance violation related to food peddler or transient merchant business within the last five years? _____

If yes, list the nature of the offense: _____

LIST OF EMPLOYEES (Please include a *Release of Information Authorization* form for each employee listed.)

As the employer of individuals whose names are listed on this application, I accept the responsibilities imposed by State Law for the acts of my employees. (Initial) _____

SIGNATURE

The applicant agrees to comply with Municipal Ordinances and with the conditions of the license, understands that the issuance of the license creates no legal liability, express or implied, on the Department or Municipality and certifies that all the above information is true and correct. *I understand that all fees are non-refundable.*

Signature of Applicant

Date

APPLICATION ATTACHMENTS

- Submit a copy of a passing mobile food truck inspection report from the Waukesha County Environmental Health Division (262-896-8300) or the Department of Agriculture, Trade & Consumer Protection (DATCP).
- Submit a copy of a passing vehicle inspection report from the Sussex Fire Department (262-246-5220).
- Submit a Mobile Food Vendor plan addressing sanitation and pedestrian/traffic safety including the standards outlined in Chapter 4.035 of the Municipal Code of the Village of Sussex. (attached)
- Submit a copy of Certificate of Liability Insurance. (The Village of Sussex must be named as an additional insured if selling at the Farmer's Market, at Special Events or on village property.)
- Submit a copy of WI Seller's Permit
- If operating on private property, submit a copy of written permission from the property owner.
- If operating at Farmer's Market or Special Events, submit a copy of written permission from the Sussex Park and Recreation Department.

Village of Sussex
 Email: info@villagesussex.org
 N64W23760 Main Street, Sussex WI 53089
 Phone 262-246-5200 Fax 262-246-5222

For Office Use Only – PLU 128

New	Village Board Action: Approved Denied	Date _____
Renewal	Village Administrator's Approval _____	Date _____
License Fee _____	Investigation Fee _____ Total Fee _____	License # _____

Sussex Municipal Code
Chapter 4.035
Mobile Food Vendor

(1) DEFINITIONS.

(A) "Mobile Food Vendor" or "Vendor" means the owner, owner's agent or employee of a mobile food establishment within the Village of Sussex.

(B) "Mobile Food Establishment" means a restaurant or retail food establishment where food is served or sold from a vehicle, trailer, cart, or similar portable device which may or should be capable of periodically changing locations. This Ordinance does not intend to regulate home delivery of food or beverage items, nor temporary food/product stands, which may be regulated by a peddlers permit, outdoor establishment permit or by other Village codes.

(C) "Food" means all articles used for food, non-alcoholic drink or condiment including ice or water used by humans whether simple, mixed or compound and articles used or intended for use as ingredients in the composition or preparation thereof.

(2) LICENSE REQUIRED.

(A) No Mobile Food Vendor shall serve or sell any food whatsoever in the Village of Sussex without first obtaining an approved license from the Village Board.

(B) All Vendors shall be licensed for such use by the Waukesha County Health Department and all other applicable agencies. Mobile food vendors shall acquire the appropriate licenses and permits for any additional food items not required under this subchapter if deemed necessary by the Waukesha County Health Department.

(C) A license shall be applied for annually. A permit, when granted shall be displayed at all times at the mobile food establishment. The license shall be valid from April 1 through November 30 unless the Village Board approves alternative dates. All licenses shall expire on March 31 each year. Applications for renewals shall be handled in the same manner as original applications but may be approved by the Village Administrator or their designee.

(D) Vendors are allowed on the streets of Miller Way, Village Drive, Sussex Road, North Corporate Circle, South Corporate Circle, Executive Drive only in the area between North Corporate Circle and South Corporate Circle, on private property with written permission and as allowed by the Park and Recreation Department for the Farmers Market and Special Events. The licensee may not be located on one street or one private property lot for more than 4 hours within a 24 hour period. This time restriction does not apply to Park and Recreation Department authorized permits for the Farmers Market or Special Events.

(E) Operation. Mobile food vendors are allowed to operate in the Village Monday through Sunday between 6:00 a.m. and 7:00 p.m.

(F) A license shall be issued to a person or legal entity. A license shall not be transferable. A license is valid for one vehicle only and shall not be transferrable between vehicles.

(G) Any mobile food vendor shall fully and without haste comply with any order of a Sherriff's Officer of Fire Department officer to ensure the safety of the public. Failure to comply may result in suspension or revocation of the license and/or issuance of a citation as allowed by law.

(H) The number of licenses allowed to be issued per year and the fee for a license as herein provided shall be as set forth and modified from time to time from the Village Board by Resolution.

(3) APPLICATION PROCESS.

(A) Any person desiring to operate a mobile food establishment shall apply for a license and pay the established license and investigation fee. At the time of filing an application, an investigation fee in the amount of the Actual Cost shall be paid to the Village to cover the cost of investigation of the facts stated in the application. The application shall be sworn to by the applicant and filed with the Village and shall contain such information as the Village shall require for the effective enforcement of this section and the safeguarding of the residents of the Village from fraud, misconduct or abuse.

(B) Upon receipt of each such application, the Village Administrator or designee shall immediately institute such investigation of applicant's business and moral character as the Village Administrator or designee deems necessary for the protection of the public good, and shall provide recommendation to the Village's Finance and Personnel Committee, who shall review and recommend to the Village Board the application. The Village Board shall issue with or without conditions, or deny the license in accordance with their findings. In approving a license, the Village Board may impose such conditions as it deem appropriate to protect the public health, safety and general welfare. Subsequent annual renewals of a license may be processed administratively without additional Village Board approval if the conditions of the original license issuance are maintained at the discretion of the Village Administrator or designee.

(4) APPLICATION REQUIREMENTS.

(A) A completed Mobile Food Vendor Application with signature and payment of fees.

(B) The applicant shall submit a copy of the vehicle inspection report from the Waukesha County Health Department.

(C) The applicant shall provide a Mobile Food Vendor License plan addressing sanitation, pedestrian and traffic safety including the following standards:

1. The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian/vehicle conflicts or pedestrian safety hazards or impede building ingress/egress.
2. The proposed plan will not create any significantly adverse impacts on neighboring properties as a result of:
 - a. The accumulation of garbage, trash or other waste.
 - b. Noise created by operation of the equipment.
 - c. Light and glare.
 - d. Odors and noxious fumes.
3. The proposed plan will not be detrimental to the public health, safety, or general welfare.
4. No mobile food vendor shall be located on any private property without written permission from the property owner. A copy of the written permission shall be submitted at the time of application if the vendor wishes to operate on private property.
5. For Park and Recreation Department approvals granted for the Farmer's Market or Special Events, said conditions of approval shall be filed with the application and incorporated therein.

(D) All vehicles must pass inspection by the Sussex Fire Department. A copy of a passing inspection report must be submitted prior to approval of the application.

(5) REVOCATION OR SUSPENSION OF LICENSE.

(A) The Village Board may revoke or suspend any license issued under this subchapter for violation by any vendor or the vendor's employee or agent of any provision of State law or Village ordinance which renders future vending contrary to the public health, safety or welfare; or for fraud or misrepresentation in solicitation under this chapter. Prior to revocation or suspension, the Village shall send written notice to the address on the license about the concerns or issues and provide 15 days for the vendor to correct the issue or concern to the satisfaction of the Village. If the concern is not addressed within 15 days from the date of mailing the letter, the Village may place the issue of revocation and or suspension before the Village Board for possible action. The Vendor and/or their agent may appear before the Village Board to present information and respond to the issues of concern. The Clerk shall send written notice to the Vendor at the address on the application about the date and time of the meeting for consideration of the matter. Said notice shall be post marked at least 5 days prior to the Board meeting.

(B) An exception to this process exists in that any Public Health, Sussex Police or Fire Officer may immediately order the mobile food vendor to stop service and the mobile food vending shall not restart again until deemed safe by the appropriate authority if said public health, Sussex Police or Fire Officer identify an immediate risk to the public health, safety or welfare of the community from the operation of the mobile food vendor.

(6) APPEAL OF ADMINISTRATIVE DECISION. A Vendor has the right to appeal an order by any Village Administrative Staff under this subsection through the process found in Chapter 24 of the Village Municipal Code



Village of Sussex Fire Department
N63 W24335 Main Street
Sussex, Wisconsin 53089

Dave Johnsen
Fire Chief
262-246-5197
Inspector Greg Zoellick
262-246-5220
Fire Station - Business
262-246-5197
Fire Station - FAX
262-246-5196

Village of Sussex Fire Department requirements of Mobile food Vendor

Inspections are not required if the following conditions are met:

Mobile truck/trailer is less than 365 sq/ft

Mobile truck/trailer is used less than 12 days a year.

Requirements include but not limited to:

A UL listed fire extinguisher equal to or greater than 2A IOBC that has been recertified within the last twelve months.

Any deep frying, pan frying or cooking meats on a grill or griddle also require a K Class fire extinguisher fire extinguisher that has been re-certified within the last twelve months.

Generators, gasoline cans and solid fuel tanks must be kept outside of truck/trailer.

Compressed gas cylinders must be secured from falling.

An inspection is required if:

Mobile truck/trailer is greater than 365 sq/ft.

Mobile/trailer is used more than 12 days a year.

Requirements include but not limited to:

A UL listed fire extinguisher equal to or greater than 2A IOBC that has been recertified within the last twelve months.

Any deep frying, pan frying or cooking meats on a grill or griddle also require a hood exhaust system with a suppression system that has been re-certified and cleaned within the required time.

K Class fire extinguisher that has been re-certified within the last twelve months.

Generators, gasoline cans and solid fuel tanks must be kept outside of truck/trailer.

Compressed gas cylinders must be secured from falling.



Mobile Kitchen Log

INDUSTRY SERVICES DIVISION
Fire Prevention Program
PO Box 7302
Madison, Wisconsin 53707-7302
TTY: Contact Through Relay

Note: Use of mobile kitchen must be documented per SPS 314.50 for use on any given date and shall be presented to fire inspector upon request.

Date of Use	Location Used/Event Name