

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20_____

ORDINANCE 2026-05

AN ORDINANCE TO ADD CHAPTER 713 ENTITLED MOBILE FOOD VENDORS TO PART SEVEN OF THE BUSINESS REGULATION CODE

WHEREAS, the Village of Doylestown desires to regulate Mobile Food Vendors operating within the Village to protect public health, safety, and welfare; and

WHEREAS, the Village wishes to adopt updated and comprehensive regulations for Mobile Food Vendors operating on public property and within public rights-of-way; and

WHEREAS, the Council of the Village of Doylestown finds it necessary and in the best interest of the community to adopt such regulations.

NOW THEREFORE, be it ordained by the Council of the Village of Doylestown, Wayne County, Ohio:

SECTION 1: Chapter 713, titled "Mobile Food Vendors," is hereby adopted and added to the Codified Ordinances of the Village of Doylestown. The full text of Chapter 713 is attached hereto as Exhibit A and incorporated by reference as though fully rewritten herein.

SECTION 2: All other provisions/chapters of the existing Part Seven of the Business Code, shall remain in full force and effect.

SECTION 3: That this Ordinance is hereby declared an emergency in order to implement the additional fee to the existing Appendix A Village of Doylestown Miscellaneous Fee Schedule at the earliest possible time permitted by law for the public peace, health, safety and general welfare of the Village and to have it in effect as soon as possible.

PASSED: January 21, 2026

ATTEST:


Terry L. Lindeman, Mayor


Kristen J. Robison, Clerk of Council

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CHAPTER 713

Mobile Food Vendors

713.01 Definitions.

713.02 License requirement.

713.03 Application procedure.

713.04 License term and fees.

713.05 Operational standards.

713.06 Inspections.

713.07 Suspension or revocation.

713.08 Appeals.

713.09 Fee waiver for village-sponsored events.

713.99 Penalty.

713.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(a) "Mobile Food Vendor" means any person, business, or entity operating a Mobile Food Service Operation or Mobile Retail Food Establishment as defined in Ohio Administrative Code Chapter 3717, from any motorized vehicle, trailer, cart, or apparatus from which food or beverages are sold or offered to the public.

(b) "Vendor Unit" means the motorized vehicle, trailer, cart, or apparatus from which the Mobile Food Vendor operates.

(c) "Operate" or "Operation" means the act of selling, preparing, serving, or offering for sale any food or beverage within the Village.

(d) "Public Event" means any Village-sponsored or Village-partnered activity, program, festival, market, or gathering open to the public.

713.02 LICENSE REQUIREMENT.

(a) No person shall operate as a Mobile Food Vendor on any public street, public right-of-way, or public property within the Village without first obtaining a Mobile Food Vendor License issued by the Village.

(b) A separate license shall be required for each Vendor Unit.

(c) The fee for the license required by this Chapter shall be as set from time to time by Council.

(d) All licenses issued under this Chapter shall expire on December 31 of each calendar year, regardless of the date of issuance.

(e) No license issued under this Chapter shall be transferable.

(f) It is hereby declared to be the policy of the Village that the residents and property owners of the Village shall make the determination of whether Mobile Food Vendors shall be, or shall not be, invited onto their respective private property.

EXHIBIT A

713.03 APPLICATION PROCEDURE.

(a) All applicants for licenses required by this chapter shall file an application with the Clerk or other authorized official, on forms provided by the Village. This application shall be signed by the applicant if an individual, or by all partners if a partnership, or by the president if a corporation. The applicant may be requested to provide information concerning the following items:

(1) The name and address of the applicant;

(2) A. The name of the individual having management authority or supervision of the applicant's Mobile Food Vendor business during the time that it is proposed to be carried on in the Village;

B. The local address of such individual;

C. The permanent address of such individual;

D. The capacity in which such individual will act;

(3) The name and address of the person, if any, for whose purpose the business will be carried on, and, if a corporation, the state of incorporation;

(4) The time period or periods during which it is proposed to carry on applicant's business;

(5) A. The nature, character, and type of food or beverages to be offered for sale or delivered;

B. The location of the commissary or base of operation, where such food is prepared, stored, or serviced, and whether the goods are manufactured, grown, or supplied by the applicant, and where such goods are at the time of application;

(6) The nature of the advertising proposed to be done for the business;

(7) Whether or not the applicant, or the individual identified in subsection (a)(2)A. above, or the person identified in subsection (a)(3) has been convicted of any crime or misdemeanor, and, if so, the nature of each offense and the penalty assessed for each offense.

(b) Applicants for Mobile Food Vendor licenses may be required to provide further information concerning the following items, in addition to that requested under subsection (a) above:

(1) A description or photograph of the Vendor Unit;

(2) A description of any vehicle proposed to be used in the business, including its registration number, if any;

(3) The dimensions of the Vendor Unit, generator details, propane or fuel systems, and any power connections to be used during operation;

(c) All applicants for licenses required by this chapter shall attach to their application, if required by the Village, credentials from the person or entity, if any, for which the applicant proposes to do business, authorizing the applicant to act as such representative.

(d) Applicants who propose to handle foodstuffs shall also attach to their application, copies of:

(1) A valid Ohio Mobile Food Service Operation or Mobile Retail Food Establishment license issued under Ohio Administrative Code Chapter 3717;

(2) Proof of compliance with the Ohio Fire Code applicable to mobile food units, including fire inspection documentation;

(3) A Certificate of Liability Insurance in the amount required by this chapter, naming the Village of Doylestown as an additional insured.

EXHIBIT A

713.04 LICENSE TERM AND FEES.

(a) The Mobile Food Vendor License shall be valid only for the calendar year in which it is issued and shall expire on December 31 of that year, unless suspended or revoked.

(b) The annual license fee shall be as established in the Village Miscellaneous Fee Schedule.

(c) The license shall be displayed conspicuously on the Vendor Unit when operating on public property or public rights-of-way.

713.05 OPERATIONAL STANDARDS.

All Mobile Food Vendors operating on public property or within the public right-of-way shall comply with the following:

(a) Location & Placement

(1) Vendors shall not block:

- a. Sidewalks
- b. Intersections
- c. Driveways to public facilities
- d. Hydrants
- e. Crosswalks
- f. Fire lanes
- g. Municipal building entrances

(2) Operation within the public right-of-way is prohibited unless expressly authorized by the Village.

(3) No regulation applies to private property unless the vendor's queue, service window, or equipment extends into public right-of-way.

(b) Hours of Operation

Unless otherwise approved in writing by the Village Administrator or designee, vendors may operate on public property only between:
7:00 a.m. and 10:00 p.m.

(c) Waste & Sanitation

(1) Vendors must maintain clean conditions within 20 feet of the Vendor Unit while on public property.

(2) No grease, waste water, or debris may be discharged onto public property.

(3) All trash generated on public property must be removed daily.

(d) Noise & Nuisance

(1) Generators must comply with Village noise regulations.

(2) Music, lighting, or advertising devices shall not disturb nearby residents or interfere with Village operations.

(e) Compliance with Laws

All vendors must comply with:

(1) Ohio Administrative Code Chapter 3717

(2) Ohio Fire Code

(3) All applicable Village ordinances regarding public property

713.06 INSPECTIONS.

(a) Mobile Food Vendors operating on public property or public rights-of-way shall allow inspection of the Vendor Unit by:

(1) Village Administrator or Designee

(2) Police Department

(3) Fire Department

(4) Public Health authorities

(b) Inspections may occur at any reasonable time while operating on public property.

EXHIBIT A

713.07 SUSPENSION OR REVOCATION.

- (a) Any license granted under this chapter may be revoked by the Village Administrator, Clerk, or other designated official after notice and hearing, pursuant to the standards set forth in this section. Notice of hearing for revocation shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee at his or her last known address at least ten (10) days prior to the date set for the hearing.
- (b) A license granted under this chapter may be revoked for any of the following reasons:
 - (1) Fraud or misrepresentation contained in the license application;
 - (2) Fraud, misrepresentation, or false statement made in connection with the business being conducted under the license;
 - (3) Violation of any provision of this chapter;
 - (4) Violation of any state or local health regulation or fire safety requirement applicable to mobile food units;
 - (5) Conviction of the licensee of any felony, or conviction of any misdemeanor involving a sex offense, a drug trafficking offense, or any offense of violence against persons or property;
 - (6) Conducting the business licensed in an unlawful manner or in such a way as to constitute a menace to the health, safety, or general welfare of the public.

713.08 APPEALS.

- (a) Any person aggrieved by a decision under this chapter shall have the right to appeal to Council. The appeal shall be taken by filing with Council, within fourteen (14) days after notice of the decision has been mailed to such person's last known address, a written statement setting forth the grounds for appeal. Council shall set the time and place for a hearing, and notice for such hearing shall be given to such person in the same manner as provided in Section 713.07.
- (b) The order of Council after the hearing shall be final.

713.09 SPONSORSHIP, WAIVER AND EXEMPTIONS.

- (a) **Annual Sponsorship-Based Fee Waiver.**

The Mobile Food Vendor License fee may be waived for the entire license term when a vendor provides an approved financial or in-kind sponsorship to the Village in support of Village programs, events, or community initiatives, as determined by the Village Administrator or designee.
- (b) **License Still Required.**

A Mobile Food Vendor License application must still be submitted and approved. A fee waiver granted under this section does not exempt the vendor from compliance with any operational, safety, insurance, inspection, or other requirements of this Chapter.
- (c) **Administrative Determination.**

The Village Administrator or designee shall determine eligibility for any sponsorship-based waiver and may establish reasonable conditions related to sponsorship value, scope, or duration.
- (d) **Duration of Waiver.**

Any waiver granted under this section shall apply to the full calendar-year license term for which the Mobile Food Vendor License is issued, unless earlier revoked for cause.
- (e) **Exemption – Public-Service and Charitable Organizations.**

This Chapter shall not apply to public-service or charitable organizations, including but not limited to churches, schools, recognized civic associations, garden clubs, and other nonprofit entities, when acting in furtherance of their charitable, civic, or community purpose, provided that no individual receives a commission, compensation, or personal profit from the activity. Notwithstanding the foregoing, such organizations shall submit an application on a form provided by the Village for coordination and recordkeeping purposes only.

EXHIBIT A

713.99 PENALTY.

(a) Any person who violates any provision of this Chapter while operating on public property or within the public right-of-way shall be subject to a civil penalty, and such violation shall not constitute a criminal offense.

(b) The amount of the civil penalty shall be as established in the Village Miscellaneous Fee Schedule, as adopted and amended by Council from time to time.

(c) Each day a violation continues shall constitute a separate civil violation.

(d) The imposition of a civil penalty shall not preclude the Village from pursuing license suspension, revocation, injunctive relief, or other lawful remedies as authorized by this Chapter or Ohio law.

