

Mobile Food Unit Ordinance
Passed by City Council 4/26/2016

Division 1. Generally

Section ____. **Purpose.** The City has determined that regulation of Mobile Food Units (MFUs) and Mobile Food Vendors is necessary in order to protect the health, safety, and welfare of the public, as well as to promote the public interest by regulating the areas and methods of operation. To meet these ends, the City has determined that all persons or entities that desire to vend from MFUs within the City must be issued a permit pursuant to the requirements of this Article.

Section ____. **Definitions.** The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section. The word "shall" is always mandatory and not merely advisory.

- a. **Commissary.** A fixed, non-mobile establishment or any other place used for the storage of supplies, the preparation of food to be sold or served at or by Vendor, or the cleaning and servicing of the MFU.
- b. **Edible Food Products.** Edible Food Products are those products that are ready for immediate consumption, including Prepackaged Food, Prepared Food, and On-site Prepared Food. The term "Edible Food Products" does not include fresh produce so long as the produce has not been packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared for consumption.
- c. **External Preparation Unit.** An External Preparation Unit is any cooking appliance or device that is not a smoker and may include, but is not limited to, a grill, a roaster, or a warmer.
- d. **Ice Cream Vending Unit.** A motor vehicle containing a commercial freezer from which a Vendor sells or gives away frozen food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, and similar desserts, whether prepackaged, prepared, or prepared on-site. Such frozen food products are typically sold on City streets at intermittent locations. A Pedestrian Vendor selling frozen desserts shall not be considered an Ice Cream Vending Unit.
- e. **Mobile Food Unit.** A Mobile Food Unit ("MFU") is an enclosed unit, truck, or trailer, or similar vehicle-mounted unit that:
 - i. Is mobile or capable of being moved by a licensed motor vehicle;
 - ii. May or may not be independent with respect to water, waste water, and power utilities;
 - iii. Is used for the preparation, sale, or donation of On-site Prepared Food;
 - iv. Is not a Pedestrian Vendor as defined and regulated in Sections 16-317 and 16-329 of the Code of Ordinances; and
 - v. Does not exceed thirty-five (35) feet in length and nine (9) feet in width; and
 - vi. Is not eligible for an exemption under this Article.
- f. **Mobile Food Vendor.** A Mobile Food Vendor ("Vendor") is any individual engaged in the operation of a MFU; if more than one individual is operating a single MFU, then Vendor shall include all individuals operating such single MFU.
- g. **On-site Prepared Food.** Any food or beverage that is served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared on-site within the MFU or within an external preparation unit by a Mobile Food Vendor or other persons and that may be purchased at the MFU for immediate or later consumption.

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- h. Operate.** To “operate” or “operation” shall mean all activities associated with the conduct of business, including, but not limited to, set up, take down, and actual hours where the MFU is open for business.
- i. Prepackaged Food.** Any properly labeled and processed food or beverage, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, and prepared at an off-site approved source, and that may be purchased at the MFU for immediate or later consumption.
- j. Prepared Food.** Any food or beverage that is served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared by persons off-site from a MFU that may be purchased at the MFU for immediate or later consumption.
- k. Public Property.** Any property owned or maintained by the City or any other public entity or public utility within the jurisdictional boundaries of the City.
- l. Right-of-Way.** For the purposes of this Article, right-of-way shall mean streets where public parking is allowed and includes marked or unmarked parking spaces thereon.
- m. Smoker.** A smoker is a cooking appliance or device that maintains a low cooking temperature, typically between 225 and 275 degrees Fahrenheit, using varying sources of heat, including, but not limited to gas, charcoal, wood, wood pellets, or an electric heating element with or without wood, for extended periods of time while producing smoke and heat to cook a food, usually meat.

Section ____. **Applicability of Article.**

The provisions of this Article shall apply to Mobile Food Vendors engaged in the business of preparing, cooking, and distributing On-site Prepared Food with or without charge from Mobile Food Units on or in public or private property within the City of Knoxville. This Article shall also apply to vendors selling prepared or prepackaged food if the vendor desires to exceed the exemption provided for the vendor in Section ____.

Section ____. **Limited Exemptions.**

- a. Ice Cream Vending Units.** This Article shall not apply to an Ice Cream Vending Unit so long as the unit is stationary in the same location for no more than fifteen (15) minutes at a time. An Ice Cream Vending Unit may sell or attempt to sell any item from an Ice Cream Vending Unit only on local streets, as defined by the Knoxville-Knox County Metropolitan Planning Commission Major Road Plan, where the speed limit is thirty (30) miles per hour or less. An Ice Cream Vending Unit shall not stop within twenty (20) feet of an intersection or double park when attempting a sale or making a sale.
- b. Pedestrian Vendors.** This Article shall not apply to a Pedestrian Vendor so long as the unit complies with any other applicable regulations within the City of Knoxville Code of Ordinances.
- c. Prepackaged or Prepared Food Vendors.** This Article shall not apply to a vending unit in which there is no packaging, combining, cooking, chopping, slicing, mixing, brewing, squeezing, or otherwise preparing of food or drink on-site. In order to be eligible for this exemption, all food or drink products must be prepared off-site as a Prepared or Pre-Packaged Food and must be ready for immediate purchase and consumption by a customer without any additional preparation whatsoever.
- d. Use of Zones.** Exempt units and vendors shall not use the Mobile Food Vendor Zones (the “Zones”), as further described in Section _____. Any exempt vendor or unit that desires to use the Zones shall apply for and must receive a Unit Permit before operating in the Zones;

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provided, however, that no exempt unit or vendor that receives a Unit Permit shall operate in the Zones if the unit is not enclosed.

- e. **Compliance with Article.** Any vendor who is granted an exemption under this Section and who desires to operate beyond the terms of the Limited Exemption described in this Section shall comply with the provisions of this Article that are applicable to MFUs even if the vendor sells prepackaged or prepared food.

Division 2. Application and Permitting.

Section ____ . Mobile Food Unit Permit.

- a. **Mobile Food Unit Permit Required.** A Mobile Food Unit Permit (“Unit Permit”) is required by all Vendors in order to vend or operate in the City of Knoxville. A Unit Permit is required for each MFU and the Unit Permit is non-transferrable. The Unit Permit shall be prominently displayed on the MFU.
- b. **Application.** Every Vendor desiring to engage in Mobile Food Vending shall submit an application for a Unit Permit to the Office of Business Support. All Vendors shall obtain necessary inspections and permits otherwise required by the City of Knoxville, Knox County, and the Knoxville Utilities Board to operate a MFU. In addition to the information required by the application, the Office of Business Support may request other information reasonably required. The Permit application shall not be considered complete until the Office of Business Support has all information as required by the application or otherwise.
- c. **Issuance of Permit.** Once the application is considered complete by the Office of Business Support, the Office of Business Support shall forward the application to the Plans Review and Inspections Department. The Plans Review and Inspections Department shall issue or deny the Unit Permit within fourteen (14) business days of receipt from the Office of Business Support. If the Plans Review and Inspections Department is satisfied that the application and MFU conform to the requirements of this Article and other pertinent laws and ordinances, a Permit shall be issued to the applicant. If the application and MFU do not conform to the requirements of this Article or other pertinent laws or ordinances, the Plans Review and Inspections Department shall not issue the Permit, but shall inform the applicant of the denial. Such denial, when requested, shall be in writing and state the reasons for denial. The Unit Permit shall be valid for one calendar year from the date of issuance, unless the Unit Permit is revoked pursuant to his Article.
- d. **Temporary MFU Permit.** Vendors that wish to operate within the City of Knoxville during a single event may apply for a Temporary MFU Permit (“Temporary Permit”). The Temporary Permit shall be valid only for a maximum, consecutive three (3) day period and a Vendor or Unit may only apply for and receive a Temporary Permit two (2) times during a calendar year. Vendors and Units that receive a Temporary Permit are required to follow the same rules and regulations that apply to annual Unit Permit holders, except that Temporary Permit applicants may have their Unit inspected on the day of the event. Units inspected outside of regular City of Knoxville business hours may incur a fee for such inspection, as determined by the inspecting department. Prior to the inspection, the Vendor seeking a Temporary Permit shall pay the Temporary Permit fee to the inspecting authority in the form of a check payable to the City of Knoxville. The Temporary Permit shall be issued to the Vendor upon completion of a successful inspection and upon the MFU meeting all applicable requirements of this Article. However, if the MFU does not meet the requirements of the City of Knoxville

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ordinances, the MFU shall not receive a Temporary Permit and it shall not be permitted to operate. If the MFU fails the inspection, the Vendor shall not be reimbursed the Temporary Permit fee.

- e. **Fees.** An application for a Unit Permit under this Article shall be accompanied by a fee in the amount of Two Hundred Dollars (\$200.00). The application for a Temporary Permit shall be accompanied by a fee in the amount of Seventy-Five Dollars (\$75.00). The Plans Review and Inspections Department shall collect the Permit fee. There shall be no proration of fees. Fees are non-refundable once a Permit has been issued by the Plans Review and Inspections Department.
- f. **Permit Renewal.** Every Unit Permit, unless suspended or revoked for a violation of any provision of this Article or other rule or of the City of Knoxville, can be renewed annually provided that a renewal fee of Fifty Dollars (\$50.00) is paid no later than five (5) business days after the Unit Permit's expiration. An application for renewal of a Unit Permit shall be made through the Office of Business Support. After five (5) business days following the Permit's expiration, the holder of the Unit Permit forfeits the right to renew and the Vendor must reapply as a new MFU.
- g. **Inspections after Permitting.** Permitted operations will be inspected periodically and without notice by representatives of various City departments to ensure compliance with this Article.
- h. **Operation without Permit.** Any MFU operating without a valid Unit Permit or Temporary Permit shall be deemed a public safety hazard and may be ticketed and impounded. The penalty for operating without a Permit is Fifty Dollars (\$50.00) per occurrence.
- i. **Complaints.** If a complaint is filed with the Office of Business Support, the Plans Review and Inspections Department, or 311 alleging that a Vendor has violated the provisions of this Article, the Office of Business Support Business Liaison shall provide written notification of the complaint by regular mail to the Vendor at the Vendor's address listed on the MFU Application, and the Plans Review and Inspections Department shall investigate the complaint. Within thirty (30) days of date that the notification was sent to the Vendor, the Vendor may respond to the complaint, present evidence, and respond to evidence produced by the investigation. If the Plans Review and Inspections Department, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the Plans Review and Inspections Department may revoke the Unit Permit or take or cause to be taken other enforcement action as provided in the Knoxville City Code.
- j. **Revocation of Permit.** The Plans Review and Inspections Department may revoke a Unit Permit or Temporary Permit if the Department discovers that:
 - i. An applicant obtained the Unit Permit or Temporary Permit by knowingly providing false information on the application;
 - ii. The continuation of the Vendor's use of the Unit Permit or Temporary Permit presents a threat to public health or safety, or if the Vendor otherwise presents a threat to public health or safety; or
 - iii. The Vendor or MFU violates regulations of this Article or any other City of Knoxville ordinance.
- k. **Appeal of Revocation.** If a Unit Permit is revoked, the Building Official shall state the specific reasons for the revocation. Any Vendor whose Unit Permit has been revoked may appeal such denial by submitting a written request for a hearing submitted to the Building Official within ten (10) days of revocation. A hearing shall be conducted within thirty (30) days of the Building Official's receipt of said appeal by a panel comprised of the Zoning Chief, the Downtown Coordinator, and the Revenue Administrator of the City of Knoxville. The panel shall consider whether the revocation was justified and whether good cause exists to

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reinstate the Permit. The panel shall issue its decision on the appeal in a written opinion within ten (10) business days; the written opinion will be sent via first class mail to the Vendor at the address listed on the MFU application. The decision resulting therefrom shall be final and subject only to judicial review pursuant to state law. Following the revocation of a Permit, a Vendor must wait six (6) months before reapplying for a new Permit. Upon reapplication, the Vendor must pay the full Permit fee.

- I. **Prohibition against the Transfer of a Permit.** No Vendor or other entity holding a Unit Permit for a MFU shall sell, lend, lease, or in any manner transfer a Unit Permit for value; provided, however, that a holder of a Unit Permit may transfer the Unit Permit as part of the sale of a majority of the stock in a corporation holding such Unit Permit, as part of the sale of a majority of the membership interests of a limited liability company holding such Unit Permit, or as part of the sale of a business or substantially all of its assets; provided that there shall be no allocated or actual value for the transfer of the Unit Permit. Prior to any such transfer permitted by this subsection, the transferor shall notify the Office of Business Support and the Plans Review and Inspections Department in writing and the transferee shall submit a Unit Permit application for approval to the Office of Business Support pursuant to the process set forth in this section. Any such transfer shall be subject to the terms and conditions of the original Unit Permit. Any unauthorized transfer or attempt to transfer a Unit Permit shall automatically void such Unit Permit. Persons violating this provision, including both the transferor and transferee, may be subject to a citation and fine. The unauthorized transfer or attempt to transfer of each Unit Permit shall constitute a separate violation.

Division 3. Placement and Operation of Mobile Food Units.

Section ____. **Operation of Mobile Food Units.** The following requirements apply to all MFUs and Vendors operating at any location, whether on the right-of-way or on private property, within the City of Knoxville. Additional requirements may apply to certain units operating on private property, as specified in Section ____.

- a. **Additional Structures.** When vending on public property or right-of-way outside of a special event authorized by the Office of Special Events, Vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, tents, and standup counters. The term “additional structures” does not include the waste containers required by this Section. When vending on private property or within a special event authorized by the Office of Special Events, permission from the property owner is required before the Vendor provides or allows any dining area, including but not limited to tables, chairs, booths, bar stools, benches and standup counters. Such permission may be included in the Letter of Permission. Under no circumstances shall these dining areas encroach into the public right-of-way. The Vendor shall remove all additional structures when the Vendor ends its operations for the day.
- b. **Compliance with Laws.** Except as provided herein, MFU placement and operation must adhere to federal, state, and local laws, regulations, and policies. Local laws, regulations, and policies include, but are not limited to, Knoxville’s zoning ordinances, noise ordinances, stormwater regulations, and fire code.
- c. **Distance between MFUs.** While operating, MFUs shall be at least three (3) feet from other MFUs.

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d. Zoning District Restrictions.

- i. **Districts Other Than Residential.** Mobile Vending on private property is permitted only in Commercial Districts, Industrial Districts, Office Districts, Open Space Districts, and Form Based Code Districts (collectively, the “allowed non-residential districts”) as defined in the City of Knoxville Zoning Code, pursuant to the following restrictions. In the allowed non-residential districts, any MFU without a smoker shall operate in a location according to the setbacks of the base zone. Any MFU using a smoker shall operate at least one hundred (100) feet from the boundary of any residentially zoned property, regardless of the use on the residentially zoned property, as measured in a straight line.
 - 1. Commercial, Industrial, and Form Code Districts.** For the purposes of this section, Commercial, Industrial, and Form Code Districts refer to C-1 through C-6, SC-1, SC-2, SC-3, PC-1, PC-2, TC-1, I-1 through I-4, SW-2 through SW-7, and CU. In these districts, MFUs are prohibited from operating between 2:00 AM and 7:00 AM.
 - 2. Office Districts.** For the purposes of this section, Office Districts refer to O-1, O-2, O-3, and BP-1. In these districts, MFUs are prohibited from:
 - A. operating on parcels that are smaller than 2.0 acres in size as shown on the KGIS standard map;
 - B. operating between 7PM and 7AM; and
 - C. serving passersby. A MFU operating on Office property is limited to only serving the employees or clients of the entity that has hired or solicited the MFU.
 - 3. Open Space Districts.** For the purposes of this section, Open Space Districts refer to OS-1 and OS-2. In these districts, for properties not owned by the City of Knoxville, permission will need to be obtained from the owner before a MFU can operate. MFUs on property not owned by the City of Knoxville are prohibited from operating between 11PM to 7AM. For properties zoned OS and owned by the City of Knoxville, MFUs shall comply with the Rules for MFU Operation in City Parks adopted by the Parks and Recreation Department and by City Council.
- ii. **Residential Districts.** For the purposes of this section, Residential Districts refer to R-1, R-1A, R-1E, EN-1 & 2, R-2, R-3, RP-1, RP-2, RP-3, SW-1, and TND-1. In Residential zones, MFUs are permitted to operate only as part of an event that is sponsored or hosted by a neighborhood association, by a homeowners’ association, a non-profit corporation or by the City of Knoxville or another governmental entity. For the purposes of this section, a neighborhood association is any group registered with the City’s Office of Neighborhoods and a homeowners’ association is any non-profit corporation existing under the laws of the State of Tennessee, including, but not limited to, the Horizontal Property Act and the Tennessee Condominium Act of 2008. . A non-profit organization is a charitable organization that has a tax exempt 501(c)(3) status as determined by the Internal Revenue Service. As part of the event, a road closure permit is required if the MFUs will be operating from or in the right-of-way.

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- e. Electrical Requirements.** Any Vendor operating a MFU under this Article shall comply with the requirements of the National Electrical Code as adopted by the City of Knoxville and any other rules and regulations adopted by the City for regulating electrical operation on MFUs.
- f. Electrical Service.** Any power required for a MFU on a public right-of-way or public property shall be self-contained and a MFU shall not use utilities drawn from the public right-of way or other public property unless specifically authorized in writing by the City of Knoxville. MFUs operating on private property may use electrical power from the property being occupied or an adjacent property only when (1) permission has been given by an operator of the property to hook-up to electricity from the property; (2) such hook-up has been inspected and approved by the Plans Review and Inspections Department, as further provided for in this Article; and (3) the MFU has been inspected by the Plans Review and Inspections Department. There shall be no charge for the electrical inspection of the MFU by the Plans Review and Inspections Department. No power cord, cable, or equipment shall be extended at or across any public right-of-way, alley, sidewalk, or other public property. For the purposes of this section, “operator” refers to either the property owner or tenant where there is one occupant of the parcel, or refers to the property owner where there are multiple occupants or tenants on a parcel.
- g. Fire Code Requirements and Inspection.** Any Vendor operating a MFU under this Article shall comply with requirements of the International Fire Code as adopted by the City of Knoxville, any other regulatory fire code as adopted by the City of Knoxville, and any rules and regulations promulgated by the Fire Marshal’s Office for regulating MFUs.
- h. Items for Sale.** Only food and beverage items may be sold from MFUs, and the sale or distribution of alcoholic beverages is prohibited specifically. For the purposes of this Article, an alcoholic beverage is any beverage with an Alcohol By Volume (ABV) amount of greater than 0.50 percent. A Vendor may sell or distribute merchandise from the MFU only if the merchandise bears the logo of the Vendor or the MFU; all other merchandise sales are prohibited.
- i. Letter of Permission.** Vendors operating on private property shall obtain a letter from an operator of the property stating that the Vendor has permission to vend on the property and, if applicable, has permission to serve the operator’s employees and/or customers. The Vendor shall keep a copy of the permission letter on the MFU at all times and while operating, the Vendor shall produce the letter upon the request of any City official acting in an enforcement capacity. For the purposes of this section, “operator” refers to either the property owner or tenant where there is one occupant of the parcel, or refers to the property owner where there are multiple occupants or tenants on a parcel.
- j. Maximum Number of Units per Parcel.** While operating on private property, the number of MFUs allowed is limited by the size of the parcel as follows: For a lot that is one-half (0.50) acre or smaller, a maximum of two (2) Units is allowed; for a lot that is larger than one-half (0.50) acre and up to one (1.0) acre in size, a maximum of three (3) Units is allowed; for a lot that is larger than one (1.0) acre and smaller than two (2.0) acres, a maximum of four (4) Units is allowed; and on any lot larger than two (2.0) acres, a maximum of five (5) Units is allowed. The size of the parcel shall be calculated using the standard map on KGIS. The maximums indicated by this section may be waived only upon approval of an event by the City of Knoxville Office of Special Events or for the Tennessee Valley Fair.
- k. Methods of Support.** MFUs shall be free-standing and shall not use stakes, rods, or any method of support that must be drilled, driven, or otherwise fixed, into or onto asphalt, pavement, curbs, sidewalks, or buildings.

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- l. Mobile Vending in the Public Right-of-Way.** Mobile Food Vending in public rights-of-way shall be permitted only in Mobile Food Vendor Zones (the “Zones”) specified by the Office of Business Support and identified by temporary signage. Spaces in the Zones are available to all Vendors with a Unit Permit. Vendors’ use of the Zones is subject to availability using a registration system designated by the Office of Business Support. Any MFU that desires to operate in a Zone must register their location as designated by the Office of Business Support. If the MFU wants the Zone marked for the reservation, the Vendor must contact the Office of Business Support at least twenty-four (24) hours in advance. Vendors shall operate only within the designated Zones and at the times designated by the Office of Business Support. During permitted operations, Vendors in the Zones are not required to fund parking meters that may be located at the Zones. The use, marking, or designation of spaces for Mobile Food Vending does not grant Vendors a vested right, property interest, or privilege in any specific space. The Zones may be adjusted, modified, or removed if such adjustment, modification, or removal is determined to be in the interest of public health, safety, and welfare. Moreover, the City reserves the right to create temporary, short-term Zones from time to time. Notification of changes to Zones will be emailed to current permit holders and posted on the City’s website.
- m. Obstruction of Vehicular and Pedestrian Traffic.** Placement of MFUs and any devices related to the MFU shall not obstruct or impede pedestrian or vehicular traffic, access to driveways, and sight distance for drivers. Mobile Food Vending from the Zones shall not reduce the clear pedestrian path of travel on the sidewalk to less than six feet (6’). All awnings or canopies of the MFU shall be at least six feet, eight inches (6’8”) above the sidewalk, if applicable, or above grade.
- n. Operation on Unimproved Lots.** MFUs shall not operate on unimproved lots. For the purposes of this Article, an unimproved lot is a lot without one or more of the following: (1) paved surface; or (2) paved driveway access to a City street. This prohibition regarding unimproved lots shall not be applicable to properties owned by Knox County or to events coordinated by Knox County.
- o. Parking Direction.** Unless specifically authorized in writing by the Office of Special Events and the Department of Engineering, MFUs operating on public streets shall park in the same direction as traffic, with no more than eighteen inches (18”) between the curb face or edge of pavement and with the service window of the MFU facing the curb.
- p. Parks and Community Centers.** The City of Knoxville Parks and Recreation Department shall create rules for the operation of MFUs at City parks and recreation or community centers. These rules and any subsequent changes shall be adopted by resolution by the Knoxville City Council.
- q. Preparation Outside of the MFU.** While operating in a Zone, any food and beverage preparation outside of the MFU shall not obstruct vehicular or pedestrian traffic, and such preparation shall not create safety hazards for the public. Vendors shall not serve food to customers directly from any outside preparation unit. Any barbecue or meat smoker that is external to the MFU shall be marked with at least two (2) “Caution Hot” or similarly messaged stickers. Any barrel smoker used in conjunction with a MFU shall use at least four (4) twenty-eight inch (28”) tall traffic safety cones, which shall be placed at each corner of the barrel smoker. If a barrel smoker is being employed at a special event approved by the City of Knoxville’s Office of Special Events, the barrel smoker shall be enclosed with a non-combustible fence that is at least thirty-six inches (36”) tall.
- r. Public Alleys.** Unless specifically authorized in writing by the Office of Special Events and the Department of Engineering, MFUs are prohibited from operating in public alleys.

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- s. **Service to Pedestrians.** MFUs shall serve pedestrians only; a drive-thru or drive-in service for vehicular customers is prohibited.
- t. **Signs and Flashing Lights.** A MFU is limited to signs mounted to the exterior of the mobile food establishment and one (1) detached sandwich board sign with dimensions no larger than twenty-five inches by forty-five inches (25" x 45"). All signs mounted on the MFU shall be secured and mounted flat against the MFU and shall not project more than six inches (6") from the exterior of the MFU. Sandwich board signs shall not obstruct or impede pedestrian or vehicular traffic. Signs shall not contain flashing lights or flashing light-emitting diodes (LED), nor shall the MFU use flashing lights or flashing LED as an embellishment on the MFU.
- u. **Sound Amplification.** A MFU or Vendor shall not use sound amplification equipment for any purpose.
- v. **Special Events.** For event and pedestrian safety, Vendors shall not operate on public or private property within three hundred (300) feet of the boundaries of a special event approved by the City of Knoxville Special Events Office. Additionally, Vendors shall not operate within the boundaries of a Special Event, including in any Zone, unless the Vendor has written authorization from the event sponsor.
- w. **Spills.** To prevent discharges into the storm drain system and river, each MFU shall comply with the stormwater regulations of the City of Knoxville. In addition, each MFU shall have a spill response plan and kit onboard to contain and remediate any discharge from the MFU, as specified in the Mobile Food Service Operations BMP generated by the Department of Engineering.
- x. **Unattended MFUs Prohibited.** No MFU shall be parked on the street overnight or left unattended and unsecured at any time food is kept in the MFU. Any MFU which is found to be unattended in this manner shall be considered a public safety hazard and may be ticketed and impounded. Additionally, after a Vendor is done operating on private property for the day, the MFU must be relocated to a site other than the private property on which it was operating, unless that private property is also the commissary for the MFU.
- y. **Waste Storage and Disposal.** Vendors shall supply, in a prominent location, trash containers sufficient in size to collect all waste generated by customers and staff of the MFU. The Vendor shall keep the area around the MFU clear of litter and debris at all times. All trash and debris generated by customers and staff shall be collected by the Vendor and deposited in their trash or recycling container and removed from the site by the Vendor. The Vendor may deposit excess trash in the garbage totes currently located in aluminum-enclosed areas at four (4) designated spaces in downtown: 200 Block of South Gay Street; 100 Block of South Central Street; State Street Garage; and the 400 Block of Union Avenue. The Vendor shall contain onboard at all times any waste liquids generated by its operations (e.g. oil, wash water, etc.).

Section ____. **Additional Permits Needed.** If a private property operator wants to offer shore power on the property for use by MFUs, the private property operator shall obtain either an electrical safety inspection or electrical permit. If a private property operator wants to allow MFUs to operate on the property outside of the designated parking spaces, the operator shall obtain a Site Permit as further described in this Section. For the purposes of this section, "operator" refers to either the property owner or tenant where there is one occupant of the parcel, or refers to the property owner where there are multiple occupants or tenants on a parcel.

- a. **Site Permit Required.** A Mobile Food Unit Site Permit ("Site Permit") is required before a Vendor can operate on private property outside of the designated parking spaces. The Site

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Permit indicates approval of the placement of MFUs on private property. The Site Permit shall be prominently displayed on the MFU while operating on such private property.

- b. Site Permit Application.** The private property operator shall submit an application for a Site Permit to the Plans Review and Inspections Department. The application for the Site Permit shall illustrate the dimensions of the private property, including any access by driveways; the dimensions of a place for MFUs; required parking; and compliance with setback requirements. A fee of Fifty Dollars (\$50.00) for the Site Permit shall be collected by the Plans Review and Inspections Department at the time of application.
- c. Issuance of Site Permit.** If the applicant provides all the necessary information and meets criteria for issuance of a Site Permit, the Plans Review and Inspections Department shall issue the Site Permit within fourteen (14) business days of its application. The Site Permit shall be valid for one calendar year from the date of issuance. The Site Permit is specific to the property, not the applicant; therefore, the permit may be used by any Vendor with a valid Unit Permit.
- d. Printing of Site Permit.** If a Site Permit has been issued for the private property, anyone with a letter of permission as described in Section ___ may request and use a copy of such Site Permit from the Plans Review and Inspections Department. The cost of obtaining such Site Permit from the Department shall be \$0.15 per page.
- e. Electrical Service.** In order to be used by MFUs, all new and existing electrical service components on private property require inspection and approval by the Plans Review and Inspections Department, as follows:
 - i. Permit for New Electrical Service.** If an electrical component is newly installed on the private property, the installation shall be completed by a licensed electrician who possesses an electrical permit with the Department. The fee for such electrical permit is in accordance with the Knoxville Electrical Ordinance, and is based on the number and type of devices inspected. The electrical permit for newly installed hook-ups includes a final inspection.
 - ii. Safety Inspection of Existing Electrical Service.** If the private property has an electrical service component for use by MFUs, the Plans Review and Inspections Department shall conduct a safety inspection of the component. The cost of this safety inspection is in accordance with the Knoxville Electrical Ordinance, and based on the number and type of devices inspected. Once the initial electrical safety inspection is approved, annual safety inspections are not required to renew site permits in subsequent years.

Division 4. Liability

Section ___. **Indemnity for Benefit of the City and Insurance.** Any Vendor operating under this Article shall comply with all requirements of the City with regard to risk management, including the provision of insurance in accordance with the standards set by the City and the execution of an indemnity agreement in favor of the City.