



Food Truck Permit Application

City of Greenville | OMB – Business Licensing
P.O. BOX 2207 GREENVILLE, SC 29602 (4th Floor City Hall)

Instructions for Applicant

Business Information

Name of Business: _____ DBA if Different: _____

Name(s) of Owner(s): _____

Business Physical Address: _____

Business Mailing Address: _____

Business Website: _____ Business Email: _____

Business Phone: _____ Mobile: _____ Fax: _____

Do you intend to operate on public property allowed sites? Yes No Private property sites? Yes No

Mobile Food Vendor Vehicle Type: (For more detailed information on mobile food vendor vehicle type see Division 4 Section 8-361 Definitions.) ****Note:** Food Trailers are not an allowed use within the City Limits of Greenville.

Food Truck **Mobile Market Food Truck** **Catering (Canteen) Truck** **Ice Cream Truck**

Vehicle Make: _____ Model: _____ Year: _____ Tag Number: _____

Vehicle Make: _____ Model: _____ Year: _____ Tag Number: _____

Vehicle Make: _____ Model: _____ Year: _____ Tag Number: _____

****Note:** If you have additional food trucks that will be operated within the City Limits of Greenville, include the information above for each food truck. Each food truck is required to have its own individual city decal certificate assigned to it.

Mobile Food Vendors on Private Property: (Mobile food vendors will be only be permitted to locate in zoned areas C1, C2, C3, C4, RDV and S1. districts unless the vendor receives approval from the city for a special event, a private catering event or other City approved events which will be held in a residential district and always remaining on private property and shall not operate within 250 feet from the door of a lawfully established eating establishment that is actively open for business serving customers, unless the restaurant owner has signed a waiver. For more detailed information and restrictions, see Subdivision III. Temporary or Seasonal Businesses)

- 1. Attach a list of all requested sites to include the property owners, phone number and physical address.
- 2. Attach the original copy of written permission for use of private property from the private property owner for each location.
- 3. Attach a detailed map of each property's parking lot to include the intended area requested for the Mobile Food Vendor Vehicle(s) to be parked. (Zoning and Fire Marshal's require information to review)

Required Documents: (Include with your application)

- Business Plan (Give a brief description of the nature of the business and goods to be sold. If available, a menu may be attached)
- City of Greenville Business License Application
- Application for Background Check. (Required for owner(s) and any manager(s))
- Copy of permits required by the SC DHEC (South Carolina Depart. of Health and Environmental Control)
- Color Copy of a valid driver's license. (Required for owner(s) and any manager(s))
- A ten (10) year driving record. Certified by the South Carolina Department of Transportation or the comparable agency of any state in which the applicant has lived in the last ten years. (Required of owner(s) only)
- A copy of the vehicle(s) registration.
- Color photographs of the vehicle(s) interior and exterior in sufficient number to provide permitting officials a good overview of the vehicles look and design. *****NOTE: THERE WILL BE A MANDATORY YEARLY INSPECTION PERFORMED BY THE CITY OF GREENVILLE ON ALL MOBILE FOOD VENDOR TYPE VEHICLES. THE CITY FIRE MARSHALL WILL BE INSPECTING FOR FIRE CODE COMPLIANCE. THE BUSINESS LICENSE FIELD SUPERVISOR WILL INSPECT FOR GENERAL MAINTENANCE REQUIREMENT ISSUES. (SEE SECTION 8-371)**
- Proof of general liability insurance for the operation of the vehicle as a motor vehicle and the conduct of the business, if approved and the business is located on public streets or city owned property the minimum current amount is \$1,000,000.00 with the City of Greenville listed as co-insured.

Fees:

(The following is a list of fees that will be required upon final approval and are due yearly (May 1)

1. Business License: (Based on revenue)
2. City Decal Certificate (Per each mobile food vendor vehicle): \$500.00



Office Use Only:		License #	
Entered By:		PIN #	
C/O Number:		Control #	
		Business License Classification Rate #	

Business License Application

Note: All Debit/Credit Card Payment's will be charged a 2.65% Service Fee.

Online calculator: revenue.greenvillesc.gov

- **New Businesses** must obtain a business license prior to beginning operation.
- **Business Licenses Expire April 30th Each Year.**
- **RENEWAL BUSINESS LICENSES** Must Be Paid in Full **by the Last Day of April** to Avoid Penalties.

1. Application Type: <input type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Ownership Change <input type="checkbox"/> Location Change <input type="checkbox"/> Out of Business (Closing date)									
2. Inside City of Greenville give Physical Address: (If not located in the city put N/A)						3. In City Business Open date:			
4. NAICS Code & Business Description (Required): https://www.naics.com/search/									
5. Business Name: (Doing Business As)					6. FEIN or S.S Number: (Required)				
7. Corporate Name:			8. Ownership Type: <input type="checkbox"/> Corp <input type="checkbox"/> Indiv. <input type="checkbox"/> LLC <input type="checkbox"/> LLP <input type="checkbox"/> Partn						
9. Business Mailing address, Suite, City, State, Zip:						10. Bus. Phone:			
11. Email of Responsible Contact:						12. Number of Employees:			
13. Name of owners and/or officers and titles:									
14. Minority Status: (Optional) <input type="checkbox"/> Aleut <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian <input type="checkbox"/> Eskimo <input type="checkbox"/> African American <input type="checkbox"/> Native American <input type="checkbox"/> Caucasian Female <input type="checkbox"/> East Indian									
15. ALCOHOL INFORMATION Does this business have an Alcohol Beverage Licensing (ABL) License? <input type="checkbox"/> NO <input type="checkbox"/> YES									
NO – Does this business plan to apply for an ABL during the coming year? <input type="checkbox"/> NO <input type="checkbox"/> YES					Hours of Operation:				
YES – Give ABL License number:			Expiration Date:		Consumption: <input type="checkbox"/> Off – Premise <input type="checkbox"/> On – Premise				
16. Do you own or lease any coin-operated amusement machines? <input type="checkbox"/> Own <input type="checkbox"/> Lease – If Lease from whom?									
Number of Machines		Number of stickers		X \$12.50ea = \$		Type of Machines - Attach listing			
17. Calculation of Tax - Select appropriate status:									
A. <input type="checkbox"/> New Business: Give total estimated gross receipts for the balance of the year.				Gross Estimate: \$		Gross		License Tax	
B. <input type="checkbox"/> Renewal Business - Established (Existing) Business: Give total gross receipts from last calendar year.				Gross Revenue: \$					
C. Resident Businesses Only Allowable Ordinance Deductions Satisfactory proof of the deduction must be attached to application to be allowed				\$ -					
D. Total (adjusted) Gross Receipts B minus C.				\$					
						Sub-Total License Tax		\$	
E. Penalties due for late filing if applicable						Penalties		%	
F. Resident Business ONLY 2% Discount for early filing by 3/31. Fee cannot go below base tax fee of license due.						2% Early Discount		\$ -	
G. License Tax Due (Ways to calculate – Online calculator: revenue.greenvillesc.gov or use the provided worksheet located on reverse side with instructions).						Total Tax Due		\$	
Credit Card (Optional) <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> Discover <input type="checkbox"/> Amex						CREDIT CARD SERVICE FEE 2.65%		\$ +	
By signing this form, I acknowledge that I will be charged a 2.65% Service Fee in addition to my total license tax						Total Tax Due		\$	
Credit Card # (Optional)				Exp. Date:		CV Code			
The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported (or estimated for a new business) without any unauthorized deductions, and that all assessments, personal property taxes on business property, and other monies due and payable to the Municipality have been paid. The license official or other authorized agent of the City of Greenville is empowered to inspect, examine, and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records.									
Applicant/Preparer Name (Print first and last name)					Phone Number:				
Applicant/Preparer Signature:					Date:				
Applicant/Preparer Email (REQUIRED):									

**Application cannot be emailed
 **Fax: 864-467-5715
 **Phone: 864-467-4505 For Assistance

Always check our website for the latest version of this application

Please go to calculator to assist you in calculating your tax fee. revenue.greenvillesc.gov

Example of how to calculate only. Rate Class 3 with **\$101,500,000** Gross.

EXAMPLE: HOW TO CALCULATE LICENSE TAX FEES – CLASS 3 Resident					
Gross within Tier	Gross tier of business	Divided by \$1,000	Dollar rate per \$1,000	Declining steps %	Total Fee per Tier
\$2,000	\$2,000	Base Fee			\$50.00
\$9,998,000	\$9,998,000	\$1,000	1.70	100%	\$16,996.60
\$15,000,000	\$15,000,000	\$1,000	1.70	75%	\$19,125.00
\$75,000,000	\$75,000,000	\$1,000	1.70	50%	\$63,750.00
\$100,000,000	\$1,500,000	\$1,000	1.70	25%	\$637.50
Total Gross	\$101,500,000				
Total Tax Fee:					\$100,559.10

Example of how to calculate only. Rate Class 9.91 Commercial Property with **\$50,000,000** Gross. **Note:** On Commercial Property the first \$5,000 gross you must file for a business license application but there is no tax fee. On \$10,000 you pay the base tax fee. Then Calculate the remaining gross through the tiers.

EXAMPLE: HOW TO CALCULATE LICENSE TAX FEES – CLASS 9.91 Commercial Property					
Gross within Tier	Gross tier of business	Divided by \$1,000	Dollar rate per \$1,000	Declining steps %	Total Fee per Tier
\$10,000	\$10,000	Base Fee			\$75.00
\$9,990,000	\$9,990,000	\$1,000	1.80	100%	\$17,982.00
\$15,000,000	\$15,000,000	\$1,000	1.80	75%	\$20,250.00
\$75,000,000	\$25,000,000	\$1,000	1.80	50%	\$22,500.00
\$100,000,000		\$1,000	1.80	25%	
Total Gross	\$50,000,000				
Total Tax Fee:					\$60,807.00

RATES PER CLASSIFICATION							
Rate Class	Resident Base Fee	Resident Rate Per Thousand	Non-Resident Base Fee	Non-Resident Rate Per Thousand	Declining Step Range		Amount Between Gross Tiers
Class 1	\$40.00	\$1.60	\$80.00	\$3.20	\$0	\$2,000	\$2,000
Class 2	\$45.00	\$1.65	\$90.00	\$3.30	\$2,001	\$10,000,000	\$9,998,000
Class 3	\$50.00	\$1.70	\$100.00	\$3.40	\$10,000,001	\$25,000,000	\$15,000,000
Class 4	\$55.00	\$1.75	\$110.00	\$3.50	\$25,000,001	\$100,000,000	\$75,000,000
Class 5	\$60.00	\$1.80	\$120.00	\$3.60	\$100,000,001	\$200,000,000	\$100,000,000
Class 6	\$65.00	\$1.85	\$130.00	\$3.70			
Class 7	\$70.00	\$1.90	\$140.00	\$3.80			
Class 9.30	\$200.00	\$0.95	\$400.00	\$1.90	Auto Dealers – 441110 & 441120		
Class 9.71	\$100.00	\$2.50	\$200.00	\$5.00	Drinking Place – NAICS Code 722410		
Class 9.72	\$75.00	\$1.80	\$150.00	\$3.60	Full-Service Restaurant Closing before Midnight (Serves Alcohol) 722511		
Class 9.73	\$85.00	\$2.35	\$170.00	\$4.70	Full-Service Restaurant Closing after Midnight (Serves Alcohol) 722511		
Class 9.80	\$150.00	\$0.75	\$300.00	\$1.50	Manufacturer – NAICS Code 310000, 320000, 330000		
Class 9.91	\$75.00	\$1.80	-	-	Commercial Property - NAICS 531120		

PENALTY TIERS			
NEW BUSINESS PENALTIES		RENEWAL BUSINESS PENALTIES	
10%	First month without Business License	10%	If filed or postmarked on May 1st
20%	Second Month without Business License	20%	If filed or postmarked on June 1st
30%	Third Month without Business License	30%	If filed or postmarked on July 1st
40%	Fourth Month without Business License	40%	If filed or postmarked on August 1st
50%	Fifth Month without Business License	50%	If filed or postmarked on September 1st
Maximum Annual Penalty Caps at 50%		Maximum Annual Penalty Caps at 50%	
All penalties are a percentage of, and added to, the license tax. Businesses that fail to purchase the license after formal notification shall be subject to a Uniform Summons.			

Reminders

- **Please complete business license application in full.**
- **Allowable Ordinance Deductions:** Deductions from your gross revenues are allowed if you are a resident business that a business license has been paid to another municipality. The deduction is limited to the gross revenues that were reported on that license. **Satisfactory proof of this deduction must be attached to this application before the deduction will be allowed.** A business may deduct sales, use, or excise taxes if these amounts are included in the total gross revenues amount reported.
- **If you are no longer in business, please indicate in writing and return this application.**

Background Check Instructions

1. A police background check will be required for the following new businesses: **Amusement Centers, Bingo Operators, Detective and Security Guard Agencies, Escort Services, Sexually Oriented Businesses, Kindergarten/Nursery/Day Cares, Pawn Shops, Precious Metal Dealers, Restaurant Owners, Transient Merchants/Peddlers/Mobile Vendors**, and others as the Revenue Administrator deems necessary.

Article III. Business Regulation and Enforcement

Sec. 8-42. Police background checks required for certain businesses. A police background check will be required for the following new businesses as designated below prior to issuance of a business license. Background checks can take up to 14 days and may include the person in control of the business (as defined in Section 8-), owners, partners, managers, operators, and employees as designated below. In addition to the standard background check, fingerprints, photographs, and other information may be required as specified below:

Section 8-2. Definitions.

“Person in Control of the Business” means the applicant, the licensee, and any owner of five percent or more of the business, the manager of the business or its financial operations, or the person directly in charge of the premises from which the business is conducted. The term also includes a major financier of the business when the financing arrangement has the appearance of masking actual ownership.

- (1) *Amusement centers.* Background check on owners, partners and managers.
- (2) *Bingo operators.* Background check on owners, partners and managers.
- (3) *Detective and security guard agencies.* Background check on owners, partners, managers and all other employees.
- (4) *Escort services.* Background check, photographs and fingerprints on owners, partners, managers and all other employees.
- (5) *Kindergarten, nursery and day cares.* Background check on owners, partners, managers and all other employees.
- (6) *Pawn shops.* Background check on owners, partners, managers and all other employees.
- (7) *Precious metal dealers.* Background check on owners, partners, managers and all other employees.
- (8) *Restaurant, Businesses that serve alcohol for on premises consumption, nightclubs, taverns, bars, and related clubs.* Background check on owners, partners and managers.
- (9) *Transient merchants/peddlers/mobile vendors.* Background check on owners, partners, managers and all other employees.

Others. Others as set out elsewhere in this Code, or as deemed necessary by the revenue administrator or their designee.



BACKGROUND INVESTIGATION FORM

Date of application: _____

BUSINESS INFORMATION

Business Name: _____ Type of Business: _____

Business Address: _____ City: _____ State: _____ Zip: _____

Business Phone: _____ Cell: _____ Fax: _____ Email: _____

BUSINESS OWNER(s): (A separate investigation form is required for each owner. See reverse)

Name: _____ Address: _____ Zip: _____

Birthdate: _____ SSN#: _____ DL #: _____ State: _____

Home Phone: _____ Cell: _____ Email: _____

Have you ever had a license or permit revoked, denied or suspended? Yes or No If yes, list the jurisdiction, date, and reason: _____

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes or No If yes, explain: _____

Are there any charges (misdemeanor or felony) against you that are still pending? Yes or No If yes, list jurisdiction, date, and reason: _____

Has applicant (Owner) previously owned or operated a business? Yes or No If yes, names of business and location: _____

Provide a brief statement of applicant's background and employment history for the past five years: _____

BUSINESS INFORMATION:

Manager:

Name: _____ Address: _____ Zip: _____

Birthdate: _____ SSN#: _____ DL #: _____ State: _____

Home Phone: _____ Cell: _____ Email: _____

Building Leased From:

Name: _____ Address: _____ Zip: _____

Home Phone: _____ Cell: _____ Email: _____

Planned Business Hours: Days open for business: _____ Hours of operation: _____

Does this business have an ABL License? Yes If yes, License Number: _____ No If no, does this business plan to apply for an ABL License? _____

Does this business have any coin-operated amusement machines? Yes No If yes, do you own or lease? _____

Leased from: _____ Type of machines: _____ Number of machines: _____

******* I HEREBY ATTEST THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. I UNDERSTAND THAT FALSIFYING THIS APPLICATION IS GROUNDS FOR DENIAL OR REVOCATION OF MY LICENSE(S).**

Signature (owner/applicant): _____ **Required on each page.**

Print Name (owner/applicant): _____ **Required on each page**

BUSINESS INFORMATION

Business Name: _____ Type of Business: _____

BUSINESS OWNER #2:

Name: _____ Address: _____ Zip: _____

Birthdate: _____ SSN#: _____ DL #: _____ State: _____

Home Phone: _____ Cell: _____ Email: _____

Have you ever had a license or permit revoked, denied or suspended? Yes or No If yes, list the jurisdiction, date, and reason: _____

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes or No If yes, explain: _____

Are there any charges (misdemeanor or felony) against you that are still pending? Yes or No If yes, list jurisdiction, date, and reason: _____

Has applicant (Owner) previously owned or operated a business? Yes or No If yes, names of business and location: _____

Provide a brief statement of applicant's background and employment history for the past five years: _____

******* I HEREBY ATTEST THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. I UNDERSTAND THAT FALSIFYING THIS APPLICATION IS GROUNDS FOR DENIAL OR REVOCATION OF MY LICENSE(S).**

Signature (owner/applicant): _____ Required on each page.

Print Name (owner/applicant): _____ Required on each page.

Subdivision IV. Transient Merchants

Sec. 8- . Definitions. For purposes of this division, the term “*transient merchant*” means any person who sells or purchases goods, wares, merchandise or anything of value, and who for himself or as an agent for another, rents, erects, purchases, uses or occupies any room, building or other structure or place, including, but not limited to, parking lots, shopping centers, sidewalks or any other public area, for the purpose of purchasing, selling or offering for sale anything of value at such location without the intention of establishing a permanent business thereat, and without having acquired a regular city business license.

Sec. 8- . License required; term; fee; exceptions.

- (a) Each transient merchant shall obtain a city transient merchant's business permit prior to offering goods, wares, merchandise or anything of value for sale. The fee for the permit shall be fixed from time to time by the city council and is set forth in the fee schedule in appendix A to this Code.
- (b) Each transient merchant shall also pay the prescribed business license tax calculated at a non-resident business rate that is associated with the applicable NAICS code assigned to the business in accordance with Article I of this chapter unless otherwise excepted under subsection (d) hereof. Exception from the requirements of this subsection (b) does not exempt the transient merchant from the requirement to submit a transient merchant permit application or payment of associated fees.
- (c) Every permit issued under the provisions of this division shall be limited to seven consecutive days. No more than one such permit shall be issued to a transient merchant in any given month.
- (d) The provisions of subsection (b) shall not apply to:
 - (1) Any transient merchant who is sponsored by a present local established business when the owner of the local established business is willing to be responsible for the acts of the transient merchant in the same manner as he would for his own business and includes the gross receipts of such transient merchant in his business license information.
 - (2) Charitable organizations as defined in 8- provided said organization furnishes documentation of its status as a charitable organization.

Sec. 8- . Application for permit.

Applicants for a permit under this division shall file a written sworn application with the revenue administrator showing:

- (1) The name of the person having the management or supervision of the applicant's business during the time that it is proposed that it will be carried on in the city, the local address of such person while engaged in such business, the permanent address of such person, and the capacity in which such person will act (that is, whether as proprietor, agent or otherwise), and the name and address of the person for whose account the business will be carried on, if any.

- (2) The place in the city where the applicant proposes to carry on business, and the length of time during which it is proposed that the business shall be conducted. The hours of operations shall not include the hours from one-half hour before sunset until 9:00 a.m.
- (3) A statement of the nature, character and quality of the goods, wares or merchandise to be sold or offered for sale by the applicant in the city.
- (4) Whether or not the persons having the management or supervision of the applicant's business have been convicted of a crime, misdemeanor or the violation of any municipal ordinance, the nature of such offense and the punishment assessed therefor.
- (5) Written permission from the manager, supervisor, owner or other appropriate officer or agent of any place of business or private property on which the transient merchant anticipates doing business. The written permission from such officer or agent shall spell out the times and location of such permitted activity.

Sec. 8- . Violations.

Any violation of the sworn application which the transient merchant fills out shall be a misdemeanor and shall be punished in accordance with section 8- and may also result in a revocation of the business license. Violations shall include, but are not be limited to, operating in places other than those stated on the application, operation on private property without written permission from the appropriate party, operation beyond the time limits stated in such written permission, if any permission shall be had, and operation on any public right-of-way.

Subdivision V. Mobile Food Vendor Vehicle

Sec. 8-~~361~~ . Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Catering truck is defined as a truck, van or similar vehicle from which the vendor offers for sale foods and beverages that are prepackaged. It serves mostly manual labor type venues (example: construction sites).

Food trailer (concession style) is defined as an enclosed attached or detached trailer that is equipped with facilities for preparing, cooking and selling various types of food products from the trailer. Food trailers are not an allowed use within the City of Greenville.

Food truck is defined as an enclosed motor vehicle equipped with facilities for preparing, cooking and selling various types of food products.

Food truck catering is defined as an enclosed motor vehicle equipped with facilities for preparing, cooking, and selling various types of food products for a prearranged contract amount that does not allow for window sales.

Food truck window sales transaction is defined as an enclosed motor vehicle equipped with facilities for preparing, cooking and selling various types of food products for a set individual transaction price that is determined at time of presentment and the transaction will be paid at the time of service.

Ice cream truck is defined as a motor vehicle containing a commercial freezer and from which a vendor sells frozen prepackaged food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water and similar.

Mobile food vendor is defined as any person selling food from a mobile vehicle but does not include a food trailer or any food trailer type equipment.

Mobile food vendor vehicle is defined as a self-contained, motorized vehicle mounted with a fully enclosed self-contained mobile kitchen that may prepare, cook, or serve time/temperature control for safety (TCS) food service unit that as a mobile food establishment and as an extension of a DHEC permitted commissary. This vehicle returns daily to its base of operations commissary as approved by DHEC and is used for either the preparation or the sale of food products, or for both.

Mobile market food truck is defined as an enclosed motor vehicle equipped with facilities for the sale of locally grown fresh produce. The produce sold is in its original form and has not been altered or cooked in any other way inconsistent with it coming fresh from the fields and/or gardens in which it was grown.

Sec. 8-362 . Required.

- (a) It shall be unlawful for any person to engage in business as a mobile food vendor within the city without first obtaining a city business license and mobile food vendor decal permit certificate to do so. Upon being granted a business license and mobile food vendor decal permit certificate, the vendor must comply with the affirmative mandates contained in this subdivision and must not violate the prohibitions-regulations regarding sales, operations, locations and other restrictions contained in this subdivision. The failure to do so may result in the revocation or suspension of the business license and/or mobile food vendor decal permit certificate.
- (b) At the time of application for a business license, the mobile food vendor must provide proof of general liability insurance for operation of the vehicle as a motor vehicle and the conduct of the business if the business is to be conducted on public streets or city owned property in amounts reasonably determined by the city in consultation with its risk manager. Failure to maintain this insurance will result in immediate revocation of the license.
- (c) Each licensed mobile food vendor must maintain, for patrons' use, a litter receptacle of sufficient size to accept the litter being generated by the sales from the vendor's vehicle at the point of sales. The receptacle must be maintained in such a manner as to preclude an over flow of refuse litter. The city highly strongly encourages recycling receptacles for recyclable material. Each vendor shall pick up litter which is associated with the vendor's sales in the vicinity of the vendor's mobile food vehicle prior to departing a sales location. A pattern of leaving excessive litter caused by product packaging in the vicinity of the vendor's mobile food vehicle shall be a basis of suspension or revocation of the business license and/or mobile food vendor decal permit certificate.
- (d) Mobile food vendors shall be limited are authorized to edibles sell food and hot and cold beverages containing that contain no alcohol. The selling of nonfood or drink items shall be limited to merchandise displaying the mobile food vendor company logo and/or branding. No items for sale may be displayed outside of the vehicle.

- (e) The licensee must provide to the city, at time of application for a business license, proof of public liability insurance in the currently required amount by the state. Failure to maintain this insurance can result in immediate revocation of the business license. All mobile food vendors must be motorized, self-contained vehicles and may not utilize any outside power source or have trailers in tow.
- (f) Mobile food vendors shall prominently display the original state DHEC (Department of Health and Environmental Control) food inspection report that shows a posted grade, unless exempt.

Sec. 8-363 . Streets and public property.

(a) *Ice cream trucks*

- (1) Ice cream trucks ~~must~~ may not operate within the central business district (CBD) or the West End District, unless approved by the city as part of a permitted special event or contracted with the parks and recreation department.
- (2) In all locations outside the CBD and the West End District, ice cream trucks must remain mobile, except for periodic stops for short periods of time ~~in order~~ to make a sale. Ice cream trucks are prohibited from operating on any sidewalk, alley, trail or other right-of-way or on any city-owned property, including plazas and parks, unless approved by the city as part of a permitted special event or contracted with the parks and recreation department.
- (3) The allowable hours of operation are between 9:00 a.m. and one-half hour before sunset, as stated for that day for the city area by the National Weather Service.
- (4) An ice cream truck may not sound any device which produces an offensive or loud noise to attract customers and shall not use any public address system on the vehicle to broadcast or advertise products. A bell or musical recording may be sounded for a period not to exceed five minutes to announce the arrival of the vehicle at each location.

(b) *Food trucks, mobile market food truck.*

- (1) Food trucks and mobile market food trucks are prohibited from operations on any street, sidewalk, alley, trail or other right-of-way or on any city owned property, including plazas and parks, unless approved by the city as part of a permitted special event or contracted with the parks and recreation department or parked in a city-designated food truck parking space within the assigned dates and times.
- (2) Mobile food trucks and mobile market food trucks that are part of a permitted special event that are from out of town or out of state will not be required to obtain the mobile food vendor decal. They will be required to obtain the appropriate SCDHEC permit and pass the general maintenance requirements.
- (3) No mobile food vendor shall sound any device which produces an offensive or loud noise to attract customers, and vendors shall not use any public address system on the vehicle to broadcast or advertise products.

Sec. 8-364 . Mobile food vendors on private property.

Mobile food vendors include fFood trucks, mobile market food trucks, ice cream trucks and catering trucks. All mobile food vendors shall be subject to the following regulations ~~in their operation~~when operating on private property:

- (1) No mobile food vendor shall operate within 250 feet from the door of a lawfully established eating establishment that is actively open for business serving customers, unless the food truck vendor provides documentation, which is signed by the restaurant owner, that the restaurant owner interposes no objection to a closer proximity. If a restaurant opens within the 250-foot zone after the mobile food vendor has their annual decal, the food truck vendor may remain in that location until the following annual permit is due at which time they would have to obtain written permission from the new restaurant owner.
- (2) Mobile food vendors will be only be permitted to locate in zoned areas C1, C2, C3, C4, RDV and S1.-districts unless the vendor receives approval from the city for a special event, a private catering event or other City approved events which will be held in a residential district and remaining on private property at all times. In addition, a mobile food vendor operating under this ~~division~~ subdivision shall submit to the city an application that must include:
 - a. The written permission from the private property owner for each location.
 - b. A list of all requested sites to include the property owner and physical address.
- (3) No mobile food vendor shall operate outside the hours of 8:00 a.m. to 10:00 p.m. However, a mobile food vendor may apply for ~~additional~~ authorization to operate after 10:00 p.m., but under no conditions later than 1:00 a.m. the following day. At the end of each business day's operation, the vendor shall remove from the parcel the mobile food vendor vehicle and all materials associated with the business.
- (4) No mobile food vendor shall sound any device which produces an offensive or loud noise to attract customers, and vendors shall not use any public address system on the vehicle to broadcast or advertise products.
- (5) Catering trucks cannot serve to the general public.

Sec. 8-365 . Contents of application.

Applicants for a permit under this ~~division~~ subdivision shall file with the revenue administrator a sworn application in writing on a form to be furnished by the revenue administrator, which shall give the following information:

- (1) The name and a description of the applicant.
- (2) The applicant's permanent street address and mailing address.
- (3) A brief description of the nature of the business and goods to be sold.

- (4) ~~Two color photographs of the applicant taken within 30 days immediately prior to the date of filing the application, photographs shall be two inches by two inches in size, showing the head and shoulders of the applicant in a clear and distinguishing manner~~ A current form of photo identification of the applicant, which can be in the form of a valid driver's license, State issued identification card, passport or work visa.
- (5) A ten-year background check as to whether or not the applicant has been convicted of any criminal offense, other than a moving violation, and the punishment or penalty assessed therefor.
- (6) A ten-year driving record certified by the state ~~Department of transportation~~ Motor Vehicles or the comparable agency of any state in which the applicant has lived in the last ten years.
- (7) A copy of the vehicle's registration
- (8) Color photographs of the vehicle interior and exterior in sufficient number and type to provide permitting officials to be familiar with all the exterior and interior views of the mobile food vendor vehicle.
- (9) Such other relevant information as may be reasonably required by the city after a review of the submission of the above material in order to ensure a full review of information needed to assess the impact of the proposed operation on the health, safety and well-being of the public.

Sec. 8-366 . Submitting false information.

It shall be unlawful for any person to provide any false or misleading information in connection with his application for a permit required by this subdivision or to withhold relevant information otherwise required.

Sec. 8-367 . Mobile food vendor city decal permit fee and display.

Each applicant, upon being issued a permit under this subdivision, shall also be issued a decal which the vendor must display on the front right windshield's lower corner, or at such other location as the city ~~in writing~~ shall approve in writing. There shall be due at the time of application a fee for the permit and decal in an amount set by the city manager in a schedule of fees. When the annual permit expires on ~~December 31~~ April 30 of any given year, the fee shall also be due again upon the applicant submitting submission of a renewal application.

Sec. 8-368 . Contents of decal permit.

Each city decal permit issued under this ~~division~~ subdivision contain the signature and seal of the issuing officer and shall show the name, address and photograph of the permittee, the class type of permit issued and the kind of goods to be sold thereunder, the date of issuance and the length of time the permit shall be operative valid, as well as the permit number and other identifying description of any vehicle used in such business. The permit and decal are issued to a specific vendor for a specific vehicle. No vendor may transfer a permit or decal to another vendor. No vendor shall transfer a permit or decal to another vehicle owned or controlled by the same vendor. In the event the vendor acquires ~~during a calendar year~~ a replacement vehicle to serve the same purpose as the vehicle for which the city issued a decal permit and decal during a calendar year, then a replacement permit and decal shall be issued at a nominal fee and the original permit and decal shall become null and void, and must be returned

to the city prior to the issuance of replacements.

Sec. 8-369 . Records.

The revenue administrator shall keep a permanent record of all permits issued under this subdivision.

Sec. 8-370 . Term.

Every permit issued under the provisions of this subdivision shall expire ~~December 31~~ April 30th ~~each~~ year.

Sec. 8-371 . General maintenance requirements.

- (a) All exterior body work and mechanical equipment of any mobile food truck vendor shall be maintained in good and clean condition and free of excessive wear or damage.
- (b) All exterior paint work shall be maintained in good condition, free of substantial scratches, chips, rust, dents and abrasions.
- (c) All windshield and window glass shall be maintained free from cracks, scratches, pitting, abrasions or any other conditions that may cause a hazard or reduce clarity of vision below the level specified by the manufacturer.
- (d) Any other type of damage or possible public hazard deemed appropriate by the city inspector.

Sec. 8-372 . Inspections.

- (a) Nothing in this subdivision shall be construed as limiting or replacing the role of the state DHEC (~~d~~Department of ~~h~~Health and ~~e~~Environmental ~~e~~Control), which has the primary task of inspecting mobile food vendors.
- (b) The city inspector or his agents shall have the right, at any time, after displaying proper identification, to enter into or upon any mobile food vendor vehicle for the purpose of ascertaining whether or not any of the provisions of this subdivision are being violated.
- (c) Any mobile food vendor vehicle which is found, after any city inspection, to be unsafe or in any ~~not compliant with~~ way in violation of this subdivision may be directed to be out of operation until the cited deficiency is corrected, and before again being placed in service shall be delivered to the inspector at a designated point for reinspection. Every mobile food vendor must institute a system of regular weekly inspections of all the vendor's mobile food vendor vehicles and equipment and must always keep all equipment in proper repair and sanitary conditions ~~at all times~~.

Sec. 8-373 . Penalties, suspension and revocation.

~~Violations~~ Any person violating any provision of this subdivision shall be subject to this Code's general ~~penalties clause~~ guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-5-8-. Each day any violation of this subdivision shall continue shall constitute a separate offense. The city may also issue a stop order to suspend the permit and business license or revoke the permit and business license.

~~Secs. 8-374—8-375. Reserved.~~

Code of Laws of South Carolina

Title 56 - Motor Vehicles

Section 56-5-4435

UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS

SECTION 56-5-4435. Safety equipment required for motor vehicles used in vending food.

A motor vehicle which performs business in a residential or abundant housing area and makes frequent or unscheduled stops for the purpose of vendor sales of frozen dairy products or other types of snack foods must be equipped with the following safety features:

- (1) An audible alarm signal device when the vehicle is in reverse gear, but the signal must not emit an unreasonably loud or harsh sound;
- (2) Signal lamps mounted on the front and on the rear as high and as widely spaced laterally as practicable, which are capable of displaying two alternately flashing red lights at the same level. These lights must have sufficient intensity to be visible at five hundred feet in normal sunlight;
- (3) An extended mirror outside on both the right and left side of the vehicle to reflect to the driver a view of the street or highway for a distance of at least two hundred feet behind the vehicle;
- (4) A rear mirror situated to provide the operator a view of the area immediately behind the vehicle; and
- (5) A swing arm located on the front and rear of the vehicle that prohibits a person from walking directly in front of or behind the vehicle. The swing arm must be engaged when the vehicle is stopped for the purpose of vending products.

This section does not apply to a vehicle that delivers or distributes foods to commercial properties or construction sites only.

****ICE CREAM TRUCKS****