

ORDINANCE NO. 610

AN ORDINANCE ESTABLISHING REGULATIONS FOR FOOD TRUCK/MOBILE FOOD VENDOR OPERATIONS WITHIN THE CITY OF HIGHLAND, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HIGHLAND, KANSAS:

SECTION 1. License.

- a. All Food Truck/Mobile Food vendors shall acquire and maintain the required licenses and permits applicable for the use and operation of food truck/mobile food units from the City of Highland and the state of Kansas. Evidence of such license and/or permits shall be posted in the unit in a conspicuous spot and produced upon request by the city employee charged by the mayor with the enforcement of this policy.
- b. City of Highland Food Truck/Mobile food vendor license fees are \$ 25.00 for an annual calendar year license, expiring December 31st of each year.
- c. Any application for mobile food vendor license may be denied. Any license issued may be revoked, suspended or not renewed by the city clerk for failure to comply with the provisions of this policy or any rules or regulations promulgated by the City of Highland.
- d. Application. To receive a mobile food vendor license, the vendor must file completed mobile food vendor application with the city clerk or other designated representative, on a form provided by the city. Incomplete applications will not be accepted. The applicant must provide the following information
 1. The full legal name, date of birth, Social Security number, permanent address, business mailing address, e-mail address, and telephone number of the applicant and the contact person for the business, if different from the applicant.
 2. The name in which the mobile food unit does business ("dba" name) and, if applicable, the registered name of the legal entity owning the mobile food unit (corporation, LLC, partnership, etc.).
 3. The name of the owner and the type, make, model and vehicle identification number or other identifying number of the vehicle from which the applicant proposes to conduct business.
 4. The applicant's valid Kansas sales tax number, and Federal identification number.
 5. A current health inspection certificate from the state of Kansas.
 6. Proof of a valid driver's license for operation of the class of vehicle or vehicles identified in the application to be used in the business for the applicant.

7. Proof that the applicant has procured a policy of general liability insurance covering the food truck/mobile vending operation and the vehicle written by an insurance carrier licensed to do business in Kansas, with a minimum limit of one million dollars (\$1,000,000.00), naming the City of Highland as an additional insured, and evidence of compliance with the insurance requirements shall be in the form of a certificate of insurance that shall be submitted with the application.

8. The application shall contain a statement certifying that all the information provided in the application is true and correct it must be signed personally and acknowledged by an individual applicant, by a partner for a partnership applicant, by an officer legally authorized to sign for a corporate application or by a member of a limited liability company legally authorized assigned company documents.

SECTION 2. Rules and Regulations for Food Truck Operations.

a. Operations:

1. Locations:

A. Public property. Mobile food vendors shall be allowed to sit up in the following areas.

- i. The Main St. corridor between Iowa and Ives streets
- ii. The Vermont Street corridor between Ives and Elmira Streets.
- iii. Degginger Park
- iv. Minier Park

B. Private Property: a vendor is allowed to operate on private property, with the permission of the owner, and where a line of customers would not hinder the flow of traffic on any street, or the flow of pedestrians along any sidewalk. No accessible route providing access to persons with disabilities may be blocked or reduced to less than 5 feet in width if any such hindrance occurs the vendor must:

- i. Customers to move to a safe location outside the flow of traffic and pedestrians; or
- ii. temporarily stop vending from its unit; or
- iii. move its unit to a different location.

C. Property owners shall not permit a mobile food vehicle to sit there on their property until the vehicle operator has been issued a food truck license from the City of Highland.

D. Distance from restaurants. No food truck/mobile food vendor may vend on public or private property within 150 feet from the front door of a brick-and-mortar restaurant during the restaurants posted hours of operation without written permission. Such permission must be in its unit for inspection.

E. Distance from city approved events. No mobile food vendor shall be allowed to vend within a 500-foot radius of a city approved event without written permission from the event organizer. Such permission must be in its unit for inspection.

b. Hours of Operation. Food truck operations hours are from 7:00 AM to 10:00 PM. Food trucks are not allowed to park overnight at the site.

c. Signage. Except it was provided herein, no sign by pivoted by the City of Highland zoning regulations may be erected, placed, installed and/or maintain associated with a mobile food truck.

d. Trash. Receptacles shall be provided with each mobile unit. Such receptacles must be attached to the unit or located within 15 feet of the unit and cannot interfere with vehicle access, pedestrian movement, or handicap accessible routes to and around the unit. Minimum access with the five feet must be maintained along all sidewalks and building entrances accessible to the public. The food truck/mobile food vendor must take the trash with them.

e. Restoration of site immediately upon cessation of vending and mobile food vendor must return the site to its previous condition including the removal of all litter, repair of any damage, or other evidence of vending. If the site is not returned to its previous condition, the city will restore it to the site at the expense of the vendor.

f. The City of Highland does not provide water or electrical service at any location.

SECTION 3. Exceptions. A vendor operating under the following conditions, or for the purpose of this ordinance and the licensees' provisions required herein shall not apply to:

- a. Vendors selling in conjunction with and as part of a city of Highland sponsored event.
- b. Catering a private event.
- c. Ice cream vendors selling prepackaged merchandise.
- d. Vendors who are set up on their own property.

This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Highland, Kansas, the 12th day of November, 2025.

Charles N. Batchelder, Mayor

ATTEST:

Joann Karn, City Clerk