



## MIAMI TOWNSHIP BYLAWS AND RULES FOR PARK GOVERNANCE (Food Truck Section)

**NOTICE TO ALL USERS: ANYONE ENTERING INTO THE PARKS AND/OR USING THE PARKS AND THE FACILITIES CONTAINED WITHIN THE PARKS DO SO AT THEIR OWN RISK AND AGREE TO INDEMNIFY AND HOLD HARMLESS MIAMI TOWNSHIP, ITS BOARD OF TRUSTEES, ITS EMPLOYEES, AGENTS, INSURERS, ATTORNEYS, AND ASSIGNS FROM ANY AND ALL CLAIMS FOR PROPERTY DAMAGE OR PERSONAL INJURY ARISING FROM THEIR ENTRY INTO THE PARK OR USE OF PARK FACILITIES.**

### PERMITTING AND REGULATIONS OF MOBILE FOOD TRUCKS

#### Scope

The provisions of this section shall apply to mobile food operations engaged in the business of cooking, preparing, and distributing food or beverage with or without charge from mobile food trucks on or in the Parks.

The provisions of this section shall not apply to mobile food operations that are providing a service at the request of the Township.

#### Mobile Food Truck Permit Required

No person or business entity, including a religious or charitable organization, shall operate a mobile food truck in the Parks without a permit issued through the Board, the Township Administrator or their designee.

A mobile food truck permit is required for each and every mobile food truck in the Parks.

#### Application for a Mobile Food Truck Permit

Single Application: There shall be made available by the Board a single application form to apply for each mobile food truck permit. Said application shall include a copy of the applicant's current food service license from the Clermont County Board of Health.

The Board shall set a reasonable annual application fee from time to time, the amount of which shall be incorporated into these rules and bylaws.

Approval Process: An application and application fee can be accessed via the Township website at [MiamiTwpOH.gov](http://MiamiTwpOH.gov). The application and fee must be delivered to the Township Recreation Department located at Miami Township Civic Center, 6101 Meijer Drive, at least fourteen (14) days prior to your event.

#### Limitation on the Number of Permits

The Board may from time to time set a limit on the number of total permits that may be issued per year; provided, however, that no more than two (2) permits, may be issued to a single person or business entity or both. Upon receipt of application, the Board shall advise the applicant whether or not the limitation has been met.

#### Rules and Regulations for Food Trucks

1. No operator of a permitted mobile food truck (hereinafter the "Permit Holder") shall park, stand, or move a vehicle and conduct business within areas of the Parks where the Permit Holder has not been authorized to operate.
2. No Permit Holder shall possess a permit for a mobile food truck that is in operation for a period of more than fourteen (14) days without duly notifying and obtaining approval from the Board, Township Administrator or their designee.
3. The issuance of a permit does not grant or entitle the exclusive use of the Parks, in whole or in part, to the mobile food truck permit holder, other than the time and place as approved for the term of the permit.
4. No Permit Holder shall provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters, unless a proposal for such seating arrangements is submitted with the permit application and approved by the Board, Township Administrator or their designee.
5. Consumers shall be provided with single service articles, such as plastic forks and paper plates, and a waste container for their disposal. All Permit Holders shall provide a waste container for public use that the Permit Holder shall empty at his or her own expense.
6. No mobile food truck shall make or cause to be made any unreasonable or excessive noise in violation of Township noise regulations.
7. The Township reserves the right to temporarily move a Permit Holder to a nearby location if the approved location needs to be used for emergency purposes, snow removal, construction, or other public benefit.
8. Permit/License Display. The Permit Holder must have at ready display all permits and licenses required herein for customers and Board employees who wish to inspect said forms and documents.
9. Fire Certificates. The Permit Holder must provide at the time of application with written certification from the Miami Township Fire Department that its vehicle is in compliance with all applicable federal, state, and local fire safety statutes, regulations, ordinances, and codes.

#### Prohibition Against Assignment/Transfer of a Permit.

No Permit Holder shall sell, assign or transfer a mobile food truck permit issued by the Board, Township Administrator or their designee.

Unauthorized Assignment/Transfer Voids Permit. Any unauthorized assignment/transfer or attempt to assign/transfer a permit issued by the Board shall automatically void such permit. Whoever violates this provision shall be subject to a fine of one hundred fifty dollars (\$150.00).

Each assignment/transfer or attempt to assign/transfer of a permit shall constitute a separate violation.

### Operation of Mobile Food Trucks

Operation Without Permit: Any mobile food truck being operated without a valid mobile food truck permit issued by the Board shall be deemed a public safety hazard and may be ticketed and ordered to immediately leave the Parks.

Unattended Vehicles Prohibited. No Permit Holder or mobile food truck shall be parked in any park overnight or left unattended and unsecured at any time. Any Permit Holder or mobile food truck which is found to be unattended shall be considered a public safety hazard and ordered to immediately leave the Parks.

A Permit Holder operating outside of an approved route, at an unauthorized location, or beyond the hours for which the operation has been permitted shall be deemed in violation of this section and may be subject to enforcement.