

Mobile Food Vendor on Private or Public Property – Not a Special Event

Information/Documents Required

SC DHEC permit

SC Retail Sales License

Berkeley County Peddlers/Solicitor Permit – see Zoning Office at Berkeley County Offices

Property Use Letter – Signed by property owner

Htax Registration Form

Business License Application

MOBILE FOOD VENDOR

§ 110.035 LICENSE REQUIRED.

It shall be unlawful for a person, firm or corporation to engage in the business of a mobile food vendor within the City of Goose Creek, without first obtaining a license therefor, as provided in this chapter, unless specifically exempted therefrom by the provisions of this chapter.

(Ord. 17-015, passed 6-13-2017)

§ 110.036 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context indicates or requires a different meaning.

MOBILE FOOD VENDOR. Any person or persons who operates or sells unprepared or prepared meals from a stationary cart, food truck or trailer mounted on a chassis. Mobile food vendors shall not mean selling from a stand, booth. A mobile food truck may mean a privately-owned automobile if the meal is prepared and cooked in a commercial kitchen with an "A" from the Department of Health and Environmental Control.

(Ord. 17-015, passed 6-13-2017)

§ 110.037 DURATION OF LICENSE; TRANSFER.

Each license shall be issued for one calendar year beginning May 1 and shall expire on April 30. A change of the business address must be reported to the Finance Director ten days prior for approval for the license to be valid at the new address. Failure to obtain the approval of the Finance Director of the change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license.

(Ord. 17-015, passed 6-13-2017)

§ 110.038 PERMITTED FOOD; BEVERAGES.

Permitted food and beverages shall be limited to edibles, hot and cold beverages containing no alcohol, unless a special license has been obtained from the South Carolina Department of Revenue and is on file with the City of Goose Creek Business License Office and other items related to such edibles. Sale of tobacco products and smoking paraphernalia is prohibited. No sale items may be displayed outside the mobile vending unit. Edibles with alcohol which are not regulated by the South Carolina Department of Revenue alcoholic beverage licensing including alcohol suspended in frozen form, gelatin, fruit, or other food product are prohibited to be sold by mobile food vendors unless the alcohol is cooked so as to cause the evaporation of burning off of all of the alcohol.

(Ord. 17-015, passed 6-13-2017)

§ 110.039 LICENSE; FEES.

The license fee for each class of business shall be computed in accordance with the rate schedules established and approved by City Council and is on file in the offices of the Finance Director and City Clerk.

(Ord. 17-015, passed 6-13-2017)

§ 110.040 HOURS OF OPERATION; LOCATION.

Operating hours shall be no earlier than 7:00 a.m. and no later than 9:00 p.m., unless a special events permit has been issued. Mobile food vendor is limited to those zoning classifications that permit food service, unless a special event permit has been issued. When selling from a privately-owned automobile as described in § [110.036](#) and invitation must be extended from the property owner in writing detailing the hours needed and specific location permitted.

(Ord. 17-015, passed 6-13-2017)

§ 110.041 REQUIREMENTS.

(A) *Application.* Mobile food vendor must submit a completed City of Goose Creek business license application to the Business License Office.

(B) *Permission from property owner/representative.* Permission to operate must be obtained in writing from the property owner/representative. Mobile food vendor must submit authorized property use letter, unless an events permit has been issued, or is located on the naval weapons station.

(C) Mobile food vendors are not permitted outside the parking area of designated location.

(D) *Parking.* Required parking for the primary business(es) shall be minimally affected.

(E) *Signage.* Signage shall be permitted on the vehicle only to identify the name of the product or the name of the vendor, and the posting of prices. A separate menu board is allowed not exceeding 12 square feet in area and 40 inches in height. This sign must be located on the same property and within close proximity to the mobile food vendor, and must not be placed on the sidewalk or in the public right-of-way.

(F) *Garbage disposal.* The mobile food vendor shall only use single-service plates and utensils. Garbage and/or recycling receptacles must be made available for patron use and removed from the site daily by the mobile food vendor. Failure to remove trash/garbage/recyclables or to keep area of vending unit clean may result in the immediate revocation of the mobile food vendor business license.

(G) *DHEC requirements.* Mobile food vendor must meet all applicable DHEC regulations for mobile food units and possess a valid DHEC permit where applicable.

(H) *Routine inspections.* Any mobile food vendor or vending unit that has been issued a notice of health violation by any Department of the State of South Carolina, which remains uncorrected upon a subsequent inspection, shall have its mobile food vendor business license revoked.

(I) *Site plan.* Site plan must be submitted indicating the location of vending unit, umbrellas and/or tents, dining equipment: i.e. tables and benches, property boundaries and adjacent buildings, parking area, entrances and exits, and the distance unit will be from roadway.

(Ord. 17-015, passed 6-13-2017)

§ 110.042 PROHIBITED CONDUCT.

No vendor shall:

- (A) Leave any vehicle unattended.
- (B) Store, park or leave any vehicle overnight on any street or sidewalk.
- (C) Leave from any location without first picking up, removing and disposing of all trash or refuse remaining from sales made by the vendor.
- (D) Solicit or conduct business with persons in motor vehicles.
- (E) There will be no external lighting permitted.
- (F) Sell anything other than that for which a license to vend has been issued.
- (G) Sound or permit the sounding of any device that produces a loud and raucous noise or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention of the public.
- (H) Allow any item relating to the operation of the vending business to lean against or hang from any building or other structure lawfully placed on public or private property.
- (I) Change vending locations without first notifying the Business License Department and submitting required permissions.
- (J) Discharge fat, oil, grease or waste water into the sanitary sewer system. All waste shall be properly stored and disposed of at a properly designated disposal location.

(Ord. 17-015, passed 6-13-2017)

§ 110.043 HOSPITALITY TAX.

All mobile food vendors shall collect from any patron a 2% hospitality tax on all prepared food and beverages and will remit collected hospitality tax to the Finance Director no later than the twentieth day of the following month in which collected.

(Ord. 17-015, passed 6-13-2017)

§ 110.044 EXEMPTIONS.

The following are exempt from the provisions of this policy; caterers: a person or company providing food and drink at a social event or other gathering for a contracted price and has obtained an annual city business license, vendors with a store front within the municipal limits of Goose Creek and possess an annual city business license and vendors that fall under a peddler or solicitor license.

(Ord. 17-015, passed 6-13-2017)