



City of Paducah Planning Department
300 South 5th Street
Paducah, KY 42001
Phone: 270-444-8690

Checklist for obtaining a Mobile Food Vehicle Permit

1. I have read the Mobile Food Vehicle Ordinance # _____. Yes _____ No _____
2. Attach the required application.
3. Attach Dimensions and photographs (front, both sides, and rear) of the dispensing unit or vehicle.
4. Obtain Safety Inspections from the Paducah Fire Prevention Department. Please attach copy.

300 South Fifth Street, 1st floor
Paducah, KY 42002
(270) 444-8522

5. Provide Proof of tax ID number from the Kentucky State Revenue Cabinet. Please attach copy.

Kentucky State Revenue Cabinet
600 Cedar Street
2nd Floor
Louisville, KY 40202
(502) 595-4512

6. If applicant is selling food and/or drink which are not pre-packaged, a permit will be needed from the Department of Health. Please attach copy.

Purchase District Health Department
916 Kentucky Ave.
Paducah, KY 42001
(270) 444-9625

7. Attach documentation of the vehicle license number, description, identification number, registration, and proof of insurance for all vehicles from which the applicant proposes to conduct business.
8. Attach Proof of Liability Insurance in the amount of \$2,000,000 with the City of Paducah additionally insured.
9. Attach applicable written permissions from private property owners, City of Paducah Planning Department, and/or Paducah Park Services Department.
10. Obtain a zoning compliance permit from the Department of Planning.

300 South Fifth Street, 2nd floor
Paducah, KY 42003
(270) 444-8690

11. Obtain a business license through the Department of Finance.

300 South Fifth Street, 1st floor
Paducah, KY 42003
(270) 444-8512

APPLICATION FOR MOBILE FOOD VEHICLE PERMIT

NEW APPLICATION ☐ RENEWAL APPLICATION ☐

NAME OF APPLICANT _____

D/B/A: _____

BUSINESS ADDRESS _____ ZIP _____

CONTACT PERSON _____

HOME ADDRESS _____ ZIP _____

BUSINESS PHONE _____ E-MAIL _____

LOCATION(S) _____ HOURS OF OPERATION _____

KY STATE SALES & USE TAX NUMBER _____

LIST OF ITEMS TO BE VENDED _____

EQUIPMENT/ VEHICLE INFORMATION

TYPE OF EQUIPMENT/VEHICLE TO BE USED _____

LENGTH OF CART _____ DEPTH _____ HEIGHT _____

VEHICLE _____ YEAR: _____ MAKE: _____ MODEL: _____

INSURANCE INFORMATION _____

WILL YOU HAVE EMPLOYEES AT THE REQUESTED LOCATION? Yes ___ No ___

IF YES, PLEASE SPECIFY THE NUMBER OF EMPLOYEES AND THEIR NAMES: NUM OF EMPLOYEES _____

LICENSEE HEREBY AGREES THAT IT WILL INDEMNIFY AND HOLD THE CITY OF PADUCAH, ITS OFFICERS, EMPLOYEES AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS OF DAMAGE TO PERSON(S) OR PROPERTY WHICH MAY RESULT FROM THE ACTIVITIES PERMITTED HEREUNDER, AND SHALL FURNISH CORPORATE SURETY OR PROOF OF INSURANCE FOR SUCH INDEMNITY AND IN SUCH MANNER AND AMOUNT AS MAY BE DEEMED REQUISITE.

IT IS UNDERSTOOD THAT FOR REASONS OF SAFETY OR TRAFFIC FLOW, ANY LAW ENFORCEMENT OFFICER MAY MOVE LICENSEE OR HIS/HER AGENT FROM SPECIFIED LOCATION.

PERMIT APPLIED FOR AND ALL TERMS AND STIPULATIONS AGREED TO BY:

SIGNATURE

TITLE

DATE

Sec. 126-87. Mobile Food Vehicles and Food Tents

- (a) *Purpose and intent.* In order to promote a new dynamic for the citizens of Paducah, create new jobs, increase quality of life and diversify dining options; this section of this chapter has been adopted to allow Mobile Food Vehicles and Food Tents to operate under specific guidelines.
- (b) *Definitions.* The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Food Tent means a temporary structure with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects, used for the purposes of serving food or beverage to the general public.

Mobile Food Administrator means the Director of Planning or designee. The Administrator shall be responsible for the administration, oversight and enforcement of the provisions under this section.

Mobile Food Vehicle means a vehicle-mounted, vehicle-towed or vehicle-carried food service establishment that engages in the sale and preparation of food or beverages in individual portions to the general public.

Mobile Food Vendor means a person that prepares or serves food or beverages to the general public from a Mobile Food Vehicle.

- (c) *Exemptions.* This section shall not apply to ice-cream or coffee trucks that move from place-to-place and are stationary in the same location for no more than ten (10) minutes at a time. This section also does not apply to food vending push carts, food stands, Mobile Food Vehicles in operation under a special event permit, Mobile Food Vehicles intended to be stationary, such as; but not limited to, in a mobile food vehicle court and Food Tents in the Highway Business District.
- (d) *Zoning locations.* Mobile Food Vehicles may operate in the following zones: B-1, B-2, B-2-T, B-3, HBD, M-1, M-2, M-3, A-1, POP and HM Zones. A Mobile Food Vehicle may operate on a parcel that contains non-residential uses in the MU, H-2, NSZ and NCCZ Zones and in Planned Unit Developments (PUDs). All other zones are expressly prohibited, except in public parks as described herein.
- (e) *Location and hours.* Mobile Food Vehicles are permitted on City of Paducah right-of-way (ROW). Mobile Food Vehicles are expressly prohibited from locating on State of Kentucky ROW. Mobile Food Vehicles may not locate within one hundred (100) feet of the principal entrance of any restaurant where more than fifty (50) percent of sales are derived from food, without the express written consent of said restaurant(s).
- (1) The Mobile Food Vendor must obtain written permission from the property owner to locate on private property and said permission must be made available to the Mobile Food Administrator. Mobile Food Vehicles may locate in public parking lots with written approval from the Mobile Food Administrator. Vehicles in the ROW may be asked to be moved in the event of street cleaning, snow removal, parades, construction or other events as deemed necessary, in the sole opinion, of the Mobile Food Administrator. Mobile Food Vehicles in private parking lots may be asked to be moved in the event sufficient parking is not available. Written permission must be granted from the Paducah Parks Services Director or designee; or the McCracken County Judge Executive or designee (depending on ownership) if the Mobile Food Vendor proposes to operate in a public park.
- (2) In no case shall a Mobile Food Vehicle obstruct traffic or pedestrian flow. A Mobile Food Vendor shall ensure that a minimum of four (4) feet of unobstructed sidewalk remains open for pedestrian traffic. Mobile Food Vehicles parked in the ROW shall not occupy more than two (2) parking spaces. No stop sign, yield sign, school crossing sign or any other traffic-control sign or signal shall be obstructed. No ingress/egress of any driveway or alley shall be obstructed. No fire hydrant or fire lane shall be obstructed.

- (3) Mobile Food Vehicles may operate within the hours of 6:00 a.m. to 11:00 p.m. Mobile Food Vehicles may operate until 2:00 a.m. if the Mobile Food Vehicle is located on private property and the principal business located on the private property is open. Mobile Food Vehicles may not be left overnight in public parking lots or on City ROW.
- (f) *Self-contained units and appurtenances.* All Mobile Food Vehicles shall have self-contained water and wastewater. No gray water or grease shall be dumped upon any street, sidewalk or down a stormwater drain. Mobile Food Vehicles on private property may utilize electric power from the property being occupied or an adjacent property, but only when written consent is obtained to do so. No power cable, extension cord or other equipment shall be extended across any street, alley or sidewalk. If a power cable, extension cord or other electrical equipment is extended across a parking lot, said equipment must be protected from vehicle movements in accordance with the National Electrical Code requirements.
- (1) No tables, chairs, umbrellas or other appurtenances shall be allowed on public property.
- (2) All Mobile Food Vehicles shall be in compliance with regulations established by the Cabinet for Health and Family Services, Department for Public Health, Division of Public Health Protection and Safety and/or the Purchase District Health Department.
- (g) *Garbage disposal.* All Mobile Food Vendors must provide one (1) or more garbage receptacles for their patrons. All Mobile Food Vendors must keep the area around their vehicles free from litter, refuse and garbage.
- (h) *Serving articles and alcoholic beverages.* Patrons shall be provided with single-service articles, such as plastic utensils, plastic or Styrofoam cups and paper or Styrofoam plates. Mobile Food Vehicles shall not serve any alcoholic beverage unless permitted as part of a special event.
- (i) *Special events.* Mobile Food Vehicles are prohibited from vending two thousand, five hundred (2,500) feet from special event permitted areas; including, but not limited to; Barbecue on the River and Quilt Week unless the Mobile Food Vehicle is permitted by the City of Paducah; the City Parks Services Department and/or the permit holder responsible for the special event. The “Safety Guidelines for Special Events and Mobile Food Vehicles” must be obtained from the Paducah Fire Prevention Division and followed thereto.
- (j) *Noise.* No Mobile Food Vehicle may emit bells, music, horns or other audible sounds used to attract customers. Strobe lights, flashing lights or other repetitious lighting are prohibited. The noise level from the food truck motor and generator must comply with the City’s Noise Ordinance. Generators shall not be permitted on Broadway between Water Street and North 7th Street/ Clarence Gaines Street, 2nd Street or within one hundred (100) feet of a residence, unless a generator is utilized that produces a noise level of 72 decibels or less.
- (k) *Application and permitting.*
1. *Mobile Food Permit required.* Any operator of a Mobile Food Vehicle must apply for and receive, on an annual basis, a Mobile Food Zoning Compliance Permit (the “Mobile Food Permit”) from the Mobile Food Administrator. The Mobile Food Permit is required for each Mobile Food Vehicle. The Mobile Food Permit shall be prominently displayed on the Mobile Food Vehicle along with other permits as required by this chapter.
 2. *Application.* Every Mobile Food Vendor desiring to operate a Mobile Food Vehicle shall submit an application for a Mobile Food Permit to the Mobile Food Administrator. All Mobile Food Vendors shall obtain necessary inspections and permits otherwise required by the City of Paducah, the Purchase District Health Department, and any other local, State or Federal agencies or departments, including a current City business license and any other inspections and permits required by the Paducah Fire Prevention Division, in order to vend in the City limits. In addition to the information required in the application, the Mobile Food Administrator may request other information reasonably required. The Mobile Food Permit application shall not be considered complete until the Mobile Food Administrator has all information as required by the application.
 3. *Issuance of Mobile Food Permit.* Once the application is considered complete, the Mobile Food Administrator shall issue or deny the Mobile Food Permit within fourteen (14) business days. If the

Mobile Food Administrator is satisfied that the application and Mobile Food Vehicle conform to the requirements of this chapter and other pertinent laws and ordinances, a Mobile Food Permit shall be issued to the applicant. If the application and Mobile Food Vehicle does not conform to the requirements of this chapter or other pertinent laws or ordinances, the Mobile Food Administrator shall not issue the Mobile Food Permit, but shall inform the applicant of the denial. Such denial, when requested, shall be in writing and state the reasons for denial. The Mobile Food Permit shall be valid for one (1) calendar year from the date of issuance, unless the Mobile Food Permit is revoked pursuant to this chapter.

4. *Permit renewal.* Every Mobile Food Permit, unless suspended or revoked for a violation of any provision of this chapter or other requirement or ordinance of the City, can be renewed annually prior to expiration. An application for renewal of a Mobile Food Permit shall be made through the Mobile Food Administrator. Upon the Mobile Food Permit's expiration, the holder of the Mobile Food Permit forfeits the right to renew and the Mobile Food Vendor must reapply for a new Mobile Food Permit.
5. *Inspections after permitting.* Permitted operations will be inspected periodically and without notice by representatives of various City departments to ensure compliance with this chapter.
6. *Operation without permit.* Any Mobile Food Vehicle operating without a valid Mobile Food Permit may be deemed a public safety hazard and may be ticketed and impounded. The penalty for operating without a Mobile Vehicle Permit shall be the same as section 126-178.
7. *Revocation of permit.* The Mobile Food Administrator may revoke a Mobile Food Permit if it is discovered that:
 - a. An applicant obtained the Mobile Food Permit by knowingly providing false information on the application;
 - b. The continuation of the Mobile Food Vendor's use of the Mobile Food Permit is a threat to public health or safety, or if the Mobile Food Vendor otherwise presents a threat to public health or safety; or
 - c. The Mobile Food Vendor or Mobile Food Vehicle violates regulations of this article or any other City ordinance.
8. *Appeal of revocation.* If a Mobile Food Permit is revoked, the Mobile Food Administrator shall state the specific reasons for the revocation. Any Mobile Food Vendor whose Mobile Food Permit has been revoked may appeal such denial by submitting a written request for a hearing to the Mobile Food Administrator within ten (10) days of revocation. An informal hearing shall be conducted within thirty (30) days of the Mobile Food Administrator's receipt of said appeal by a panel comprised of the Chairman of the City Planning Commission, the City Manager and the Director of the Fire Prevention Division. The panel shall consider whether the revocation was justified and whether good cause exists to reinstate the Mobile Food 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 Mobile Food Vendor at the address listed on the Mobile Food Vehicle application. The decision resulting therefrom shall be final. Following the revocation of a Mobile Food Permit, a Vendor must wait one (1) year before reapplying for a new Mobile Food Permit.

(l) *Food Tents.* Food Tents shall be principally permitted in the B-2 Zone and as promulgated through the higher-intensity zones. In addition to the following, Food Tents shall follow subsections e – j of this chapter as applicable.

1. *Festivals/ events.* Food Tents may be utilized only as part of a private festival or event such as, but not limited to; Food Truck Fridays or block parties.
2. *Approvals.* Food Tents shall receive necessary approvals from the Fire Prevention Division and the Purchase District Health Department. Food Tents shall be required to pass an on-site inspection by the Fire Prevention Division.
3. *Cooking.* No cooking shall take place under a Food Tent unless the tent meets the requirements of the National Fire Protection Association standard #701. All cooking areas must be kept isolated from the public.
4. *Separation.* Food Tents shall be located further than twenty (20) feet from another tent or other structure.



**Paducah Fire Department
Fire Prevention Division**

Stephen D. Kyle, Fire Chief, skyle@paducahky.gov, 270-444-8521
J. Greg Cherry, Deputy Chief/Fire Marshal, gcherry@paducahky.gov, 270-444-8522
300 South 5th Street, P.O. Box 2267, Paducah, KY 42002-2267
Fax: (270) 444-8582
www.paducahky.gov

SAFETY GUIDELINES FOR SPECIAL EVENTS & MOBILE FOOD VEHICLES

1. If wind speeds are to reach 40 miles per hour, or severe weather is occurring, the event shall be closed.
2. A twenty (20) feet fire lane shall be maintained at all times.
3. Aisles and exits must be maintained free of obstructions.
4. All electrical shall be installed in a safe manner and not altered from manufacturer's requirements.
5. No open splices on cords or equipment.
6. PLEASE do not alter the City of Paducah supplied electrical panels in anyway. These power panels are provided with 125 volt, 15 or 20 amp receptacles and 250/125 volt 50 amp NEMA 14-50 R 240 volt receptacles. It is the vendor's responsibility to configure their equipment to connect to these receptacles with a maximum of 16 amps on the 120 volt receptacles and 40 amps maximum on the 50 amp receptacles.
7. Your cords need to have the correct plug on them; City of Paducah staff cannot change them for you.
8. When using extension cords, make sure they are grounded (3 prong), and not the small 16 gage brown or white extension cords. All equipment required to be grounded, must be grounded.
9. All 120 volt 15 and 20 amp receptacles must be GFCI Protected.
10. All receptacles installed outdoors subject to rain or water runoff must have an enclosure/cover that is weather proof with the plug cap inserted.
11. ALL cords need to be run and installed in a safe and orderly manner.
12. Any equipment tripping breakers or GFCI'S is the responsibility of the vendor to repair or remove the equipment.
13. If you will be using any type of trailer that requires an electrical hook up, please contact the Fire Prevention Division before the event, so we may foresee and assist with any problems before you get it to the event destination. You may make an appointment to bring it by City Hall or we can come to you within McCracken County limits.
14. Trash cans must be emptied when full.

15. Charcoals must be disposed of in designated container.
16. At least one ABC fire extinguisher must be located at each site. If a deep fryer is in use a class K is also required. No cooking fire shall begin without extinguisher in place.
17. All pressurized cylinders shall be secured.
18. Internal combustion power sources shall be isolated from contact with the public by either physical guards, fencing or an enclosure.
19. Cooking appliances shall be isolated from the public at no less than 48 inches.
20. Mobile cooking equipment shall be separated from buildings, combustibles, and vehicles by no less than 10 feet.
21. All tents must meet NFPA 701 for being flame retardant.
22. Tents over 700 square feet without sides shall obtain a permit.
23. Tents must be erected to meet the manufacturer's specifications. This includes normal stability of the tent and resistance to wind. All parts must be secured together by bolts, pins or clips.
24. All tents shall be secured by either water buckets or sand bags or other approved methods.
25. Generators must be 5 feet from tents with the exhaust facing away from tent.
26. No storage of gasoline within 10 feet of tents.
27. No cooking in a tent or mobile or temporary cooking vehicle where occupied by the public: 10 feet distance from cooking area to be maintained from public way.
28. One 100lb (max) propane bottle will be allowed in each vendor space per appliance for cooking. All bottles must be UL and DOT approved.
29. The Fire Marshal's office will check propane devices for leaks.
30. All piping for propane application shall be installed in accordance to NFPA 58, (no more than 5 ft flex hose).
31. Prior to mobile or temporary cooking operations workers shall be trained in emergency response procedures including:
 - a. Proper use of portable fire extinguishers and extinguishing systems.
 - b. Proper method of shutting off fuel sources.
 - c. Proper procedure for notifying the Paducah Fire Department.
 - d. Proper refueling
 - e. How to perform leak detection
 - f. Fuel properties

32. Mobile or temporary cooking operations shall not block fire department access roads, fire lanes, fire hydrants, or other fire protection devices and equipment.
33. An approved method of communication to emergency personnel shall be accessible to all employees.
34. The address of the current operational location shall be posted and accessible to all employees.
35. Electrical appliances, fixtures, equipment, or wiring other than low-voltage and automotive vehicle circuits or extensions thereof, installed within or on vehicles, shall comply with NFPA 70.
36. An approved carbon monoxide detector shall be installed where mobile cooking operations are performed in an enclosed area.
37. Flammable liquids shall not be stored inside mobile cooking vehicles or in temporary cooking areas unless stored in accordance with NFPA 30.
38. Leak detection testing shall be documented and made available to the AHJ upon request.
39. ASME containers and cylinders used for the purposes covered by 50.7.2.4 shall not be installed, transported, or stored (even temporarily) inside any vehicle covered by 50.7.2.4, except for ASME containers installed in accordance with 50.7.2.4.3.4.9, Chapter 9, or DOT regulations. [58:6.24 26 .3.2]
40. The LP-Gas supply system, including the containers, shall be installed either on the outside of the vehicle or in a recess or cabinet vapor tight to the inside of the vehicle but accessible from and vented to the outside, with the vents located near the top and bottom of the enclosure and 3 ft (1 m) horizontally away from any opening into the vehicle below the level of the vents. [58:6.24 26 .3.3]
41. Containers shall be mounted securely on the vehicle or within the enclosing recess or cabinet.
42. Appliances shall be located so that a fire at any appliance will not block egress of persons from the vehicle.
43. Mobile units including mobile kitchens and catering vehicles that contain hot plates and other cooking equipment shall be provided with at least one approved portable fire extinguisher rated in accordance with NFPA 10 at not less than 10-B:C.
44. Deep fat fryers, fry-o-lators, or other appliances having combustible liquids heated by LP Gas, solid fuels, or electricity shall be protected by an approved hood fire suppression system or other approved means of extinguishment in the event of fire.
45. All piping shall be in accordance to NFPA 58.
46. Any open flame or cooking device shall not be within 20ft of gasoline dispensers or fill points for underground gasoline storage tanks.