



CITY OF ATLANTA 2020 PUBLIC VENDING PROGRAM APPLICATION PACKET: FOOD TRUCKS

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Public Right of Way Food Truck Permit Application Process

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances provides for food truck vending in approved locations within the City's general right of way. Operating a food truck in the City of Atlanta right of way requires a permit from the City of Atlanta Office of Revenue, and it is unlawful to sell any goods or services from any public right of way location without a permit.

To receive a Food Truck Vending Permit, applicants must use the following process:

- 1) Applicant must complete a Food Truck Public Property Vending Application (last page of this document) and submit the application to the City of Atlanta, Office of Revenue located in City Hall Suite 1350 (first floor), 55 Trinity Avenue, SW. **Initial applications must be filed in person.**

A complete application pack should include the following:

- \$145 non-refundable permit and application fees – Payment may be made by money order, certified bank check, any major credit card (Visa, MC, Amex, Discover), or cash. No personal or business checks will be accepted.
- Valid Business License and Tax ID
Note: For Food Truck Vendors, a single Business License may cover multiple vending locations. The same is true for Vending Permits. Note that the Public Property Food Truck Permit is separate and distinct from the City's Private Property Food Truck permit.
- Valid permit through the Fulton County Department of Health and Wellness, Environmental Health Services Division.
Note: Permitting through Fulton County requires a Plan Review and Preliminary Health Inspection with a score of 95 and Routine Health Inspection within 60 days of permit issuance.
- *Photo of your approved **motorized food truck** along with proof of motor vehicle insurance*

- 2) Following approval of the application package by the Office of Revenue, the applicant must complete a background check and be fingerprinted by the Atlanta Police Department (APD) Office of Licensing & Permits, located at 3493 Donald Lee Hollowell Pkwy, NW. *Note: background checks must be completed within 30 calendar days of application filing date or application will be deemed invalid.*

- 3) Pending a satisfactory completion of the Background Check with APD, the applicant will receive a valid vending permit from Atlanta Police Department, and the vendor is eligible to vend in designated "vending zones" established by the City of Atlanta.

Please note the following:

- *The city's vending permit year runs from March 1st to February 28th. Permits issued after March 1st must be renewed prior to February 28th the following year. Application fees are not prorated.*
- *Renewal permit applications must be submitted by February 28th.*

Vending Fees

All application fees, including permit, criminal background check and fingerprinting are due at the time an application is submitted and are non-refundable.

Initial application fees are \$145 and are comprised of:

- Permit application fee for Public Property Vending _____ \$75/year
- Criminal background check fee _____ \$50/year
- Fingerprint fee (initial application only) _____ \$20/year

Renewal application fees are only \$125.

The vending permit year begins on March 1st; at that time all vendors must complete the renewal process and pay the associated application fees. Payment may be made by money order, certified bank check, any major credit card (Visa, MC, Amex, Discover), or cash. No personal or business checks will be accepted.

Per City ordinance, disabled veterans and blind persons are exempt from paying permit application fees. To qualify for the exemption, disabled veterans must provide a certificate of exemption issued by the Commissioner of Veteran Services and a Blind/Visual Impaired Person must submit an Awards Letter or Benefits Letter as proof.

Vending Permit Application Requirements

Chapter 30, Article XXIII (23) of the City of Atlanta Code of Ordinances requires that the following materials must be submitted as a part of the Public Property Food Truck Permit application process:

- Applicant's name and current address
- Applicant's previous addresses within the last five years
- Social security number
- GDOR retail identification tax number (Sales Tax ID number)
- State issued picture identification
- City business license
- County or State Mobile Food Service Permit
- General description of the items permissible for sale to be sold or offered for sale at vending location
- Payment of \$145 (credit or debit, money order, certified check or cashier's check)
- Photo of your approved **motorized food truck** along with proof of motor vehicle insurance

Once a completed application is submitted and approved by the Office of Revenue, the applicant has 30 calendar days to complete the permitting process. Failure to complete the process within 30 calendar days will result in automatic dismissal of the application.

Designated Food Truck Vending Zones

Vending from food trucks on public property can only take place in locations (or “zones”) that are designated by the City of Atlanta. Phase I of the Food Truck Program will take place in the Government Walk area of Downtown Atlanta. Expansions of designated “zones” will occur in future Phases.

Government Walk Zone:

Central Avenue

- Four metered parking spaces (two Food Trucks) on the west side of Central Avenue between Trinity Ave and Mitchell Street.

Mitchell Street

- Six metered parking spaces (three Food Trucks) on the south side of Mitchell Street between Central Avenue and Washington Street.
- Six metered parking spaces (three Food Trucks) on the north side of Mitchell Street between Central Avenue and Washington Street.
- Four metered parking spaces (two Food Trucks) on the south side of Mitchell Street between Pryor Street and Central Avenue.

Martin Luther King Jr Drive

- Four metered parking spaces (two Food Trucks) on the south side of Martin Luther King Jr Drive between Washington Street and Central Avenue.

Pryor Street

- Six metered parking spaces (three Food Trucks) on the west side of Pryor Street between Martin Luther King Jr Drive and Mitchell Street. Food Trucks utilizing these spaces shall be subject to the posted rush hour parking restrictions.
- Four metered parking spaces (two Food Trucks) on the east side of Pryor Street between Mitchell Street and Trinity Avenue.

Trinity Street

- Two metered parking spaces (one Food Truck) on the north side of Trinity Street between Central Avenue and Washington Street. Any Food Truck utilizing this space shall be subject to the posted rush hour parking restrictions.

Food Truck Operating Guidelines

- Vending may take place between 7:00am and 12:00am (midnight).
- City of Atlanta Vending Permits and Fulton County Health Permits must be posted visibly always. If operating multiple sites, the vendor is responsible for providing visual proof of permit in all vending locations.
- No vending is allowed within 15 feet of a fire hydrant.
- No vending is allowed within 600 feet of the closest property line of any public or private elementary, middle or high school.
- No vending location is allowed within 200 feet of a brick and mortar business selling the same or similar product
- Food Trucks may only be open to and may only serve customers from the side of the truck facing the sidewalk. Food Trucks are prohibited from operating with their trucks open to the roadway.
- Food trucks may only vend from metered parking spots available to the public, with up to two spots allocated per truck. Duration limits are waived; however, trucks must pay the meters for the duration of the stop.
- Food trucks may operate from no more than one third of the metered parking spaces on each street on a block. ***See Appendix A for more information.***

Enforcement Policy and Revocation of Permit

Failure to comply with any provisions of the ordinance that result in the finding of a violation will be penalized, as follows:

- **First violation:** fine of up to \$100
- **Second violation:** minimum fine of \$100, up to \$1000 and/or suspension, up to revocation of permit
- **Third violation** within a 24-month period: revocation of permit

Any appeals against APD enforcement will be managed through existing License Review Board (LRB) procedures. More information on LRB procedures can be found at [City of Atlanta Code Section 30-26].

Appendix A: FAQs

Does the City's Public Property Vending Program allow for vending in Parks?

At present there are no designated food truck areas in City Parks; however, the Department of Parks and Recreation is pursuing opportunities to pilot food truck vending in select areas. To be eligible to participate in the Park vending program, food trucks must first be permitted through the City's Public Property Vending program.

Can I vend from a push cart or other mobile vending vehicle that is not motorized? No.

The City's Public Property Food Truck Ordinance has been designed for motorized food trucks which must park in the City's right of way (e.g. not on sidewalks). To protect the safety of the public and the safety of the vendors, only motorized vehicles may participate, which meet the criteria set by Fulton County Code of Ordinances and Code of Resolutions Article V entitled "Food Service."

Who enforces the City's Public Property Food Truck Ordinance?

The City's Public Property Food Truck Ordinance is monitored and enforced by the Atlanta Police Department. All Health Code enforcement will be managed by the Fulton County Department of Health and Wellness, Environmental Health Services Division. Business license and tax regulations will be enforced by the Office of Revenue in partnership with the Police Department.

Do I need multiple Vending Permits or Business Licenses to vend from multiple locations?

No. A single Business License and vending permit may cover multiple food truck vending locations. However, the City's Public Property Vending Permit does not enable vendors to vend on private property. Vending on private property requires a separate and distinct Private Property Food Truck Permit which is issued by the Atlanta Police Department. A Special Administrative Permit (SAP) approval from the Office of Planning is also required, prior to obtaining approval from the Police Department.

Is there a process to reserve vending locations in the designated food truck areas?

No. Under the current vending program, all vending locations are available on a first come, first served basis. In future iterations of the program, we will examine the possibility of creating other options.

Do staff who are working in and/or operating a Food Truck need to be permitted through the City of Atlanta?

No. Only the operator of the food truck must be permitted; however, the permitted operator is solely responsible and liable for the operations of the permitted truck. If a violation occurs when a staff member who is not permitted is working or operating the truck, the permitted operator will be cited.

What are the deadlines for payment?

To apply for a Public Property Food Truck Vending Permit with the City of Atlanta, all vendors must pay the full amount of application (\$145 for new permits, \$125 for renewals) at the time of application submission. Vendors who are not able to pay all fees at the time of application submission will not be allowed to apply or be issued a permit.

Who do I call if I have a question about the Vending Program?

General program questions	Torey Garrett Department of City Planning Economic Development Division vending@atlantaga.gov 404-330-6121
Questions related to permitting through the City of Atlanta	Office of Revenue biztax@atlantaga.gov ATL311 or 404-330-6270
Questions related to background check, private property vending or to report a violation	Ofc. Loreatha Cannon Atlanta Police Department lcannon@atlantaga.gov 404-546-4470 <i>If the issue creates an immediate threat to public safety, please contact 911</i>
Questions regarding the Fulton County health code or requirements for receiving the required health permits	Edward Smith Fulton County Dept of Health and Wellness Environmental Health 404-332-1808 Edward.Smith@fultoncountyga.gov