

Mobile Food Policy

Comprehensive Guide to Operating
Standards & Permitting Requirements
for Operating Food Trucks within the
City of Thomasville

Thomasville Planning & Zoning Department

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- Site Plan Example for Food Vending Location
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General Information

Mobile Food Service Units (aka food trucks) are permitted to operate within the City of Thomasville, provided certain requirements are met. Generally, **“No person shall operate a Mobile Food Service Unit within the corporate limits of the City without obtaining and maintaining the applicable licenses and permits required by the health authority or any governmental agency of the United States, State of Georgia, Thomas County, or this City”** [§18-560.a, Thomasville Municipal Code].

This document is a comprehensive guide to the operating standards and permitting requirements for operating food trucks within the City of Thomasville. The City’s Food Truck Policy currently includes a regulatory ordinance and a permitting process. Eventually, it will have programming to allow food trucks in more public spaces—stay tuned!

Regulations & Requirements

Our end goal is always protecting the public’s health, safety, and welfare, but we also want the City’s food truck policy to be user-friendly while complying with other state, county, and local regulations.

Health Authority

The state regulates **food safety** through the Georgia Department of Public Health (DPH). DPH has their own regulatory requirements and permits, and the Thomas County Health Department is their local agency that enforces those policies. **If you’re just starting out, your first stop should be the Thomas County Health Department.**

In the state of Georgia, **Mobile Food Service Units**¹ (most commonly food trucks, trailers, and pushcarts) and their **Base of Operation**² (typically a restaurant or commissary) are collectively known as a **Mobile Food Service Establishment**³. There are specific policies that apply to Mobile Food Service Establishments. Generally, all Mobile Food Service Establishments permitted in Georgia must comply with the state’s “Food Service Rules and Regulations”⁴.

Permits Issued by DPH

- Food Service Permit for Base of Operations
- Mobile Food Service Unit Permit

Additional DPH Requirements

- Approved Locations & Schedule
- Property Use Agreement(s)
- Toilet Use Agreement(s)

¹ “Mobile Food Service Unit” means a trailer, motor driven or manually propelled pushcart, food truck, movable portable structure, vehicle vendor, or any other similar conveyance which is not connected to a permanent water supply or sewer disposal system and from which food is offered for sale or service.

² “Base of Operation” means a fixed location with a food service permit from the Georgia Department of Public Health from which a Mobile Food Service Unit operates.

³ “Mobile Food Service Establishment” means one or more Mobile Food Service Units operating from a single Base of Operation and under the managerial authority of one individual or entity.

⁴ Food Service Rules and Regulations, Chapter 511-6-1 of the Rules and Regulations of the State of Georgia

Resources

Please be informed, the State’s standards and permitting process for food trucks are very rigorous. To discuss any of these requirements with the local health authority official, please contact:

Spencer Bowen
229-226-4241
spencer.bowen@dph.ga.gov

Thomas County Health Department
484 Smith Avenue
Thomasville, Georgia 31792

For more information about the state’s rules and regulations, permits and inspections, and mobile food services requirements, please visit: <https://dph.georgia.gov/environmental-health/food-service>

City of Thomasville

Since food safety is covered by state and county health authorities, the City’s policy focuses on **where and how food trucks operate within the city**. The local mobile food service ordinance defines operational standards for food truck vendors and vending location standards for properties where food trucks are allowed to operate. These standards address things like general safety, preventing nuisances, and waste management.

The local ordinance⁵ also outlines the City’s permitting process and prerequisites for food trucks and food vending locations. Food truck vendors must secure an annual operating permit and a separate permit for each food vending location used within the city limits. Food trucks are only permitted to operate on privately-owned properties at approved food vending locations. No food truck is authorized to operate on city-owned property or public right-of-way except as permitted in conjunction with a city-sponsored or -sanctioned special events or in city-designated mobile food vending areas.

Permits Issued by COT

- Mobile Food Service Unit Operating Permit (required Citywide)
- Mobile Food Vending Location Permit (required on Private Property)
- Temporary Vending Permit (issued for Special Events)

Additional COT Requirements

- Fire Inspection Certificate
- Occupational Tax Certificate⁶

Resources

Please be informed, there are several prerequisites and application requirements for city-issued permits for food trucks. To discuss any of these requirements with the city staff, please contact:

Mollie Powell
229-227-3306
Mollie.Powell@thomasville.org

City of Thomasville
111 Victoria Place
Thomasville, Georgia 31792

⁵ The Thomasville City Council adopted a mobile food service ordinance on November 13, 2023 [ORD-52-11132023 Amend Ch18 & 22 to Provide for Mobile Food Service Activities]. See appendix for full text.

⁶ If a food truck’s base of operation is located outside the City of Thomasville, the vendor must provide comparable documentation issued from that jurisdiction.

For more information about the city's mobile food service ordinance, permits, fire inspection, and other local requirements, please visit: <https://thomasville.org/mobile-food>

Operational Requirements for Food Trucks

Each individual food truck that wants to conduct business in Thomasville must obtain a **Mobile Food Service Unit Operating Permit** prior to operating at any location within the city. The operating permit ensures that the food truck has the necessary credentials to operate in the city legally and safely.

Food truck vendors are subject to the following operational requirements when conducting business within the corporate limits of the City of Thomasville. The purpose of these requirements is to ensure safety at a food vending location and prevent nuisances (litter, noise, and the like).

General Operations

- Food truck vendors shall at all times comply with the provisions of all applicable local, state, and federal laws, regulations, and rules.
- A copy of all city-issued permits must be kept with the mobile food service unit and displayed in a location plainly visible to the general public.
- Food trucks are only permitted to operate at approved food vending locations.
- Food trucks shall not be left unattended at food vending locations.
- A mobile food service unit that requires a valid driver's license for operation shall have a person present at all food vending locations with a valid driver's license and ability to relocate or remove the unit.
- Food trucks may not be parked at an approved food vending location after hours of operation.

Prohibited Activities

- No mobile food service unit shall conduct business or operate on any street, sidewalk, or other public right-of-way or on any city-owned property, including, but not limited to, parks.
- Mobile food service units shall not conduct business with any person while such person is situated in a motor vehicle.
- No mobile food service unit shall sell or offer for sale any alcoholic beverages.
- No mobile food service unit may, at any time, utilize amplified sound devices that are audible outside of the unit.

Conducting Business on Private Property

- When operating on privately-owned property, the location and orientation of the mobile food service unit shall conform to the site plan approved by the issuance of the Mobile Food Vending Location Permit.
- When conducting business, mobile food service units shall provide no less than ten (10) feet of unobstructed horizontal pedestrian clearance on private property, as measured from the main service window.
- The hours of operation for mobile food service units shall be limited to the hours between 7 AM and 9 PM if the approved food vending location is located within 150 feet of the property line of a single-unit or two-unit dwelling.

- A mobile food service unit must be removed from its food vending location daily and shall not be stored or parked on any public right of way.

Waste Management

- Each mobile food service unit shall provide a suitably-sized receptacle for litter, which shall be located within ten (10) feet of the service window of the Unit. It shall be maintained and regularly emptied.
- All waste generated by the mobile food service unit's operation, including that associated with its customers and staff, must be disposed of at the base of operation.
- No liquid waste or grease may be left at a food vending location or disposed of in public waste containers, landscaped areas, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances may grease be released or disposed of in the city's sanitary sewer system.

Exemptions During Special Events

- A mobile food service units shall not be subject to the operational provisions set forth under Section 18-564 of the Mobile Food Service ordinance if permitted to operate as part of a City-sponsored and organized event or as part of an otherwise permitted special event held on City property, including rights-of-way, and for which pre-approval from the City Manager or their designee has been given.
- The City Manager or their designee shall have the right to require reasonable event-specific conditions for operating a Mobile Food Service Unit during a permitted event as deemed appropriate taking into consideration the event in question and the circumstances under which the permitted event and Mobile Food Service Unit may be operating.

Mobile Food Vending Locations on Private Property

Food vending locations on privately owned property must be approved by the City. Approval is granted through the issuance of a **Mobile Food Vending Location Permit**, which designates the area where a food truck is allowed to park and conduct business.

Food vending locations on private property are subject to specific standards that focus on how the site is set up. The purpose of these standards is to safely allow food trucks to operate with minimal impact to existing and surrounding uses.

Property Eligibility Based on Land Use

Food vending locations can be permitted on most privately-owned properties within the city, EXCEPT:

- Properties that are undeveloped
- Properties where the primary use is single-family or two-family residential

The property must have a principal building or primary use (other than single- and two-family residential) to be an eligible for site for a mobile food vending location permit. For example, a property with a commercial building or an improved stand-alone parking lot has a primary use; an unimproved grass or dirt lot is considered undeveloped and does not have a primary use.

Food trucks are NOT allowed to operate from property where the primary use is single-family or two-family residential⁷; however, food trucks can conduct business in residential areas on private property where the primary use is more communal, like churches, school campuses, and civic spaces owned and/or operated by NPOs.

Number of Food Trucks Allowed per Property

The number of food trucks that are allowed to operate at the same time on a single property is based on the size of the property:

- Maximum of 2 food trucks on lots of one-half acre or less.
- Maximum of 3 food trucks on lots between one-half acre and 1 acre.
- Maximum of 4 food trucks on lots greater than 1 acre.

It is the property owner's responsibility to ensure that the simultaneous use of approved food vending locations complies with this requirement.

Food Vending Location Standards

A food vending location on eligible private property must meet the following standards to be approved:

- Maintains safe pedestrian and vehicular access and traffic flow on the property
- 5 feet away from any driveway, sidewalk, utility box or vault, handicapped ramp, building entrance or exit, or emergency call box
- 15 feet from fire hydrants in any direction
- 100 feet from the main entrance of any restaurant⁸
- Does NOT conflict with safe visibility on and around the property
- Does NOT conflict with required property buffers

The food truck vendor and private property owner are mutually responsible for ensuring that a food vending location conforms with the site plan that was approved when the Mobile Food Vending Location Permit was issued. See the appendix for an example of a food vending location site plan.

CREATING STANDARD SITE PLANS FOR PROPERTY OWNERS

Property owners are strongly encouraged to create a standard site plan for food truck vendors to submit with their mobile food vending location permit applications. Depending on the size of the property, a property may have multiple configurations for food vending areas and may be allowed to accommodate up to 4 food trucks simultaneously. City staff can work with property owners to create a site plan that designates appropriate food vending locations for the allowable number of food trucks.

⁷ This restriction does not apply to catering.

⁸ The owner of a restaurant falling within the 100-foot minimum separation distance may provide a signed statement consenting to a closer proximity. If a restaurant subsequently opens within 100 feet of a permitted food vending location, the food truck may continue to operate at that location until their permit expires.

City-Issued Permits

Any mobile food service establishment intending to operate a mobile food service unit within the corporate limits of the city shall obtain:

- a **Mobile Food Service Unit Operating Permit** for each mobile food service unit prior to commencing operations
- a separate **Mobile Food Vending Location Permit** for each food vending location that is located on privately-owned property prior to operating at said location
- an event-specific **Temporary Vending Permit** issued in conjunction with a city-sponsored, city-sanctioned, or otherwise permitted special event

The operating permit ensures that the food truck has the necessary credentials to legally operate in the city, while the food vending location permit ensures that a property is appropriate for food truck operations, the property owner has granted permission to use their property, and the City has approved a safe location where the food truck will be set up on site. A temporary vending permit during special events ensures that the food truck follows any event and/or program specific requirements and standards that may apply and regulate a participating food truck.

Permits Generally

Food truck permits will **expire on December 31st each year and must be renewed annually.**

Please be informed, if at any time the mobile food service permit(s) issued by the health department is revoked or suspended, the corresponding city-issued permits for the food truck will be revoked or suspended simultaneously.

Mobile Food Service Unit Operating Permit

The Mobile Food Service Unit Operating Permit allows the operation of the food truck in the city. This permit must be renewed annually.

The applicant must submit:

- **Completed Application Form**
- **Nonrefundable application fee (\$100)**
- **Supporting Documentation, including:**
 - Copy of **permits issued by the health authority** for the base of operation and the food truck
 - if Thomas County is not the location of the Base of Operation, a copy of the **certificate of authorization to operate in Thomas County** issued by the Health Authority
 - Copy of the **occupation tax certificate** from the jurisdiction where the Base of Operation is located
 - Valid vehicle and/or trailer **registration and proof of insurance** for the food truck
 - Food truck **fire inspection certificate** issued by Thomasville Fire Department

Mobile Food Vending Location Permit

A separate Mobile Food Vending Location Permit must be obtained for each food vending location that is proposed on private property. This permit is valid for the calendar year in which it is issued.

The applicant must provide:

- **Completed Application Form**
- **Nonrefundable Application Fee (\$25)**
- **Supporting Documentation:**
 - **Valid Mobile Food Service Unit Operating Permit** issued by the City for the food truck
 - **Signed statement from the property owner** granting permission to the food truck to operate in the designated food vending area on a property.
 - **Site plan** showing the property's boundaries, the proposed food vending location(s), and proximity of uses on neighboring properties. The site plan must demonstrate that the proposed food vending locations meet certain spacing requirements for food trucks on site (see "food vending location standards")

Mobile Food Vending Location Permits are issued to the mobile food vendor. Therefore, it is the vendor's responsibility to get the property owner's permission to use said property and provide a site plan demonstrating compliance with the City's food vending location site standards. However, the property owner is mutually responsible for ensuring that use of a food vending location conforms with the site plan that was approved when the Mobile Food Vending Location Permit was issued.

Temporary Vending Permit During Special Events

When permitted to operate during city-sponsored or sanctioned special events and/or at a city-designated mobile food vending areas, food truck vendors may be required to secure additional permits through a separate city-managed program and/or pay additional fees.

City-Sponsored Events

Food truck vendors that are interested in participating in city-sponsored events, like First Friday, will need to secure the following permits and documentation to operate:

- Mobile Food Service Unit Operating Permit
- An event-specific Temporary Vending Permit

Please contact events@thomasville.org for more information about registering as a food vendor for city-sponsored events.

City-Sanctioned Special Events

Food truck vendors that are interested in participating in other city-sanctioned special events, like OakFest and Due South, will need to have the following permits and documentation to operate:

- Mobile Food Service Unit Operating Permit
- An event-specific Temporary Vending Permit

Please contact the event's organizer for more information about participating in their special events.

City-Designated Mobile Food Vending Areas

The City is working to identify areas that may be appropriate for operating food trucks on city-owned properties and public right-of-way. Once these dedicated operational areas are established, the City will have a separate permitting process and additional requirements allowing food trucks to operate from assigned food vending locations. Stay tuned for more details!

Additional Requirements for Vending During Special Events

If a designated food vending location during a special event is on public right-of-way or on city-owned properties, the food truck vendor operating at that location may be required to provide the following:

- Proof of current liability insurance, with a minimum liability limit of the policy being \$1,000,000.00, issued by an insurance company licensed to do business in the state. The certificate(s) of insurance shall be endorsed to name the City of Thomasville, its elected and appointed officials, officers, employees, and agents as additional insureds.
- An executed Indemnity Agreement, agreeing to hold the City, its elected and appointed officials, officers, employees, and agents harmless and indemnify them for any loss, liability, damage, and costs/expenses associated with the food truck vendor's operations.

Mobile Food Service | Quick References

Regulations & Requirements

Georgia Department of Public Health

<https://dph.georgia.gov/environmental-health/food-service>

City of Thomasville

<https://thomasville.org/mobile-food>

Specific Points of Contact

Food Service Permits:

DPH Environmental Health Section
229-226-4241
spencer.bowen@dph.ga.gov

For Occupation Tax Certificate:

Tax, Collections, and Licensing Office
229-227-3250
taxrequests@thomasville.org

For Fire Inspection Certificate:

Thomasville Fire Department
229-227-4099
Justina.hunt@thomasville.org

For Operating & Vending Location Permits:

Planning & Zoning Department
229-227-3306
Mollie.Powell@thomasville.org

For Participating in City-Sponsored Events:

Thomasville Main Street
229-227-7020
events@thomasville.org

Local Health Authority & Jurisdiction

Thomas County Health Department

484 Smith Avenue
Thomasville, Georgia 31792
229-226-4241

City of Thomasville

111 Victoria Place
Thomasville, GA 31792
229-227-7000

Mobile Food Service | Frequently Asked Questions

Q: What is a Mobile Food Service Unit?

Mobile Food Service Unit is just a technical term that groups Food Trucks, Trailers, and Pushcarts together. You may see us refer to mobile food service units and food trucks interchangeably in the applications, permit, or inspection documents.

Q: I have my occupation tax certificate/business license, do I need a permit to operate?

Yes. You need a “Mobile Food Service Unit Operating Permit” issued by the City of Thomasville to operate anywhere in the city limits. The operating permit is a way for us to check your credentials and ensure you’re set up to operate safely.

Q: I just want to participate in an event, do I still need an operating permit?

Yes. You need a city-issued operating permit to conduct business as a food truck within the city limits. The good news is that once you are permitted for the year you can join all the events that are accepting food trucks. So, it helps to get this done as early as possible.

Q: Why do I need a separate permit to operate on private property?

You will need a separate “Mobile Food Vending Location Permit” for each food vending location that is located on privately-owned property prior to operating at said location. For example, you’ll need 3 permits if you are using 3 different locations. These permits ensure that you have permission to use the property, that your operations are compatible with the property’s existing use, and that your site setup meets minimum safety standards.

Q: Can I sell alcohol?

No. Mobile food service units can NOT sell or serve any type of alcoholic products.

Q: Does the City issue permits for Thomas County?

No. Our operating permit is just for the City of Thomasville.

Q: How long will the permitting process take?

This really depends on how prepared and organized you are. Obtaining an operating permit can be a daunting task as there are multiple governing agencies involved in the process. We hope to make this easier for you, which is why we created the policy guide. Scroll down to find a list of things you should have ready before you start your application. Being prepared will make the process much quicker.

Q: When do you start accepting applications?

We will accept permits applications year-round; however, please know that city-issued permits will expire on December 31st each year and must be renewed annually. We do not prorate our permit fees, so applying early in the year offers the most return on your investment. MFSUs seeking renewal are granted a grace period until February 28th to complete their applications. Operating after that date without a renewal will result in enforcement action.

Be Prepared and Plan for Success!

Having these documents ready before submitting your application will expedite the process.

- Occupation Tax Certificate/Business License for the Base of Operation
- Health Authority Permit for Base of Operation
- Health Authority Inspection Report for Base of Operation
- Authorization to Operate issued by Thomas County Health Department
(required only if Thomas County is NOT the location of the Base of Operation)
- Health Authority Permit for Mobile Food Service Unit
- Health Authority Inspection Report for Mobile Food Service Unit
- Thomasville Fire Department Fire Inspection Certificate for the Mobile Food Service Unit
- Grease Interceptor Permit
(required if Mobile Food Service Unit utilizes a grease trap)
- Vehicle/Trailer Registration and Proof of Motor Vehicle Insurance
(required if Mobile Food Service Unit is a food truck or trailer)
- Color Photos clearly showing the front, sides, and rear of the Mobile Food Service Unit
- Copy of Certificate of Liability Insurance
- Site plan and signed statement from the property owner(s) for each food vending location proposed on private property



APPLICATION FORM FOR
MOBILE FOOD SERVICE UNIT OPERATING PERMIT

(APPLICATION FEE: **\$100.00**)

FOR OFFICE USE ONLY

PERMIT # _____

VALID THROUGH DECEMBER 31, 20____

Date Received: _____

New Application

Renewal Application

APPLICANT INFORMATION

Applicant Name:

Phone Number:

E-mail Address:

Applicant's Relationship to Mobile Food Service Establishment (Owner, Shareholder, Manager, Officer, etc.):

MOBILE FOOD SERVICE ESTABLISHMENT INFORMATION

Legal Name of Mobile Food Service Establishment that will operate the Mobile Food Service Unit:

Owner's entity Type (individual, corporation, LLC, partnership, etc.):

Doing business under a name different from legal name? Yes No If yes, please provide DBA.

Mobile Food Service Establishment Mailing Address:

Name of Primary Contact for Mobile Food Service Establishment:

Phone Number:

Email Address:

BASE OF OPERATION INFORMATION

Base of Operation Physical Address:

County in which Base of Operation is located:

MOBILE FOOD SERVICE UNIT INFORMATION

Type of Mobile Food Service Unit: Food Truck Trailer Pushcart Other _____

Make/Brand, Model, and Year:

VIN #/Serial # (if applicable):

License Plate State and Number (if applicable):

Dimensions of Mobile Food Service Unit (length x width x height):

Social Media Handle(s):

Does your Mobile Food Service Unit utilize a grease trap? Yes No

REQUIRED DOCUMENTATION

The following documentation must be submitted with this application form:

- Copy of Occupation Tax Certificate/Business License for the Base of Operation
- Copy of Health Authority Permit for Base of Operation
- Copy of most recent Health Authority Inspection Report for Base of Operation
- Copy of Authorization to Operate issued by Thomas County Health Department (required only if Thomas County is NOT the location of the Base of Operation)
- Copy of Health Authority Permit for Mobile Food Service Unit
- Copy of most recent Health Authority Inspection Report for Mobile Food Service Unit
- Copy of Thomasville Fire Department Fire Inspection Certificate for Mobile Food Service Unit
- Copy of Grease Interceptor Permit (required if Mobile Food Service Unit utilizes a grease trap)
- Copy of Vehicle/Trailer Registration and Proof of Motor Vehicle Insurance (required if Mobile Food Service Unit is a food truck or trailer)
- Color Photos clearly showing the front, sides, and rear of the Mobile Food Service Unit
- Copy of Certificate of Liability Insurance

APPLICANT SIGNATURE

By signing below, I, on behalf of myself and the mobile food service establishment and mobile food service unit identified above in this application, do acknowledge, affirm, and agree as follows:

- I attest that I have read, understand, and agree to comply with the City of Thomasville Code of Ordinances and all state laws and regulations governing the operation of mobile food service establishments and mobile food service units.
- I attest to the accuracy of the information provided in this application and agree to notify the City in writing if any information provided in this application changes during the term of any permit issued in response to this application.
- I attest that the copies of the Health Authority-issued permits and any authorization submitted with this application represent permits/authorizations that are valid and effective at the time of submission of this application to the City.

Applicant's Signature _____ **Date** _____



**APPLICATION FORM FOR
MOBILE FOOD VENDING LOCATION PERMIT**

(APPLICATION FEE: **\$25.00**)

FOR OFFICE USE ONLY

MFVL PERMIT # _____	VALID THROUGH DECEMBER 31, 20____
ASSOCIATED MFSU OPERATING PERMIT #	DATE APPLICATION RECEIVED

APPLICANT INFORMATION

Applicant Name:	
Phone Number:	E-mail Address:

MOBILE FOOD SERVICE UNIT INFORMATION

Type of Mobile Food Service Unit: <input type="checkbox"/> Food Truck <input type="checkbox"/> Trailer <input type="checkbox"/> Pushcart <input type="checkbox"/> Other _____	
Business Name (as it appears on the Mobile Food Service Unit):	
Vin #/serial # (if applicable):	License Plate State and Number (if applicable):
Point of Contact During Operations:	Phone Number:

FOOD VENDING LOCATION INFORMATION

Location (Street Address):		
Current Use/Occupant (Business/Tenant) of the Property:		
Parcel Tax ID Number:	Parcel Size (in Acres):	Parcel Zoning District:
Current Uses of the Adjacent/Surrounding Properties:		

PROPERTY OWNER INFORMATION

Property Owner Name:	
Property Owner Representative Name (if different from Property Owner):	
Property Owner/Representative Phone Number:	Property Owner/Representative E-mail Address:

SITE PLAN REQUIREMENTS

A site plan must be submitted with this application form for approval. Please provide a scaled drawing illustrating the boundaries of the property, access routes for ingress and egress, the designated food vending location(s) for placement of the mobile food service unit, and the locations of all existing site improvements, including buildings, parking areas, infrastructure, and landscaped areas. The site plan must include:

- Location of property boundary lines and points of access
- Location and name of all roadways and surrounding land uses that abut the property
- Location of all existing structures on the property (buildings, signage, fences, etc.); label the primary structure and its points of entry/exit
- Location of driveways, sidewalks, loading areas, and parking areas; label ADA Accessible parking spaces and ramps
- Location of water conveyance features (culvert, ditch, swale, etc.)
- Location of trees and landscaped areas
- Location of fire hydrants
- Location of proposed food vending area where the mobile food service unit will operate on the property
- Location of any other food vending areas that may be used by mobile food service units on the property

PROPERTY OWNER ATTESTATIONS

By signing below, I, acknowledge, affirm, and agree as follows:

- I am the owner or legal representative of the real property depicted on the site plan attached to this application.
- I have reviewed the site plan and affirm that it is a substantially accurate representation of the current conditions of the property as it exists today.
- The proposed food vending area for the mobile food service unit(s) as depicted on the site plan will not impede traffic flow (vehicular or pedestrian) on or to the property.
- The placement of any mobile food service unit(s) will not block access to a fire hydrant, traffic control box, mailbox, driveway, ADA parking, handicap ramp, or emergency access/exit point.
- I am unaware of any plan or proposal for the property that within this calendar year would significantly alter the location or configuration of the food vending area as depicted on the site plan.
- I, as the property owner or legal representative of the property owner, agree to allow the mobile food service unit identified in this application to use the property as depicted on the site plan as a food vending location for the remainder of this calendar year.

Signature _____ **Date:** _____

Printed Name: _____

APPLICANT SIGNATURE

By signing below, I, on behalf of myself, the mobile food service unit identified in this application and the mobile food service establishment associated with it, do acknowledge, affirm, and agree as follows:

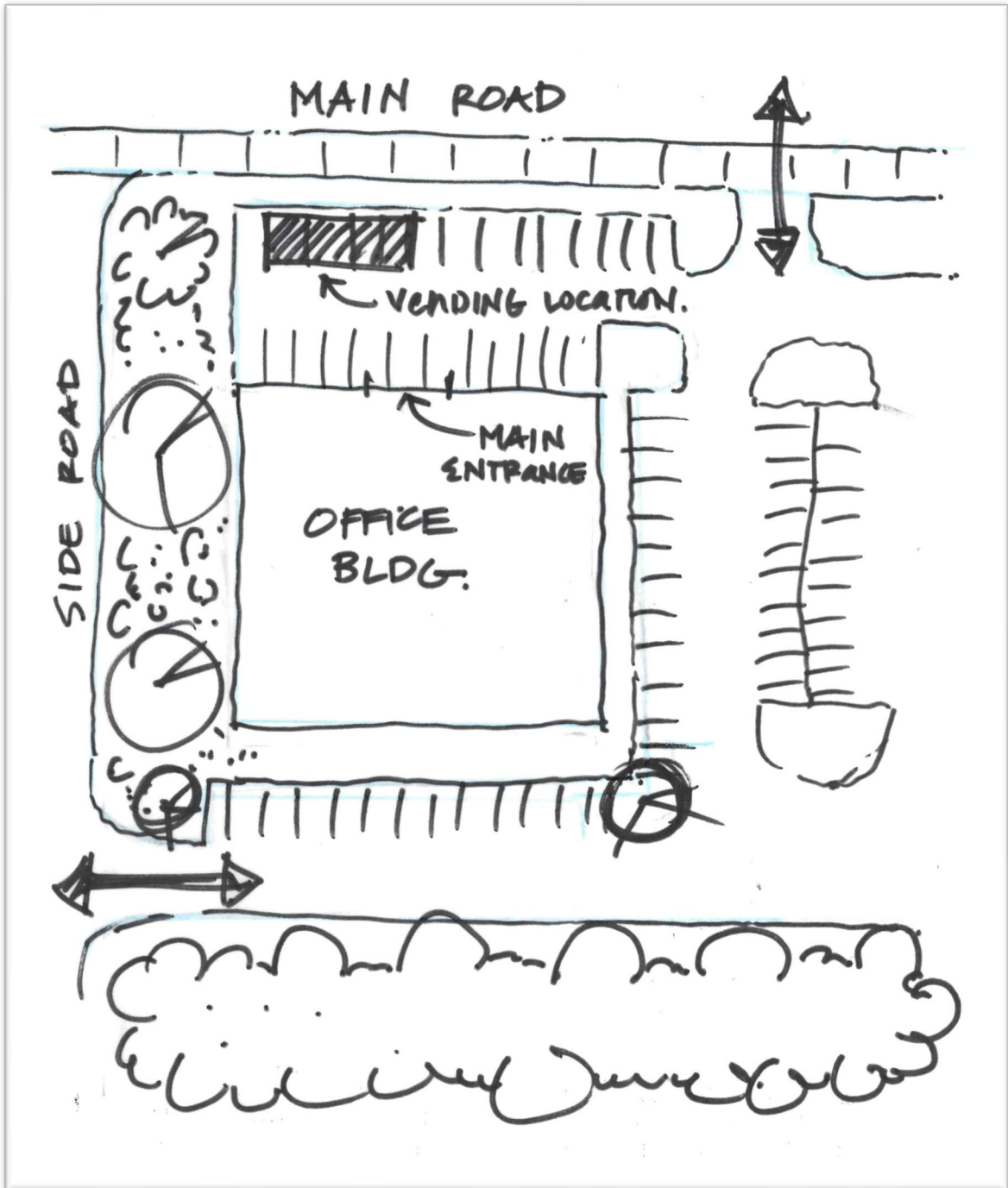
- I attest to the accuracy of the information provided in this application and agree to notify the City in writing if any information provided in this application changes during the term of any certificate issued in response to this application.
- I agree to adhere to the site plan attached to this application, as approved by the City, and operate in accordance with the City Code of Ordinances and other laws and regulations applicable to the operation of mobile food service units.

Signature _____ **Date:** _____



SITE PLAN EXAMPLE Food Vending Location

The sketch below is an example of a proposed site plan for a food vending location on the property pictured to the left. As you can see, you don't have to be an artist – the site plan shows the general area where the food truck would be set up in proximity to the roadway, sidewalk, driveways, parking area, and building. Staff will review the proposed site plan to ensure it meets certain spacing requirements for you to safely operate at that location.



AN ORDINANCE AMENDING CHAPTER 18 OF THE CITY OF THOMASVILLE, GEORGIA ENACTING NEW PROVISIONS ESTABLISHING PERMITTING REQUIREMENTS AND REGULATIONS FOR MOBILE FOOD UNITS OPERATING WITHIN THE CITY LIMITS, REPEALING ALL INCONSISTENT ORDINANCES AND PROVISIONS, ESTABLISHING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the City Council of the City of Thomasville, Georgia, that Chapter 18, Taxation, Revenue and Miscellaneous Business Regulations, of the Code of Ordinances of the City of Thomasville be and is hereby amended by text revisions for clarification in Section 18-395, Temporary vending provisions for licensed businesses, as follows:

Sec.18-395. *Temporary vending provisions for licensed businesses.*

Parking lots or vacant areas located on a licensed business ' property shall be deemed public areas and may be utilized as temporary, limited or seasonal promotional space for that licensed business' use only. Temporary, separate, or other businesses located upon the operational premises of a licensed business or a nonresidential lot containing a principal building or use, including parking areas, loading & unloading zones, buffer, landscaped, or green space areas, shall be deemed in violation of the zoning code ~~sections 22-10, 22-12, and 22-18~~ , unless a temporary vending permit is issued. A temporary vending permit shall specifically include a Mobile Food Vending Location Permit as such term is described in Section 18-562, of Article XVI, of this Code. This prohibition shall not apply to requests for contributions or casual and isolated sales ~~or requests for contributions~~ by authentic, bona fide charitable organization recognized as tax exempt under section 501(C)(3) of the Internal Revenue Code or contributions to which are deductible under Section 170 of the Internal Revenue Code, so long as same shall comply with the regulations contained in article VI-A of this Code.

SECTION II

BE IT FURTHER ORDAINED by the City Council of the City of Thomasville, Georgia, that Chapter 18, Taxation, Revenue and Miscellaneous Business Regulations, of the Code of Ordinances of the City of Thomasville be and is hereby amended by adding a new Article, to be numbered Article XVI, which shall include the following language:

ARTICLE XVI. – MOBILE FOOD SERVICE

Sec. 18-557. *Purpose.* It is the purpose of this article to protect the public health, safety and general welfare of individuals and the community at large; to establish uniform regulations for the operation of Mobile Food Service Units; and to enhance

economic development opportunities for entrepreneurs and microenterprises within the City.

Sec. 18-558. *Scope.* The regulations and requirements in this article shall apply to the operation of all Mobile Food Service Units within the corporate limits of the City.

Sec. 18-559. *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section.

- a. *Base of Operation* means a fixed location with a food service permit from the Georgia Department of Public Health from which a Mobile Food Service Unit operates.
- b. *Food Vending Location* means a fixed property location where a Mobile Food Service Unit parks to offer its food products to its consumer.
- c. *Health Authority* means the Georgia Department of Public Health, or a County Board of Health acting as its agent.
- d. *Mobile Food Service Establishment* means one or more Mobile Food Service Units operating from a single Base of Operation and under the managerial authority of one individual or entity.
- e. *Mobile Food Service Unit* means a trailer, motor driven or manually propelled pushcart, food truck, movable portable structure, vehicle vendor, or any other similar conveyance which is not connected to a permanent water supply or sewer disposal system and from which food is offered for sale.

Sec. 18-560. *Approvals and Permits Generally.*

- a. No person shall operate a Mobile Food Service Unit within the corporate limits of the City without obtaining and maintaining the applicable licenses and permits required by the health authority or any governmental agency of the United States, State of Georgia, Thomas County, or this City.
- b. All City permits issued under this article will be issued annually based on the calendar year. Every permit issued under the provisions of this article shall expire on December 31 of the year in which it is issued, except that any renewal permit which may be issued prior to January 1 of the renewal year will be valid through December 31 of the renewal year.
- c. Unless issued in error, no permit issued under this article may be prorated, transferred, or assigned to another person or entity.
- d. If the Health Authority revokes or suspends a permit or authorization it has issued for a Mobile Food Service Unit, then any permit issued by the City for that Mobile Food Service Unit is automatically and simultaneously suspended or revoked for the same period as the Health Authority-issued permit or authorization.

Sec. 18-561. *City Permits Required.*

- a. Any mobile food service establishment intending to operate a mobile food service unit within the corporate limits of the city shall obtain:

- i. a Mobile Food Service Unit Operating Permit for each mobile food service unit prior to commencing operations; and
- ii. a separate Mobile Food Vending Location Permit for each food vending location that is located on privately-owned property prior to operating at said location.

Sec. 18-562. *Application for City Permits.* The following provisions apply to applications for permits under this article.

a. *Applications generally.*

- i. Applications for permits under this article must be submitted on forms approved by the City Manager and provided by the City along with all reasonable information necessary to complete the form(s), as determined by the City Manager.
- ii. All applications must be accompanied by a non-prorated, non-refundable application fee in an amount set by the City Council as shown on the fee schedule maintained in the office of the City Clerk.
- iii. Applications for renewal of any permit issued under this article may be submitted up to 60 days prior to or upon expiration of such permit.

b. *Grant or denial of application.*

Review and consideration of an application shall be conducted in accordance with principles of due process. Applications may be denied where an applicant fails to demonstrate that they meet the conditions and requirements of this article, or where an applicant fails to comply with applicable local, state, or federal law. Any false statements, material omissions or substantially misleading information provided in an application or furnished by an applicant in connection with an application constitute grounds for any one or combination of the following sanctions: denial; refusal to renew; revocation; or suspension.

c. *Mobile Food Service Unit Operating Permit.*

A Mobile Food Service Unit Operating Permit must be obtained for each mobile food service unit and shall be issued to the owner of the mobile food service establishment or in the case of an owner that is a legal entity such as a partnership, corporation, limited liability company, the permit shall be issued in the name of such legal entity in care of the general or managing partner, president, or member or manager of such entity as the case may be. Applicants must provide:

- i. Copy of permits issued by the health authority for the base of operation and the mobile food service unit that is the subject of the application;
- ii. if Thomas County is not the location of the Base of Operation, a copy of the certificate of authorization to operate in Thomas County issued by the Health Authority;
- iii. Copy of the occupation tax certificate from the jurisdiction where the Base of Operation is located;

- iv. Valid vehicle and/or trailer registration for the Mobile Food Service Unit, if applicable;
 - v. Copy of the fire inspection certificate issued by Thomasville Fire Department for the Mobile Food Service Unit.
- d. *Mobile Food Vending Location Permit.*
A Mobile Food Vending Location Permit must be obtained for each food vending location that is proposed on private property. Applicants must provide:
- i. Valid Mobile Food Unit Operating Permit issued by the city for the mobile food service unit that is the subject of the application;
 - ii. Signed statement of the property owner, or an authorized agent acting on the owner's behalf, granting permission to the mobile food service unit to operate on the subject property in the designated food vending location.
 - iii. A scaled drawing illustrating the boundaries of the property, access routes for ingress and egress, the designated food vending location and placement of the mobile food service unit, and the locations of all existing site improvements, including buildings, parking areas, infrastructure, and landscaped areas. The site plan must demonstrate compliance with the food vending location site standards of this article.

Sec. 18-563. *Food Vending Locations on Private Property.*

- a. Food vending locations shall not be permitted on any lot that is undeveloped or where the primary use is single- or two-family residential.
- b. A food vending location on private property shall only be permitted on a lot containing a principal building or primary use other than single- and two-family residential.
- c. The maximum number of mobile food service units allowed at a food vending location per lot is limited as follows:
 - i. Maximum of 2 mobile food service units on lots of one-half acre or less;
 - ii. Maximum of 3 mobile food service units on lots between one-half acre and 1 acre; and
 - iii. Maximum of 4 mobile food service units on lots greater than 1 acre.
- d. Mobile food service units may not conduct business in a location that blocks or impedes pedestrian or vehicular traffic flow or compromises safe access to the property or its primary structures. Mobile food service units shall not be located in any required buffer or sight distance triangle.
- e. Mobile food service units must be located at least five (5) feet from the edge of any driveway or public sidewalk, utility boxes and vaults, handicapped ramp, building entrance, exit, or emergency access/exit way, or emergency call box. Mobile food service units must be located a minimum distance of fifteen (15) feet in all directions of a fire hydrant.

- f. Mobile food service units must be located at least 100 feet from the main entrance to any restaurant, as measured from the location of a mobile food service unit on the approved site plan, unless the owner of a restaurant falling within the 100-foot minimum separation distance provides a signed statement consenting to a closer proximity. If a restaurant locates within the minimum separation distance after the food vending location has been permitted, mobile food service units may continue to operate from the food vending location until the expiration of the permit.

Sec. 18-564. *Operational Requirements for Mobile Food Service Units.*

- a. No mobile food service unit shall conduct business or operate on any street, sidewalk, or other public right-of-way or on any city-owned property, including, but not limited to, parks.
- b. When operating on privately-owned property, the location and orientation of the mobile food service unit shall conform to the site plan approved by the issuance of the Mobile Food Vending Location Permit.
- c. When conducting business, mobile food service units shall provide no less than ten (10) feet of unobstructed horizontal pedestrian clearance on private property, as measured from the main service window.
- d. A copy of all city-issued permits must be kept with the mobile food service unit and displayed in a location plainly visible to the general public.
- e. Mobile food service units shall not conduct business with any person while such person is situated in a motor vehicle.
- f. No mobile food service unit shall sell or offer for sale any alcoholic beverages.
- g. No mobile food service unit may, at any time, utilize amplified sound devices that are audible outside of the unit.
- h. The hours of operation for mobile food service units shall be limited to the hours between 7 AM and 9 PM if the approved food vending location is located within 150 feet of the property line of a single-unit or two-unit dwelling.
- i. Mobile food service units shall not be left unattended at food vending locations.
- j. A mobile food service unit that requires a valid driver's license for operation shall have a person present at all food vending locations with a valid driver's license and ability to relocate or remove the unit.
- k. A mobile food service unit must be removed from its food vending location daily and shall not be stored or parked on any public right of way.
- l. Each mobile food service unit shall provide a suitably-sized receptacle for litter, which shall be located within ten (10) feet of the service window of the Unit. It shall be maintained and regularly emptied.
- m. All waste generated by the mobile food service unit's operation, including that associated with its customers and staff, must be disposed of at the base of operation.
- n. No liquid waste or grease may be left at a food vending location or disposed of in public waste containers, landscaped areas, storm drains or onto the sidewalks,

streets, or other public space. under no circumstances may grease be released or disposed of in the city's sanitary sewer system.

- o. Mobile food service unit operators shall at all times comply with the provisions of this article and all other applicable local, state, and federal laws, regulations, and rules.

Sec. 18-565. *Exemptions During Special Events.*

- a. A mobile food service units shall not be subject to the operational provisions set forth under Section 18-564 of this article if permitted to operate as part of a City-sponsored and organized event or as part of an otherwise permitted special event held on City property, including rights-of-way, and for which pre-approval from the City Manager or their designee has been given.
- b. The City Manager or their designee shall have the right to require reasonable event-specific conditions for operating a Mobile Food Service Unit during a permitted event as deemed appropriate taking into consideration the event in question and the circumstances under which the permitted event and Mobile Food Service Unit may be operating.

Sec. 18-566. *Noncompliance.*

- a. Violations of this article are subject to penalties under the provisions of Section 1-7 of this Code, which may be combined with any other legal remedy available to the City.
- b. Nothing in this section shall limit the City from enforcement of its Code, state, or federal law by any other legal remedy available to the City.
- c. Nothing in this section shall be construed to limit or supplant the power of any City inspector or other duly empowered officer under the City's ordinances, rules, and regulations or the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from operation of a mobile food service unit as a nuisance, including abatement thereof by lawful means.
- d. To ensure the continued application of the intent and purpose of this article, the City Manager, or the City Manager's designee, shall notify the Thomas County health department of citations issued for a mobile food service unit.

SECTION III

BE IT FURTHER ORDAINED by the City Council of the City of Thomasville, Georgia, that Chapter 22, Zoning, of the Code of Ordinances of the City of Thomasville be and is hereby amended by adding new definitions for "Base of Operation," "Mobile Food Service Establishment," and "Mobile Food Service Unit" under Section 22-6, Definitions, as follows:

Sec. 22-6. *Definitions.*

Base of Operation means a fixed location with a food service permit from the Georgia Department of Public Health from which a Mobile Food Service Unit operates.

Mobile Food Service Establishment means one or more Mobile Food Service Units operating from a single Base of Operation and under the managerial authority of one individual or entity.

Mobile Food Service Unit means a trailer, motor driven or manually propelled pushcart, food truck, movable portable structure, vehicle vendor, or any other similar conveyance which is not connected to a permanent water supply or sewer disposal system and from which food is offered for sale.

SECTION IV

BE IT FURTHER ORDAINED by the City Council of the City of Thomasville, Georgia, that Chapter 22, Zoning, of the Code of Ordinances of the City of Thomasville be and is hereby amended by adding new lines 144 to the Schedule of Permitted Uses under Section 22-121 as follows:

Sec. 22-121. *Schedule of permitted uses.*

Schedule of Permitted Uses—"X": permitted by right; "CU": conditional use

	A	R-1A	R-1B	R-1	R-2A	R-2	C-1A	C-1	C-2	M	M-1	M-H	R-TH	R-CD	D-E	D-G	D-C
144. Base of operation for mobile food service establishments								X	X	X	X				X	X	X

SECTION V

BE IT FURTHER ORDAINED by the City Council of the City of Thomasville, Georgia, that Chapter 22, Zoning, of the Code of Ordinances of the City of Thomasville be and is hereby amended by adding parking requirements for base of operation under Section 22-437, Off-street parking standards, as follows:

8. Miscellaneous	
a. Combined uses	Parking spaces shall be the total of the spaces required for each separate use established by the schedule.

b. Indoor and outdoor	(a) 1 space for each 150 square feet of gross floor, building, ground area or combinations devoted to use; or (b) 1 space per each 4 seats of facilities available for patron use, whichever is greater.
c. Recreation vehicle parks	1 space for recreation vehicle stall plus 1 space for each 2 employees.
d. Base of Operation (mobile food service establishments)	1 space for mobile food service unit plus 1 space for each 2 employees.

SECTION VI

BE IT FURTHER ORDAINED this ordinance shall become effective on January 1, 2024.

SECTION VII

BE IT FURTHER ORDAINED all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION VIII

BE IT FURTHER ORDAINED and it is hereby declared to be the intention of the Mayor and Council of the City of Thomasville that all sections, paragraphs, sentences, clauses, and phrase of this Ordinance are and were, upon their enactment, believed by the Mayor and the Council to be fully valid, enforceable, and constitutional.

SECTION IX

BE IT FURTHER ORDAINED and it is hereby declared by the Mayor and the Council of the City of Thomasville that (i) to the greatest extent allowed by law, each and every section paragraph sentence, clause or phrase of this Ordinance is severable from every other section paragraph sentence, clause or phrase of this Ordinance and (ii) that to the greatest extent allowed by law, no section paragraph, sentence, clause or phrase of his ordinance is mutually dependent upon any other section paragraph, sentence, clause or phrase of his ordinance.

SECTION X

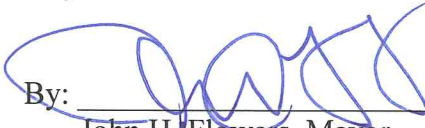
BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to

the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VIII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held October 23, 2023, and read the second time, passed and adopted in like meeting held on November 13, 2023.

City of Thomasville

By: 
John H. Flowers, Mayor

Attest: 
Felicia Brannen, City Clerk

