

# MIDWAY CITY

## Planning Office

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Midway, Utah 84049

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mhenke@midwaycityut.org

### Application Food by Mobile Vendors (Food Trucks) Application Fee: \$200.00 (annual fee)

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#### Owner(s) of Record:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

#### Applicant or Authorized representative:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**If you have submitted for an annual fee please email us three (3) business days prior to the food truck event, so that we may notify the Health Department of the Truck at your location.**  
**jsweat@midwaycityut.org**

#### Please read and sign before application submittal

I declare under penalty of perjury that I am the owner or authorized agent of the property subject to this request and the foregoing statements, answers and attached documents are true and correct. As the applicant for this proposal, I understand that my application is not deemed complete until the Planning Office has reviewed the application. I further understand I will be notified when my application has been deemed complete. At that time I expect that my application will be processed within a reasonable time, considering the work load of the Planning Office. **All application fees are non-refundable.**

**I fully understand that I am responsible for the payment and that I am responsible for all fees incurred.**

Signature of Owner or Agent: \_\_\_\_\_ Date: \_\_\_\_\_

**IMPORTANT: Your application cannot be processed until determined complete by the Planning Staff. An application shall be considered complete when all applicable fees are paid**

#### FOR OFFICE USE ONLY

**STAFF:**

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Application Number: \_\_\_\_\_

Zone: \_\_\_\_\_

Tax ID Number: \_\_\_\_\_

**PLANNER:**

Complete / Incomplete

Date: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

# **Site Plan for Food Truck**

## **7.05.050 Periodic Sale of Prepared Food by Mobile Vendors**

### **A. Purpose and Definitions**

1. This section is enacted to allow periodic sale of prepared food by mobile vendors pursuant to the standards and policies set forth herein. Unless authorized by this section, the sale of prepared food by mobile vendors in Midway City is prohibited.
2. The definition of “prepared food” contained in the Utah Sales and Use Tax Act shall govern this section.
3. “Mobile vendor” shall mean a person or entity that sells prepared food from a vehicle that is not permanently affixed to the site of sale and can be readily transported to and from that site. Vehicles used by such mobile vendors are often commonly referred to as “food trucks” and may be so referenced in this section.

### **B. Standards and Policies**

A currently-licensed business with a physical, commercial presence on a parcel of land located in the C-2 or C-3 zones of Midway City may allow sales of prepared food on that parcel by a mobile vendor in accordance with the following standards and policies:

1. Sales may take place on any day except for days on which food will be sold at a special event to be held on City property.
2. Food trucks operating under this section must be located in a safe and appropriate location as determined by the City Planner.
3. Preparation, serving and storage of food is subject to inspection and approval by the Wasatch County Health Department.
4. Any equipment or appliances used by the food truck must comply with City ordinances regulating noise.
5. The sale of prepared food by mobile vendors is subject to collection and payment of sales tax in the same manner as any other prepared food sold in Midway City.
6. The holder of the permanent business that is licensed at the location where the food sales occur is responsible to ensure compliance with this section. The City assumes no responsibility for any contractual or legal relationships between the business license holder and the operator of the food truck.
7. The City reserves the right to immediately regulate, modify or terminate the sale of prepared food by a mobile vendor, with or without prior notice, if necessary to protect the public, health, safety or welfare or to abate a nuisance.
8. No alcoholic beverages or tobacco products may be sold or served from a food truck.
9. The provisions of this section allowing sale of prepared food by mobile vendors may be amended or repealed at any time by the City Council.

### **C. Licensing Procedures**

In order to allow the sale of prepared food by a mobile vendor at an existing business location in the C-2 or C-3 zones, the business license holder must comply with the following procedures:

1. File an application with the Midway City Planning Office identifying the date, time and location of the proposed food truck event, the name of the proposed vendor, and other required information required by the City, no later than the close of City office hours three business days before the proposed event.
2. Pay a one-time fee for a single event, or an annual fee for the calendar year, in an amount set from time to time by the City Council.
3. Submit a site plan with the application showing the proposed location of the food truck on the parcel. Location and placement of the food truck will be subject to review and modification by the City Planner for safety and access purposes.