

State of South Carolina }
County of Pickens }
City of Liberty }

Ordinance Number 2022-12

**AN ORDINANCE
TO ADD FOOD TRUCK REQUIREMENTS TO ARTICLE VII, SECTION 730, TO INCLUDE
GENERAL AND SUPPLEMENTARY PROVISIONS OF THE OFFICIAL ZONING
ORDINANCE
OF THE CITY OF LIBERTY SOUTH CAROLINA**

Section I: Findings and Enabling Citation

Whereas, the City of Liberty has adopted an Official Zoning Ordinance in accordance with South Carolina State Enabling Legislation, as included in Title VI, Chapter 29 of the South Carolina Code of Laws, for the purpose of promoting the public health, safety, and general welfare of the community, and

Whereas, the City Council and Planning Commission of the City of Liberty do find that it is necessary to amend the Official Zoning Ordinance from time to time in order to most effectively promote the goals of the Ordinance, as established above, and

Whereas, at this time it is found by City Council and the City Planning Commission that a change to the District Regulations is necessary for the needs of the community as it grows,

Now Therefore, the City Council of the City of Liberty, upon review of a positive recommendation from the Planning Commission of the City of Liberty, Be it ordained that the City Council does adopt this Ordinance to allow for the following sections to be amended as printed below:

Section I: Amendments

Addition to Article VII, Section 730 of the Official Zoning Ordinance, General and Supplementary Provisions , The language included in Section 826 shall be added as follows:

Zoning Requirements for Food Truck Vendors

Purpose. City Council hereby finds that the unrestricted sale or distribution of food and beverage from mobile food vendors, when not regulated, may pose a danger to health, safety, and general welfare. The purpose of this section is to regulate mobile food vendors in a manner that protects the public health, safety, and general welfare, while also accommodating entrepreneurial activity, as well as an active and social pedestrian environment within appropriate areas of the City of Liberty.

Application requirements. It shall be unlawful to engage in business as a food truck vendor within the City of Liberty without first obtaining approval by the City. The City Planner or City Administrator are authorized and shall establish an application form and submittal requirements for food truck vendors.

Operational Requirements. Food truck vendors may be permitted in the following zoning districts as a conditional use:

Central Business District
General Business District
Neighborhood Business District

Research Industrial District
General Industrial District

As long as the following conditions are met:

- A. The approved food truck vendor permit, proof of liability insurance as a motor vehicle, and the DHEC inspection report shall be prominently displayed to the public in the food handling areas of the vehicle during operation;
- B. Permits shall then be renewed on an annual basis in accordance with the renewal schedule for business licenses for the City;
- C. Written consent to operate on the property must be obtained from the private property owner(s) of the specific location and submitted with the permit application and prominently displayed to the public on the vehicle.
- D. Approved hours of operation shall be between 8 AM and 10PM.
- E. No alcoholic beverages shall be sold.
- F. Selling of non-food items from a food truck vendor shall be prohibited with the exception of merchandise displaying the food truck vendor logo and/or branding.
- G. Operations shall only occur on the property for which a permit was issued and shall not reduce the required parking area below the minimum requirements for any other use on the lot. The operation shall also not interfere with the normal operation of any other permitted use of the property.
- H. Operations shall not obstruct the visibility of motorists, interfere with parking lot circulations, block access to a public street, alley or sidewalk, or result in customer queuing that obstructs building entries or public walkways.
- I. Operations shall not cause interference with the movement of vehicular or pedestrian traffic to such an extent that adequate police, fire, or other emergency services cannot be provided.
- J. Structures, canopies, seating, outdoor tables, grills and similar accessory facilities are prohibited.
- K. Only signs permanently affixed to or painted on the vehicles shall be permitted.
- L. Food truck vendors shall not produce any offensive or loud noise to attract customers or advertise products.
- M. Operators shall provide trash receptacles and be responsible for the storage and daily disposal of all trash, refuse, and litter.
- N. The vehicle cannot be left unattended or left at a sale site overnight.
- O. The owner will collect and remit Hospitality Taxes using the City of Liberty Hospitality Remittance Form in the same manner as other food service enterprises.
- P. Food Truck Vendors shall properly store all fat, grease, oil, or waste water and shall dispose of all such waste only at locations designated and will not dispose in the sanitary sewer or storm water system.
- Q. Food Truck Vendors shall not solicit or conduct business with persons in motor vehicles. The Food Truck vendor shall not operate the Food Truck as a drive-thru window.
- R. A list of possible locations must be included with the application with all private property owners information. A Food Truck vendor cannot move or use a different location not listed on the application without permission from the city.
- S. Food truck vendors can only set in residential areas for a private event.
- T. Catered events, special events, and mobile food vendors that fall under a special event permit are exempt from the requirements as long as a valid special event permit has been issued.
- U. Any Food truck vendor that has been issued a notice of health violation by any department or agency of the state of South Carolina, which remains uncorrected upon subsequent inspection, shall have its food vendor permit revoked.

V. Any Food Truck Vendor that violates any of the regulations listed above will have its food vendor permit revoked and will not be allowed to be renewed for one year.

Section II; Repealer Pertaining to Previous Ordinances and Policies

This ordinance repeals all previously issued ordinances, policies, or regulations pertaining that may conflict with these changes in the Official City of Liberty Code.

Section III: Enactment

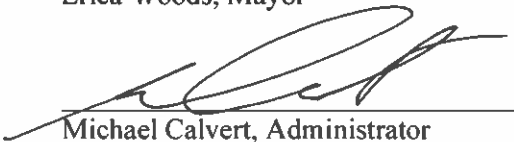
This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Liberty.

ADOPTED this __12th__ day of ___September_____, 2022.

ATTEST:



Erica Woods, Mayor



Michael Calvert, Administrator

Planning Commission	August 8 th , 2022
First Reading	August 8 th , 2022
Second Reading	September 12 th , 2022
Public Hearing	August 8 th , 2022