

## **Mobile Food Unit (MFU) Zone Policy and Procedure**

### **Purpose:**

The City of Chattanooga strives to assure that all of our public street and open spaces are active and alive as well as safe and well-managed. We believe that a city with occupied sidewalks, busy open spaces and a variety of opportunities for business and commerce is a city that is healthy and is a great place to live, work, and play. Food trucks can contribute positively to a vibrant public realm and strong local economy. This new process is intended to facilitate ease of operation and consistent enforcement so that food trucks can thrive safely and to the betterment of Chattanooga citizens and the public spaces that we enjoy.

### **Mobile Food Unit (MFU) Zone Required by Law to Operate from Public Property**

Per Chattanooga City Code Division 3, Sec. 20-149, Mobile food units (MFU) are prohibited from operating upon city streets or public properties except in locations established as MFU Zones. These zones may be established on public property within the shaded area shown in Exhibit A as approved by CDOT when in on-street parking, Youth and Family Development when at recreation centers, or Open Spaces and Parks when at parks. All requirements included herein are considered enforceable conditions of the MFU Zone.

By establishing a MFU zone, the City is giving permission only for where MFUs may operate; the operator is responsible for obtaining all other applicable permissions and permits.

In making this request: the MFU Zone requestor agrees as follows:

1. Requestor shall defend, indemnify, and hold harmless the City of Chattanooga, Tennessee its officers, agents, and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned zone.
2. Requestor shall comply with any and all conditions recommended by the Chattanooga Department of Transportation during the review of this application. The failure to comply with any condition may be grounds for revocation of the zone at any time after its approval.

### **Application Requirements for Food Truck Zones:**

- Completed MFU Zone Application
- Site plan showing the boundary of the zone. Include within the zone all rights-of-way or any other locations for which individual MFU Operators may request usage.
- Show an affected area that is no less than 1 block bigger than the proposed zone. Blocks are defined by city streets, exclusive of alleys. In cases where streets are spaced far apart, the default space for a block should be considered to be 500 feet. CDOT has final authority to modify and/or approve the boundaries of the affected area.
- Applicant must submit petition showing signatures of 75% of the property owners in the affected area. Petition should include the affected area boundary as proposed and clearly identify all of the property owners within that area. Signatures and addresses should be clear

and legible. Petition should include the number of total properties and number of distinct property signatures, and include the percentage of approval. **Applicant should seek approval from CDOT of the affected area before attempting to collect signatures from property owners.**

- Applicant must indicate that all applicable Councilpersons for districts in the proposed affected zone have been notified about the application.

For Food Truck Individual Locations:

- General requirements and regulations:
  - Individual locations will be limited to 7 consecutive days before re-applying to reserve a parking space.
- Parking Spaces:
  - Once a MFU zone is established, any permitted MFU may request to use a public parking space within that zone.
  - MFU vendors should request a copy of the MFU Zone and contact the Chattanooga Parking Authority (CPA) to request to reserve a parking space. Fees do apply for reserving on-street parking spaces and spaces are not guaranteed. CPA will coordinate requests with CDOT for special events, work zones, or other potential conflicts. MFU vendors seeking to operate in public parking spaces are encouraged to contact CPA at least 7 days in advance of their proposed operation starting date. CDOT has the authority to limit at its discretion the number of MFU vendors within one zone.
- Public Property:
  - To locate in public property within MFU zones (such as paved public areas deemed suitable for such use), vendors are subject to all other additional procedures and permits with the Economic and Community Development Department's Open Spaces Division or the Youth and Family Development Department.

More information can be found at [www.chattanooga.gov/transportation](http://www.chattanooga.gov/transportation)

**MFU Zone Term and Fees**

Term: MFU Zones are valid for a period of one (1) year and may be renewed annually.

Fees: MFU Zones require a \$110 fee.

**General Requirements**

1. Related to establishing a MFU zone, all MFUs must be located on public property or city Right-of-Way. Where MFUs are proposed to be located on public Right-of-Way, they must locate in on-street parking spaces at the discretion of Chattanooga Parking Authority or CDOT. Appropriate fees related to the reservation of public property or public parking spaces may apply.
2. MFUs shall not be parked so as to obstruct sight lines at intersections or entrances to Right of Way. Minimum intersection or stopping sight distance (whichever applies to the adjacent intersection) shall not be impacted. CDOT has the authority to require the MFU to move from a reserved space if it is determined that sight distance or other traffic safety issues are a concern.

3. MFU locations in on-street parking spaces must be adjacent to sidewalks with a width of five (5) feet or greater.
4. Mobile food vendors shall not be authorized to place, put, or affix advertisements upon the City of Chattanooga right-of-way or property.
5. When placed in a public parking space within City Right-of-Way, vending directly to motor vehicle occupants or to pedestrians on the travel-way side of the vending unit shall be prohibited. Vending will be to pedestrians and only from the sidewalk side of the vending unit.
6. To operate in a location within a MFU Zone, MFU vendors must adhere to all of the following:
  - a. Vendors shall secure and maintain insurance to protect against liability for personal injury and property damage up to one million dollars (\$1,000,000) for each occurrence. Said insurance must remain valid as long as the mobile food vendor occupies City of Chattanooga right-of-way or property under the terms of the permit.
  - b. Vendors shall be liable for any and all damages that may occur as a result of the activities associated with mobile food vending on City of Chattanooga right-of-way or property.
  - c. Vendors agree to order the immediate relocation or removal of any authorized mobile food vending activity that is determined to be in conflict with the construction, maintenance, or operation of the ROW or property upon notification from the City of such conflict.
  - d. Vendors shall immediately correct any situation that may arise as a result of these activities that the City deems hazardous to the public.
7. A copy of the MFU permit as well as MFU Zone and proof of insurance shall be maintained at all mobile food vending sites and made readily available for inspection when requested by City of Chattanooga official designees.
8. CDOT reserves the right to suspend any or all mobile food vending operations on City of Chattanooga right-of-way or property in response to public safety or operational concerns and shall be held harmless for any resulting monetary losses by the applicant or the vendors resulting from said suspension.
9. Roadway or property drainage shall not be blocked or diverted resulting from the temporary occupation of City of Chattanooga right-of-way or property by mobile food vendors. The shoulders, ditches, sidewalk, roadside, other drainage facilities, and pavement shall be kept in an operable condition satisfactory to the City.
10. For event and pedestrian safety, Vendors shall not operate on public or private property within three hundred (300) feet of the boundaries of a special event approved by the City of Chattanooga Department of Transportation, Open Spaces Division, Parks Maintenance, or other departments as authorized. Additionally, Vendors shall not operate within the boundaries of a Special Event, including in any Zone, unless such vending is included as a part of the applicable Special Event Permit.
11. Vendors shall not operate on public or private property within one hundred (100) feet of any boundary of a property zoned R-1, R-2, R-3, or R-4.

12. Mobile vending shall not use stakes, rods, or any method of support that is required to be drilled, driven, or otherwise fixed, in asphalt pavement, curbs, sidewalks, buildings or other public assets.
13. The use, marking, or designation of mobile vending spaces in no way grants any mobile vendor a vested right or property interest in any specific space, and the marked spaces may be removed if it is determined to be in the interest of public health, safety and welfare. Unless spaces are explicitly reserved, they are available on a first-come, first-served basis.
14. No mobile food truck shall provide or allow any dining area that reduces required Sidewalk Clear Zone as determined by CDOT or that is not removed after the hours of lawful operation.
15. Mobile vendors shall obey all applicable laws prohibiting excess noise or other nuisance.
16. MFU zones are intended for the sale of food and beverage only.

**Authorized Hours and Days of Operation**

The MFU Zone applicant shall indicate the normal days and hours of operation for MFU operation on the application for the proposed MFU Zone. The hours so indicated must meet the requirements of local codes and requirements and said hours of operation may not begin earlier than or remain open later than any other businesses in the affected area.

### Mobile Food Unit (MFU) Zone Application

Please complete and submit to request the establishment of a **MFU Zone**. Attach the following:

- Site plan showing the space(s) on public property proposed to be used for MFUs. Identify all area parkings spaces and their use: metered parking, time limit parking, loading zone, bus stop, etc.
- Identify the boundary for the affected zone, defined as an area one block larger (or 500', whichever is smaller) in all directions (the City department with jurisdiction has final authority to determine the affected zone and may add or remove properties).
- Petition from property owners/tenants within the affected zone with at least 75% signing as not oppose to designating the above described area as a Mobile Food Unit Zone.
- Verify that the proposed MFU zone is within the MFU district (exhibit A) and that it is at least 100 feet from the nearest residentially zoned property.
- Verify that the Council members for all districts in the affected zone have been notified about this application.

List Council member(s) and date of notification: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

In making this request, applicant agrees to all conditions and requirements contained in this document as well as those required by City Code and by other authorities having jurisdiction. A MFU permit and insurance are required to vend from a MFU Zone.

Submit to: CDOT, 1250 Market Street, Suite 3030, Chattanooga, TN 37402 - Phone: (423) 643-5957

*For internal use only*

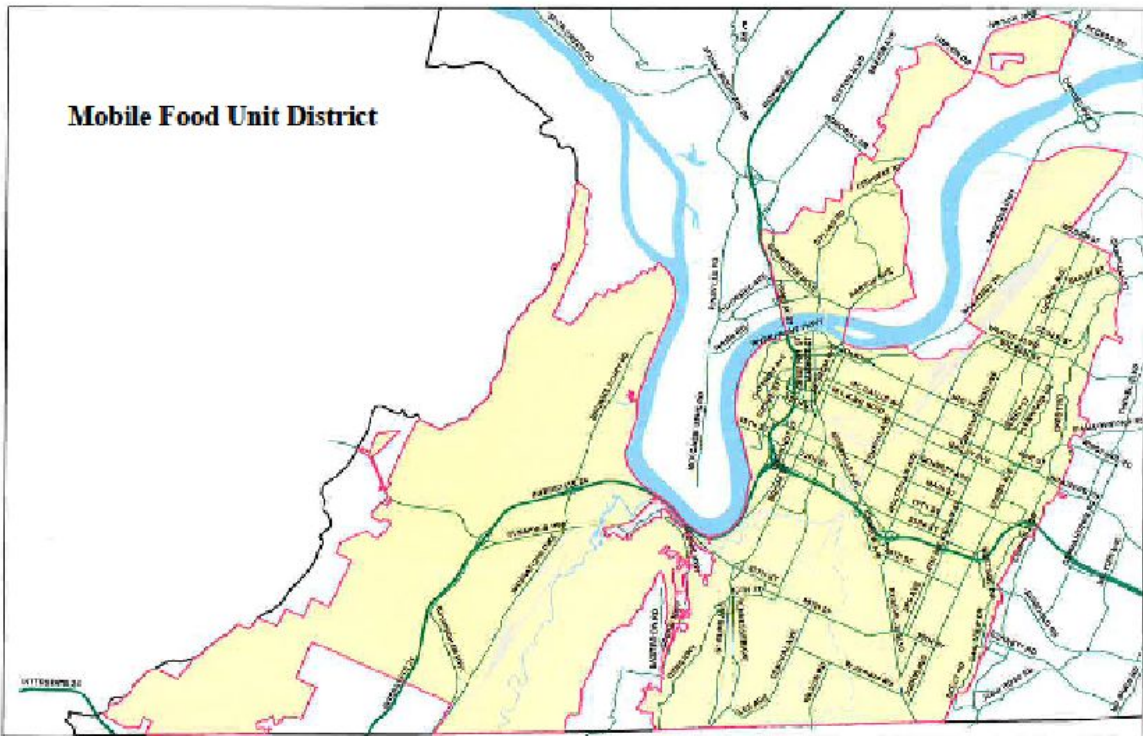
*Date of \$110 application fee receipt* \_\_\_\_\_ *Payment method* \_\_\_\_\_

*Percent of property owners in the affected area not opposed to the MFU zone:* \_\_\_\_\_

\_\_\_\_\_ *Zone Disapproved: Reason* \_\_\_\_\_

\_\_\_\_\_ *Zone Approved: Period valid* \_\_\_\_\_

*Signed* \_\_\_\_\_ *Date* \_\_\_\_\_



**Exhibit A**