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STATE OF ILLINOIS
MADISON COUNTY
09/24/2021 12:07 PM
DEBRA D. KING-MENDOZA
CLERK & RECORDER
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ORDINANCE NO. 6710-09-2021

**AN ORDINANCE AMENDING CHAPTER 82 (PEDDLERS AND SOLICITORS)
AND CHAPTER 114 (TRAFFIC AND VEHICLES)
OF THE CITY OF EDWARDSVILLE CODE OF ORDINANCES**

WHEREAS, the corporate authorities of the City of Edwardsville may establish rules and regulations pertaining to both zoning and businesses within the Corporate Limits; and

WHEREAS, Chapter 82 of the City of Edwardsville Code of Ordinances regulates Peddlers, Solicitors, and Transient Merchants conducting business within the Corporate Limits; and

WHEREAS, Appendix B of the City of Edwardsville Code of Ordinances establishes zoning districts and sets forth rules and regulations within those districts; and

WHEREAS, Food Trucks are mobile businesses which are best regulated via a licensing process; and

WHEREAS, both Chapter 82 (Peddlers and Solicitors) and Appendix B (Zoning) require amendments to effectively regulate Food Trucks;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Edwardsville, Madison County, Illinois, that:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. AMENDMENTS.

- A. Section 82, Article IV is hereby amended by as shown in Exhibit A.
- B. Section 114-113 (Block Parties) is hereby amended as shown in Exhibit B.

SECTION 3. CONFLICT. Any ordinance in conflict with this amendment is hereby repealed.

SECTION 4. SEVERABILITY. Each section and each part of each section of this Codified Ordinance is hereby declared to be an independent section or part of a section, and if any such

Exhibit A

Sec. 82-50. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires.

City Approved Special Event: ~~any outdoor or seasonal event including, but not limited to a picnic, parade, carnival, craft fair, art fair, bicycle/motorecycle/ vehicle ride, walk / run, car show, wedding or other reception, or any other event held on public property which is open to attendance by the general public and / or may require special consideration from any or all of the following City Departments: Edwardsville Police Department (EPD), Edwardsville Fire Department, Department of Public Works and Edwardsville Parks Department.~~

Commissary: Shall mean a local health department permitted food establishment that acts as a base of operations for a food truck. The commissary provides facilities for adequate storage of food, food containers, or food supplies; equipment for adequate washing and sanitizing of food equipment and utensils; a servicing area for the sanitary disposal of liquid waste; for handling and disposal of garbage, grease, and rubbish originating from the food truck; facilities for filling a potable water holding tank in a sanitary manner.

Health Department: the Madison County Health Department.

Health Officer: The administrator of the Madison County Health Department, or their authorized representative.

Food Truck: any self-contained motorized vehicle, or self-contained trailer designed to be operated on the roadway, on/in which food or non-alcoholic beverage for immediate consumption is prepared or from which food or non-alcoholic beverage for immediate consumption is served.

Ice Cream Truck: A self-contained motorized vehicle or self-contained enclosed trailer designed to be operated on the roadway, from which ice cream is sold.

82-52. Manner of Operation.

Certain Locations Prohibited. Food trucks ~~shall only be~~ are permitted in every zoning district except for "R" Districts, the M-1 Light Manufacturing District on parcels that are 5 acres or greater in area. However, the following exemptions are permitted:

1. Food Trucks invited by the City of Edwardsville to participatinge in City-run events, on
2. Food Trucks operating on City property or on public right-of-way owned by the City of Edwardsville in a commercial or manufacturing district, or in public parks, shall be exempt from the requirements of this paragraph.

3. Food Trucks operating in the following public parks or on City of Edwardsville owned right-of-way immediately adjacent to the following public parks:
 - a. Leclaire Park
 - b. Glik Park
 - c. City Park
4. Food trucks that are part of a permitted Block Party
- ~~4.5. Ice Cream Trucks, as defined herein, shall be exempt from the location requirements set forth in this Code.~~

Location Registration. Every food truck licensed to operate in the City of Edwardsville shall complete an online location registration form describing the location and hours of operation at least 24 hours prior to selling from any permitted location in the City. Except for within the M-1 Light Manufacturing District, a food truck may only operate in the same location 4 times per month.

~~*City Approved Special Events.* Food Trucks may only operate in an "R" or "B" zoned area as part of a city approved special event. Food trucks may only operate on public-right of-way, on city owned property, or in a public park as part of a city approved Special Event. Any city approved Special Event that will include food trucks must list the number of food trucks and approximate location of said food trucks on their Special Event Permit Application, which may be approved by the Recreation Arts & Special Events Committee and the City Council. Food trucks participating in special events must be licensed by the City.~~

Hours of Operation. Food trucks shall only operate between the hours of 7:00 a.m. and 12:00 p.m. However, food trucks operating in the M-1 Light Manufacturing District may operate 24-hours per day. The food truck shall not be stored at a personal residence within the City of Edwardsville.

Sale of Alcoholic Beverages. The sale of Alcoholic Beverages shall be governed by the terms of Chapter 6 of the Codified Ordinances of the City of Edwardsville.

Vehicle Appearances and Maintenance. Food trucks shall be kept in good mechanical and structural condition. Food trucks shall have a clean exterior and interior and shall be equipped with signs to alert traffic to proceed with caution past the truck while the truck is serving customers. Each vehicle shall have the company name affixed to it in a professional, workmanlike matter and in letters that are a minimum of six inches (6") in height. The company name shall be affixed to each side and rear of the vehicle. Both the generator and fuel tank shall be affixed to the vehicle and shall not be placed on the ground.

Health Department Permit Required. Any food truck operating in the City of Edwardsville shall be properly permitted by the Madison County Health Department. All food trucks shall be subject to the Health Code and all rules and regulations promulgated by the Health Commissioner.

Operation. Every food truck shall indemnify and hold harmless the City of Edwardsville for all suits or actions brought against the City for or on account of any injuries or damages received or sustained by any party of parties for or from the said vendor. Further, every vendor shall obtain and maintain insurance coverage as required by the Director of Finance~~City Clerk's Office~~. This insurance shall be in force at all times during the course of operation within the City. The food truck shall not be stored at a personal residence within the City of Edwardsville.

Peripheral Setup. No tents, tables, chairs, or other materials shall be placed at the designated vending area. Signage shall be limited to signs permanently or magnetically affixed to the Food truck. Food trucks shall only be permitted to connect to City water, electric, or other utility to conduct business with written consent of the City. Food trucks must also provide for the sanitary collection of all refuse, litter, and garbage generated during food preparation and service by the food truck and by patrons using the service, and remove all such waste materials from the location before the food truck departs.

Public Health Standards. No food, food products, or beverages for public consumption shall be kept, offered for sale, transported, or handled except in accordance with the rules and regulations of the State of Illinois and the Madison County Health Department.

Suspension and Revocation of License. Suspension or revocation of a license shall be done in accordance with Section 1-10 of the Codified Ordinances of the City of Edwardsville.

Fire Safety Requirements: All Food Trucks must meet the requirements set forth in Chapter 46 of the Codified ordinances of the City of Edwardsville.

82-54. Application Requirements.

Food trucks seeking a license to operate within the City of Edwardsville shall provide a completed application to the City Clerk's Office~~Director of Finance~~. A fee shall be paid in accordance with the City of Edwardsville's adopted fee schedule, prior to issuance of license.

82-55. Annual License.

The license for a Food Truck shall be valid for a period of 12 months and shall be renewed annually in January. Licenses for applications received throughout the year shall be issued and paid for on a pro-rated basis. Said license shall be displayed so that it is visible to customers.

~~**82-56. City Approved Special Event License.** Licenses issued to food trucks for City Approved Special Events shall be valid only for the dates provided on the license, not to exceed four (4) consecutive days. Each event requires separate application and license. Said license shall be displayed so that it is visible to customers.~~

82-567. License Non-Transferable. Any license issued for the operation a food truck shall not be transferable.



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STATE OF ILLINOIS
MADISON COUNTY
03/12/2019 02:33 PM
AMY M. MEYER, RECORDER
REC FEE: 31.00
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ORDINANCE NO. 6098-03-19

3100 COE

**An Ordinance Amending Chapter 46 of the Codified Ordinances of the City of Edwardsville
(Fire Department)**

ORDINANCE NO. 6098-03-19

AN ORDINANCE AMENDING CHAPTER 46 OF THE CODIFIED ORDINANCES OF THE
CITY OF EDWARDSVILLE
(Fire Department)

WHEREAS, the corporate authorities of the City of Edwardsville adopted an Administrative Code for the City of Edwardsville and have made revisions thereto; and

WHEREAS, the corporate authorities adopted Chapter 46 – Fire Prevention and Protection, Article IV. – Fire Department, establishing general fire safety guidelines within city limits;

WHEREAS, the corporate authorities deem it to be in the best interests of the City to amend certain sections of the Codified Ordinances which regulates fire safety in the City of Edwardsville, and

WHEREAS, the Madison County Health Department has approved the utilization of food trucks in the county,

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Edwardsville, Madison County, Illinois, that the Codified Ordinances of the City of Edwardsville, Chapter Forty Six – Fire Prevention and Protection, Article IV is hereby amended to read:

Sec. 46-109. – Food Trucks.

- a) All mobile food trucks operating within the City of Edwardsville, or within the boundaries of the City of Edwardsville's fire protection area, are subject to announced or unannounced inspection by the Edwardsville Fire Department.
- b) Mobile food trucks cannot operate within 10 feet of any structure.
- c) Trucks must have their wheels chocked when parked.
- d) No seating may be provided inside the truck for patrons.
- e) Vehicles cannot block fire department access roads, fire lanes, fire hydrants or other fire department devices or equipment.
- f) Food truck employees must have an approved means of communication to contact emergency services.
 - i. The address of the current operational location must be posted and accessible to all employees.
 - ii. Workers must be trained in emergency response procedures, with documentation of this training available for inspection upon request.
- g) Only U.S. Department of Transportation-approved models of propane and natural gas tanks (49 CFR 178) may be used on mobile food vehicles. No quick-connect devices (as defined in NFPA 58-7.2.2.5) are allowed except on chassis-mounted tanks. Any such quick connect devices on chassis mounted tanks shall be equipped with a manual shutoff.
- h) Tanks must be secure and conform with NFPA standards relating to the safe mounting of tanks as described in NFPA 58 – 6.23.3.3.

- i) Cooking Equipment. All cooking appliances must be listed by Underwriters Laboratories or NSF International for mobile applications for the appropriate fuel.
 - i. All fat fryers must have a lid over the oil vat that can be secured in order to prevent the spillage of cooking oil during transit.
 - ii. This lid is to be secured at all times when the vehicle is in motion.
- j) Automatic and Manual Shutoffs. Each gas-fired appliance shall be equipped with an automatic device designed to shut off the flow of gas to the main burner and pilot in the event the pilot flame is extinguished. The main system shutoff valve must be clearly marked with the words "PROPANE AND NATURAL GAS SHUTOFF VALVE".
- k) All vehicles must be equipped with no less than one 10 BC rated fire extinguisher, or if a deep fryer is present in the vehicle, a Class K fire extinguisher. All vehicles used for cooking that produces grease-laden vapors must be equipped with a working Ansul R-102 or K class automatic fire suppression system.
- l) Kitchen hood. Each mobile food vehicle that uses propane or natural gas for cooking must be equipped with a Type I or Type II commercial kitchen exhaust hood. Additionally, each truck must be equipped with a working ventilation system that meets the requirements of NFPA 96, Chapter 5, which must be in operation at all times when the cooking equipment is being used.
- m) Detection systems. All mobile food vehicles must be equipped with a working carbon monoxide detector. All cabinet-mounted tanks must be equipped with a leak indicator according to NFPA 1192 – 6.4.8.

Secs. 46-110—46-129. - Reserved.

ADOPTED this 5th day of March 2019, pursuant to a roll call vote as follows:

AYES: ALDERMEN BURNS, RISAVY, MORRISON, KRAUSE, FARRAR AND LOUER

NAYS:

ABSENT: ALDERMEN STACK

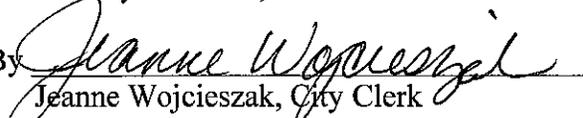
ABSTENTION:

APPROVED by me this 5TH day of March, 2019.



Hal Patton, Mayor
 City of Edwardsville, Madison County,
 Illinois

ATTESTED, Filed and Published in my office,
 This 6th day of March, 2019.

By 
 Jeanne Wojcieszak, City Clerk
 City of Edwardsville, Madison County, Illinois

PREPARED BY AND (RETURN TO):
 CITY OF EDWARDSVILLE
 118 HILLSBORO AVE
 EDWARDSVILLE, IL 62025

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Exhibit B

Sec. 114-113. – Block Parties.

(a) *Permit required.* No person or persons may conduct personal, professional or social activity upon the public highways (as defined by the state vehicle code, 625 ILCS 5/1-126) without first obtaining a permit from the director of police.

(b) *Conditions of permit.* Permits shall be issued only to persons or organizations engaged in neighborhood social activities hereinafter identified as "block parties" pursuant to the following conditions:

(1) Block parties ~~must end by~~ ~~may be held 10:00 p.m. during daylight hours, only (i.e., between sunrise and sunset).~~

(2) Block parties permit requests shall be filed in writing with the office of the director of police not less than ~~two~~ five (5) business days prior to the planned date of activity nor more than 30 days in advance of the intended date of use.

~~(3) Sale of food, beverages, other products, or services at a block party is prohibited.~~

(4) The dispensing of alcoholic beverages from the public right-of-way at a block party is prohibited.

(5) Permits shall not be issued for block party requested on through highways unless, in the judgment of the director of police, such highway design and location would accommodate the activity.

(6) A block party shall not be held unless the permitted area is properly barricaded:

a. Primary and secondary barricade lines shall be established with no block party activity between the two lines.

b. Barricades shall be approved by the director of police or his designee.

(7) The director of police shall have the authority to deny, cancel, or suspend applications and permits for block party for reasons of weather, violation of the provisions of this section or other reasons, when, in the director's judgment, such action is necessary for general public safety.

(8) Fire lanes shall be provided in the block party area.

(9) All applications shall include testimony that all residents directly affected by the secured area are in approval of the planned activity.

(10) The director of police may request other information as is deemed necessary.

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