

**AN ORDINANCE TO ESTABLISH NEW AND FULL RULES FOR
FOOD TRUCK OPERATIONS WITHIN THE CITY OF HELENA**

ORDINANCE 991-2024

WHEREAS, the Mayor and City Council have determined that establishing updated standards for the operation of Mobile Food Units will promote public health, safety, and welfare of the citizens in the City of Helena,

WHEREAS, this Ordinance will replace and fully dissolve the existing Ordinance 839-16,

WHEREAS, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HELENA, AS FOLLOWS:

SECTION 1. Definitions

Mobile Food Unit (Food Truck) – A food service establishment that is mobile and located upon or within a vehicle, or which can be pulled by a vehicle, or which can be pulled or pushed by human or animal power (such as a pushcart), where food or beverage is cooked, prepared and/or served.

Mobile Food Unit Operators - Individuals or business entities who operate a Mobile Food Unit.

SECTION 2. Standards and Requirements for Operation

2.01. All Mobile Food Unit operators, outside of special events, shall obtain a business license issued by the City of Helena prior to commencing any food sales in the City. The license shall be assigned code 722320 and shall be subject to the applicable fee schedule and other applicable provisions in the Business License Code of the City of Helena. The applicant shall be responsible for having each unit inspected for fire safety and approved by the City's Fire Marshal, or designee, prior to issuance of a license. Special events are defined and otherwise classified in Business License Ordinance 734-07 Amended, and are unaffected by the conditions set forth in this Ordinance.

2.02. All Mobile Food Units must be located off the public right-of-way.

2.03. No Mobile Food Unit may operate within the City of Helena; unless at a special event/function that is approved by the City of Helena, or at the special invitation of a neighborhood. The Mobile Food Unit shall be placed in a common area of the neighborhood (i.e. clubhouse, common greenspace, etc.).

2.04. Any brick-and-mortar dining establishment may use their property to serve from their own specific Mobile Food Unit. A copy of lease or ownership documentation for the property in which the Mobile Food Unit is operating shall be available upon request.

2.05. No Mobile Food unit shall be left at the location overnight, unless the Mobile Food Unit is parked on the property of their brick-and-mortar location.

2.06. Hours of operation for all Mobile Food Units shall be limited to 6:00AM to 10:00PM, local time.

2.07. Mobile Food Unit shall be located a minimum of five (5) feet away from a fire hydrant, sidewalk, utility boxes, handicap ramps, and/or building entrances.

2.08. All associated equipment, including trash receptacles, must be located within three (3) feet of the Mobile Food Unit.

2.09. No fire lanes, vehicular access ways, or pedestrian walkways may be obstructed or encroached upon by the Mobile Food Unit.

2.10. No amplified microphones or bull horns, no flashing lights, or any other distraction shall be permitted as a part of the Mobile Food Unit operation.

2.11. Signage is limited to signage affixed to the Mobile Food Unit. No other signs are allowed, including but not limited to A-Frame signs.

2.12. The operator of a Mobile Food Unit shall comply with all applicable City ordinances and regulations set forth by the Alabama Department of Public Health.

SECTION 3. Penalties

A violation of this ordinance shall constitute an offense against the City of Helena. Any person violating any provision of this ordinance shall be issued a citation by the Helena Police Department, Building Official, or Fire Marshall. Any violation will be a mandatory court appearance. Upon conviction, any person(s) shall be subject to fines and court costs which will be assessed by Helena Municipal Court for offenses against the City. Each day in violation shall be a separate offense.

Violation 1: \$150.00 plus associated court costs

Violation 2: \$250.00 plus associated court costs

Violation 3 or more: \$500.00 plus associated court costs

SECTION 4. Severability

If any part, section, or subdivision of this resolution shall be held unconstitutional or invalid for any reason by a court of competent jurisdiction, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 5. Effective Date

This Ordinance Number 991-2024 shall become effective on May 20, 2024, following adoption and publishing/posting pursuant to Alabama Law.

DONE, ORDERED, ADOPTED and APPROVED on this the 13th day of May, 2024.

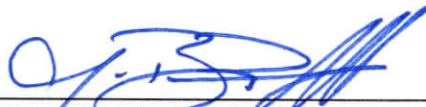
-BLANK-

Ordinance Number 991-2024

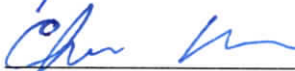
APPROVED AND ADOPTED THIS 13th DAY OF MAY, 2024.

[SEAL]





J. Brian Puckett, Mayor



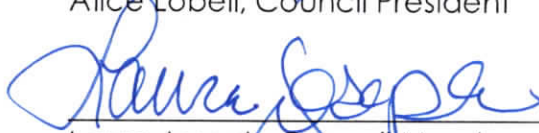
Chris Willis, Council Member



Chris VanCleave, Council Member



Alice Lobell, Council President

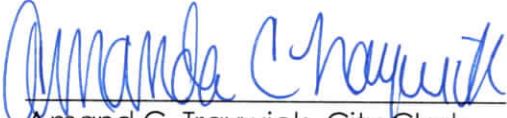


Laura Joseph, Council Member



Harold Woodman, Council Member

ATTEST:



Amand C. Traywick, City Clerk

**STATE OF ALABAMA
SHELBY COUNTY**

I, Amanda C. Traywick, City Clerk of the City of Helena, do hereby certify that the above is a true correct copy of Ordinance Number 991-2024 duly adopted by the Council of the City of Helena at its meeting held 13th day of May 2024, and as same appears of record in the ordinance records of said City, and approved by the Mayor and City Council on 13th day of May 2024.

Given under my hand and corporate seal of the City of Helena, this the 13th day of May 2024.

[SEAL]




Amanda C. Traywick, City Clerk

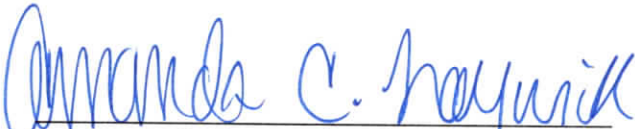
CERTIFICATION

I, Amanda C. Traywick, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number 991-2024 is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three public places in said City, being on the bulletin board of the City Hall, on our website www.cityofhelena.org, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 13th day of May 2024, five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 13th day of May 2024.

[SEAL]




Amanda C. Traywick, City Clerk