

## **Warrenton Mobile Food Vendor Program**

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### **Policies and Procedures**

The following is a guidance document for the Mobile Food Vendor Program. The regulations that govern the program are listed under Article 9-24 of the Zoning Ordinance. The program is administered by the Town Manager's Office. Permitting for the program is processed through the Department of Planning & Community Development. If you have any questions about the program details specified in the Zoning Ordinance or herein, please contact the Department of Planning & Community Development at (540) 347-2405, Monday through Friday between 8:00 am and 4:30 pm.

#### **I. Vending Permit Application Process**

- A. Interested Mobile Food Vendors must submit a completed Application for a Mobile Food Vendor Permit and required documentation via email or in person at Town Hall at 18 Court Street, from 8 a.m. to 4:30 p.m. The Town will verify all permits have been obtained prior to issuing a vending permit to the selected vendor.
- B. The Mobile Food Vendor must submit all required documents, pass all physical inspections, provide payment and hold a permit to participate in the program. The following permits and documentation are required:
  1. A Health Permit from the Virginia Department of Health;
  2. Proof of Current Fire Inspection;
  3. Statement of authorization from property owner or their agent if operating on private property;
  4. Certificate of insurance (see Article 9-24.9 of the Zoning Ordinance); and
  5. Signed Policies and Procedures Program Compliance form (a copy must be kept at all times in the Mobile Food Vendor vehicle and supplied for random inspection).
- C. The Mobile Food Vendor must supply at the time of application all applicable Program Fees (see descriptions below).
- D. Staff will review applications for completion and no application will be accepted unless deemed complete.

#### **II. Designated Public Sites**

The following are designated as public vending sites for Mobile Food Vendors:

- A. Warrenton Aquatic and Recreation Facility, Parking Area as established by the Town Manager.

### III.

B. Rady Park, Parking Area as established by the Town Manager.

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B.C. Eva Walker Park, area as established by the Town Manager.

#### III. Program Fees

- A. All Mobile Food Vendors (new and renewing) must submit all fees and taxes as outlined below.
- B. Annual Permit Fee. The full annual permit fee is due upon acceptance into the Warrenton Mobile Food Vendor Program. If a vendor chooses to withdraw from the program, the annual fee is forfeited. The annual fee for renewing Mobile Food Vendors is due by June 30<sup>th</sup>.
- C. Annual Business License Fee. The business license fee for Mobile Food Vendors is an annual flat fee and cannot be refunded. The business license fee for the first year is due at the time of application. Business License Renewal applications will be mailed each year and are due by March 1<sup>st</sup>. The business license fee is due by June 30<sup>th</sup>.
- D. Meals and Consumption Tax. Mobile Food Vendors are required to collect Meals and Consumption Tax on all applicable food and beverage sales at a rate of 4%, and remit to the Town on a monthly basis. The Meals Tax return and payment are due on the 20<sup>th</sup> of the month following the month in which the tax was collected.
- E. Meals and Consumption Tax Bond (New Vendors). At the time of application to the program, a one-time Meals and Consumption Tax Bond in the amount of \$300 is required. The Bond is refundable only if the vendor application is not approved, or if before incurring any meals tax liability the participant goes out of business, moves their business, or otherwise ceases to operate in the Town of Warrenton.
- F. Meals and Consumption Tax Bond (Other). Mobile Food Vendors that do not maintain participation in the program for a period of two years or more will be considered “new vendors” and will be required to provide the meals tax bond again upon application to re-enter the program. Mobile Food Vendors that are delinquent in the remittance of meals tax may be required to provide the meals tax bond annually, at the discretion of the Town Manager.
- G. Mobile Food Vendors are required to comply with all other applicable local, state and federal taxes, including remittance of Sales Tax in accordance with state law.

#### IV. Exceptions to Permitted Operations

Warrenton Mobile Food Vendor Program (May 2016)

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Modified 6-13-2016

Modified 6-28-2016

Modified 7-26-2016

Modified 8-9-2016

Modified 9-13-2016

Modified 10-10-2017

### III.

- A. As stated in Section 9-24.1 of the Zoning Ordinance, Mobile Food Vendor permits do not extend to special events. In addition, Mobile Food Vendors may not operate in designated Public Parks during special events, athletic meets, and tournaments without express permission from the Department of Parks and Recreation events coordinator. The Department of Parks and Recreation event coordinator will consult with athletic organizations to determine when such events are scheduled. Possession of an annual permit does not guarantee a Mobile Food Vendor will be granted permission during special events. It is the sole discretion of the events coordinator which Mobile Food Vendors may have access to events. It is the responsibility of the Mobile Food Vendor to stay informed of restricted events.
- V. The Warrenton Mobile Food Vendor Program will be reviewed in its entirety one year after its adoption by the Town Council.
- A. Fee Chart

Fees	Town of Warrenton	Other Agencies
Annual Downtown Mobile Food Vendor Program Fee (per vendor)	\$100	
Annual Business License Fee (per vendor)	\$50	
One-time Meals Tax Bond (per vendor)	\$300	
Annual Fire Inspection Fee (per vehicle)	\$50 <sup>1</sup>	
Annual Health Permit Fee (per vehicle)		VA Department of Health (Fauquier County Office)
<b>Total</b>	<b>\$500</b>	

#### VI. Associated Fees

Reserved.

<sup>1</sup> \$50.00 up to 2,500 sq. ft. plus \$0.01 per sq. ft. for every square foot over 2,500.

**VII. Program Compliance**

I understand and will abide by the regulations in Article 9-24 of the Zoning Ordinance and by the Policies and Procedures for the Warrenton Mobile Food Vendor Program. I further understand that should I commit any violation of the Ordinance and/or this policy, my participation in this program may be revoked.

\_\_\_\_\_  
Vendor Signature                      Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Town Manger, or Designee, Signature                      Date

\_\_\_\_\_  
Printed Name