



## APPLICATION FOR FOOD VENDING ON PUBLIC STREETS

**\*No fees are required until the application has been approved. Upon approval there will be a \$75 fee.**

**Please fill out all the information listed below and submit those documents needed for your Mobile Food Establishment. If you should have problems answering any of the questions, please call our office at (920) 262-4060. This application must be submitted along with the materials required under Section 3 of this application, otherwise your Mobile Food Vending on Public Streets permit will not be processed.**

The City of Watertown Code, Section 457-185 states no Mobile Operator shall vend from a Mobile Food Establishment while on City owned streets, sidewalks or parking lots unless a permit to do so is obtained from the City Engineer or designee. An annual permit and fee shall entitle the Mobile Operator to vend from a Mobile Food Establishment for the period of July 1 of the application year through June 30 of the following year (First-time applicants shall be eligible for a 15 month Food Vending on Public Streets Permit that shall permit the Mobile Operator to vend from a Mobile Food Establishment for the period of April 1 of the application year through June 30 of the following year at no additional fee). **Permits are issued to applicant and are not transferable.**

**Are you a first-time applicant:**  Yes  No

### **Type of Mobile Food Establishment:**

Motorized Food Vending Vehicle  Mobile Food Cart or Push Cart  Mobile Food Vending Trailer

### **1. Mobile Operator:**

Name(s): \_\_\_\_\_

Address (No P.O. Box): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email: \_\_\_\_\_ Driver License #: \_\_\_\_\_

### **2. Information regarding Persons, Firm, Association or Corporation/LLC that the applicant represents or is employed by:**

Name (Legal/Real Name of Business): \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Person in Charge (if different from applicant): \_\_\_\_\_

Driver License #: \_\_\_\_\_

### **3. Required Materials:**

#### **Item 1**

Copy of Service Base License and Mobile Food Establishment License required by the Wisconsin Department of Agriculture, Trade and Consumer Protection or local agent with licensing authority.

**Item 2**

Certificate of Insurance compliant with Section 457-185C, and must contain the following:

City is additionally insured on the Certificate       Certificate complies with Section 457-185C(3)

**Item 3**

Inspection report showing that a Motorized Food Vending Vehicle has met the standards of safety prescribed by law **(For Motorized Food Vending Vehicles Only)**.

Description of vehicle used by applicant in the conduct of business:

(VIN #)	(License Plate #)	(State)	(Make)	(Model)	(Year)
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**Item 4**

Signage posted, in lettering not less than three inches in height and two inches wide, in plain view to all patrons that provides the name of the Mobile Operator and a valid telephone number.

**Indemnification:**

I agree to defend, indemnify and hold harmless the City of Watertown, its officers, employees and agents from and against *all actions, losses, damages, liability, costs and expenses of every type and description, including, but not limited to, attorney fees, to which any or all of them may be subjected by reason of, or resulting from, directly or indirectly, in whole or in part, the acts or omissions of the permittee or the permittee's agents, officers or employees, directly or indirectly arising* from my operation of a Mobile Food Establishment

I certify that I am the person who made and signed this application for a Food Vending on Public Streets Permit and that all statements made herein are true and correct.

I further acknowledge receipt of a copy of the City Code, Map Appendices and List of Existing Food Establishments pertaining to the conduct of Mobile Operators and Mobile Food Establishments in the City of Watertown.

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

TO BE FILLED BY THE CITY	
Date Received: _____	Received By: _____ Application Complete: <input type="checkbox"/> Yes <input type="checkbox"/> No
Reviewed By: _____	Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other: _____
Date Approved: _____	Permit #: _____

## AN ORDINANCE

AMENDING SECTION 457-12C WITH CREATION OF 457-12C(3), STREETS AND  
SIDEWALKS: USE OF STREETS OR SIDEWALKS FOR SALE OF MERCHANDISE.  
AMENDING CHAPTER 457 TO CREATE SECTION 457-185, STREETS AND SIDEWALKS:  
FOOD VENDING ON PUBLIC STREETS

Sponsor: Alderperson Ken Berg  
From: Public Works

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDIAN AS FOLLOWS:

**SECTION 1.** Amending Section 457-12C with creation of 457-12C(3), Streets and  
Sidewalks: Use of Streets or Sidewalks for Sale of Merchandise:

(3) Permitted Food Vending on Public Streets under § 457-185

**SECTION 2.** Amending Chapter 457 to create Section 457-185, Streets and  
Sidewalks: Food Vending on Public Streets:

### § 457-185 FOOD VENDING ON PUBLIC STREET

A. Definitions. As used in this article, the following terms shall have the meanings indicated:

- (1) "Motorized Food Vending Vehicle" or "Mobile Food Establishment" means a restaurant or retail food establishment where food is served or sold from a motorized movable vehicle which periodically or continuously changes location and requires a service base to accommodate the unit for servicing, cleaning, inspection and maintenance.
- (2) "Mobile Food Carts" or "Push-carts" or "Mobile Food Establishment" means a restaurant or retail food establishment where food is served or sold from a movable NSF/ANSI 59 compliant push cart which periodically or continuously changes location and requires a service base to accommodate the unit for servicing, cleaning, inspection and maintenance."
  - (a) Bicycle (2 or 3-wheeled) food carts shall not be used as a "Mobile Food Cart" or "Push Cart".
- (3) "Mobile Food Vending Trailers" or "Mobile Food Establishment" means a restaurant or retail food establishment where food is served or sold from a movable trailer which periodically or continuously changes location and requires a service base to accommodate the unit for servicing, cleaning, inspection and maintenance.
  - (a) "Mobile Food Vending Trailers" shall only be permitted in City approved municipal parking lots.
- (4) "Vend" or "Vending" means offering food for sale from a Mobile Food Establishment, on city owned streets, sidewalks or parking lots.
- (5) "Mobile Operator" includes any person, firm or corporation who owns, leases, contracts or in any other fashion permits a person to operate upon a city street,

sidewalk or municipal parking lot any Mobile Food Establishment for the purpose of vending, or the person driving or operating any such vehicle.

(6) **"Sidewalk"** has the meaning given in Wisconsin Statute **§ 340.01(58)**

B. **Permit Required.** No Mobile Operator shall vend from a Mobile Food Establishment while on City owned streets, sidewalks or parking lots unless a permit to do so is obtained from the City Engineer or designee. An annual permit and fee shall entitle the Mobile Operator to vend from a Mobile Food Establishment for the period of July 1 of the application year through June 30 of the following year. For each additional individual vehicle utilized by a Mobile Operator, an additional permit fee shall be paid. Applicants must include a copy of their Service Base License and Mobile Food Establishment License required by the Wisconsin Department of Agriculture, Trade and Consumer Protection or local agent with licensing authority.

(1) First-time applicants shall be eligible for a 15 month Food Vending on Public Streets Permit that shall permit the Mobile Operator to vend from a Mobile Food Establishment for the period of April 1 of the application year through June 30 of the following year at no additional fee.

C. **Insurance.** No permit shall be issued hereunder to a Mobile Operator unless a certificate is furnished to the City evidencing in form coverages and limits acceptable to the City that the Mobile Operator is adequately insured with respect to: public liability for personal injury or death resulting from any one occurrence and on account of any one accident and property damage insurance; in additions:

(1) The City shall be an additional insured as evidenced on a certificate of liability insurance;

(2) Upon receipt of a permit under this Section, the Mobile Operator of a Mobile Food Establishment agrees that it shall defend, indemnify and hold harmless the City, its officers, employees and agents from and against all actions, losses, damages, liability, costs and expenses of every type and description, including, but not limited to, attorney fees, to which any or all of them may be subjected by reason of, or resulting from, directly or indirectly, in whole or in part, the acts or omissions of the permittee or the permittee's agents, officers or employees, directly or indirectly arising from the operation of a Mobile Food Establishment;

(3) A certificate of liability insurance shall contain an acknowledgement attested by the insurer that prior to modification, cancellation or termination of the subject policy, written notice shall be sent to the City Engineer by said insurance company.

D. **Inspections.**

(1) Prior to the initial use and operation of a Motorized Food Vending Vehicle, said vehicle shall be thoroughly examined and inspected by a certified mechanic and found to comply with all standards of safety prescribed by the laws of the State or the City. An inspection report showing that a vehicle has met the standards of safety prescribed by law must be presented to the City Engineer or designee at the time of permit application.



- (2) Every Motorized Food Vending Vehicle licensed pursuant to this chapter shall be inspected from time to time, but, no less frequently than annually, by a certified mechanic to ensure the continued maintenance of safe operating conditions. The operation of any vehicle which fails to meet the standards of safety established by law shall be discontinued until such time as the deficiency is eliminated in the exclusive determination of the City.
- (3) All Mobile Food Establishments shall be inspected in accordance with Wisconsin Administrative Statute § ATCP 75, Wisconsin Food Code and Chapter 319 of this Code.

E. **Pedestrian Sidewalk Access.** All vending activities from a Mobile Food Cart or Push Cart shall be conducted to maintain a minimum width of 3 feet of unobstructed public pedestrian walkway adjacent to the vending site.

F. **Park and Recreation Facilities.** See Chapter 398 of this Code.

G. **Restrictions on Vending Activity.**

- (1) A Mobile Operator shall not leave a Mobile Food Establishment unattended at any time.
- (2) A Mobile Operator shall vend only when the Mobile Food Establishment is lawfully parked, stopped, or standing.
- (3) A Mobile Operator of a Motorized Food Vending vehicle shall vend only from the side of the vehicle away from moving traffic and as near as possible to the curb or outer limit of the street.
- (4) A Mobile Operator shall not vend to any customer situated in the street.
- (5) Mobile Food Carts or Push Carts shall only vend on sidewalks or City approved municipal parking lots.
- (6) Loading and unloading of Mobile Food Carts or Push Carts shall not obstruct traffic.
- (7) The City Engineer shall establish and make known to Mobile Operators all City streets, sidewalks or municipally owned parking lots that are disapproved for the utilization of vending. The City Engineer shall take into consideration factors such as the classification of the street, the amount and character of the traffic carried thereon, and any special hazards to the public which may be created by permitting vending activity thereon.

[1] Editor's Note: Appendix A, Food Vending on Public Streets – Central Business District Map, & Appendix B, Food Vending on Public Streets – City of Watertown Map, are attached to this Chapter.

- (8) No vending activity shall occur between the hour of 10:00 p.m. and the hour of 7:00 a.m. next succeeding.
  - (a) All Mobile Food Establishments shall not be parked and/or stored on or within any City of Watertown street, sidewalk or municipally owned parking lot between the hour of 10:00 p.m. and the hour of 7:00 a.m. next succeeding.

- (9) A Mobile Operator must maintain at least one leak proof waste container for customer use and shall be responsible for proper and legal disposal of customer litter or other refuse collected in the natural course of conducting the activities permitted under this Section. Mobile Operators are required to remove or otherwise properly dispose of all waste, liter or garbage generated by their operations and patrons on a daily basis including that which may be reasonably seen from the location of operation on the ground or otherwise not in a proper disposal container
- (10) A Mobile Food Establishment or Mobile Operator shall not obstruct the ingress or egress from commercial buildings and private driveways.
- (11) A Mobile Food Establishment or Mobile Operator shall not vend within 30 feet of the property line of a licensed food establishment.
- (12) A Mobile Operator shall not operate within 200 feet from a community event or parade without written permission from the event permit holder.  
(a) A community event is an event licensed or permitted under Chapters 398 or 428 of this Code
- (13) No Mobile Operator or Mobile Food Establishment shall use utilities from the public right-of-ways, this includes, but not limited to, reliance on extension cords or water hoses.
- (14) Mobile Operators or Mobile Food Establishments relying on generators shall not use or rely on a generator that produces noise greater than 60 decibels.
- (15) All Mobile Food Establishments must have signage posted, in lettering not less than three inches in height and two inches in width, in plain view to all patrons that provides the name of the Mobile Operator and a valid telephone number.
- (16) All state, county, local agents with licensing authority and/or City of Watertown licenses and/or permits shall be conspicuously displayed on all Mobile Food Establishments while in operation.
- H. **Sound Amplification Devices.** No Mobile Operator while vending shall use a sound amplification device, bell or horn which is audible for a distance of more than 50 feet from a Mobile Food Establishment. No such device shall be used within 300 feet of any church or place of worship, school, hospital, residential zoning district or municipal building.
- I. **Denial, Suspension or Revocation of Permit.** Failure to comply with all applicable municipal code(s) or state statute(s) shall result in immediate denial, suspension or revocation of a Mobile Operator's Food Vending on Public Streets Permit.
- J. **Appeal.** The decision to deny, condition or suspend a permit shall be reviewable upon appeal pursuant to the provisions of Chapter 10 of this Code.
- K. **Exemptions.** A Food Vending on Public Streets Permit shall not be required for any Mobile Food Establishment that are associated with a Public Event under Chapter 428 of this Code, Events/Concessions under Chapter 398 of this Code, Watertown Main Street Program's Farmers Market, or Watertown Public Library's Farmer Market so long as the food vending vehicle is removed within 24 hours of the stated end of the licensed event.

**SECTION 3.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed

**SECTION 4.** This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	02/06/2018		02/20/2018	
READING:	1ST		2ND	
	YES	NO	YES	NO
MCFARLAND				
SMITH				
BERG				
LARSEN				
ZGONC				
RAETHER				
TIETZ				
MARON				
KILPS				
MAYOR DAVID				
TOTAL				

ADOPTED \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK/TREASURER

APPROVED \_\_\_\_\_

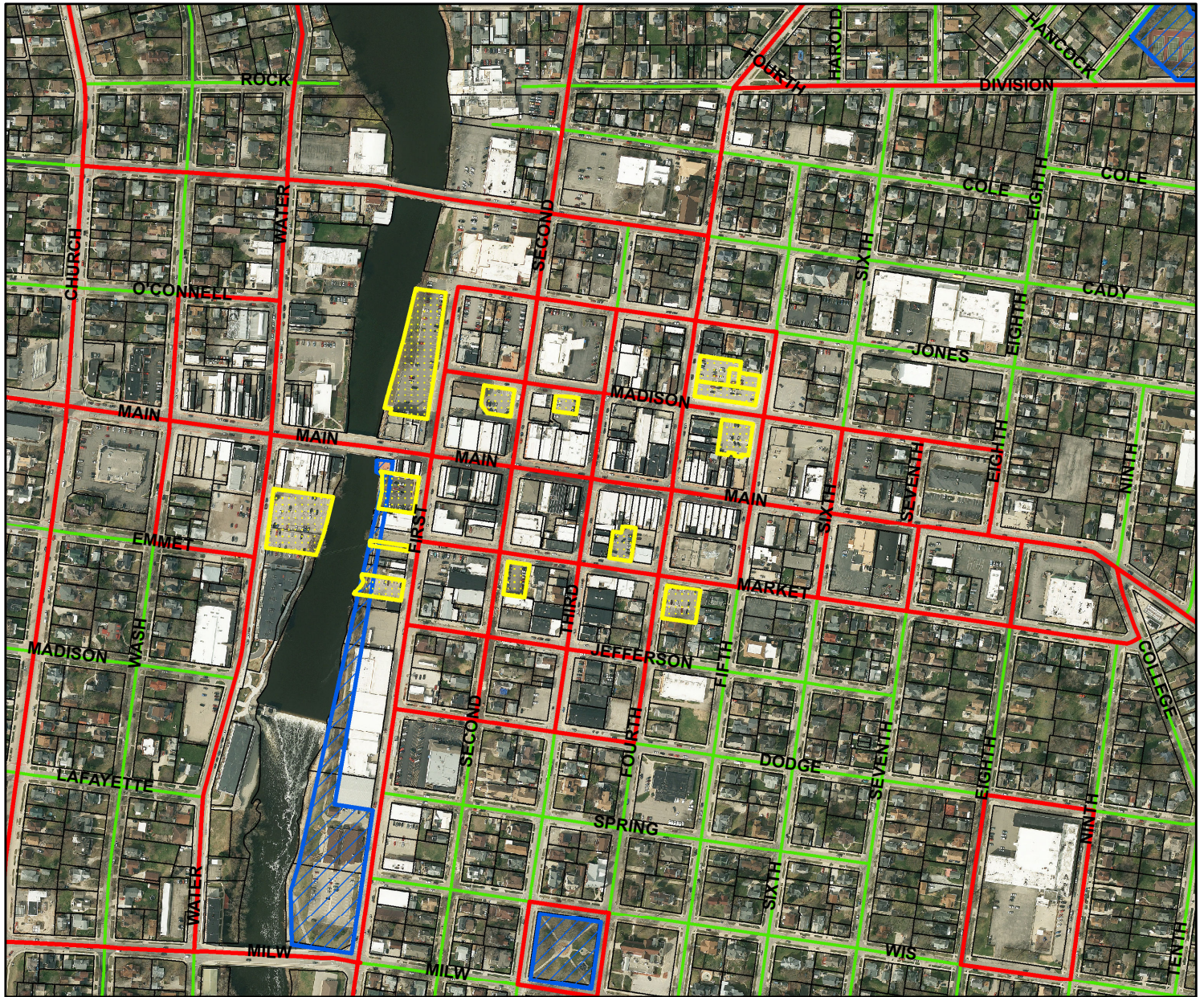
\_\_\_\_\_  
MAYOR



# Appendix A:

## Food Vending on Public Streets





### Central Business District



1 inch = 500 feet

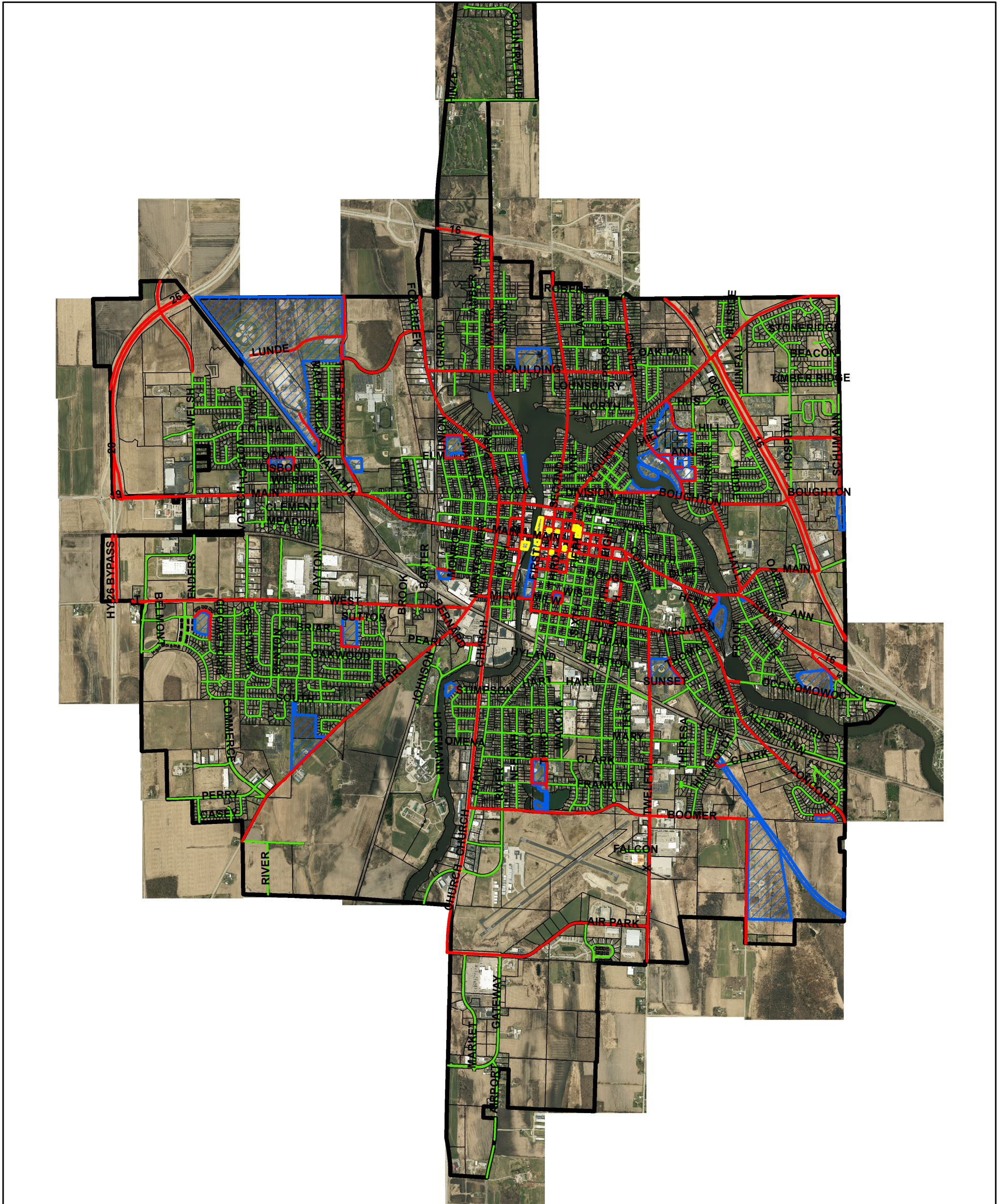


#### Legend

-  Permitted Parking Lots
-  Streets (Motorized Food Vending Vehicles Prohibited)
-  Streets (Motorized Food Vending Vehicles Permitted)
-  Parks (Chapter 398)







# Appendix B: Food Vending on Public Streets City of Watertown



1 inch = 2,650 feet



## Legend

-  Permitted Parking Lots
-  Streets (Motorized Food Vending Vehicles Prohibited)
-  Streets (Motorized Food Vending Vehicles Permitted)
-  Parks (Chapter 398)





# LICENSED FOOD ESTABLISHMENTS

Facility Name	Facility Address
BERRES BROTHERS CAFE	202 AIR PARK DR
HOLIDAY INN EXPRESS	101 AVIATION WAY
WATERTOWN ACE HARDWARE	401 BERNARD ST
ROSE GARDEN CAFE	500 BERNARD ST
CAFE AT DOMANI	1149C BOUGHTON
GASTHAUS	1500 BRIDGE
BRESELOW'S FAMILY MARKET	100 E CADY ST
WATERTOWN BOWL	102 W CADY ST
BRANDT BASEBALL CONCESSION STAND	800 CARRIAGE HILL DR
JIMMY JOHNS	103 N CHURCH
SAKE HOUSE	1506 S CHURCH
THE SPOT IN WATERTOWN	605 S CHURCH
CENEX	821 CHURCH ST
PJS PIZZA	118 N CHURCH ST
PAPA MURPHY'S TAKE & BAKE PIZZA	632 S CHURCH ST
SPEEDWAY #4178	104 N CHURCH ST
ALDI'S	1520 CHURCH ST
DOLLAR TREE #4379	703 CHURCH ST
SHOPKO #19 - WATERTOWN	701 S CHURCH ST
CHURCH STREET SHELL	423 CHURCH ST
KWIK TRIP # 354	1731 CHURCH ST
PICK N SAVE #6888 - WATERTOWN	624 S CHURCH ST
CHINA BUFFET	1632 S CHURCH ST
PIZZA RANCH - WATERTOWN	1726 S CHURCH ST
WATERTOWN BOWL NORTH	766 N CHURCH ST
KATHYS BUFFALO BAR LLC	814 N CHURCH ST
SUPER 8 MOTEL	1730 S CHURCH ST
EL MARIACHI MEXICAN RESTAURANT	1694 S CHURCH ST



# LICENSED FOOD ESTABLISHMENTS

Facility Name	Facility Address
MCDONALDS	625 S CHURCH ST
PIZZA HUT WATERTOWN	1504 S CHURCH ST
SPRECHER'S RESTAURANT AND PUB	1512 S CHURCH ST
SUBWAY - WATERTOWN	1115 S CHURCH ST
TACO BELL	1729 S CHURCH ST
RUSTY NAIL	625 N CHURCH ST
CULVERS OF WATERTOWN	1722 S CHURCH ST
THE HEALTH NUT	1513 DOCTORS CT
DOLLAR GENERAL #6887 - WATERTOWN	105 EIGHTH ST
ELKS CLUB BPO #666	117 N FIRST ST
M & M BAR	617 S FIRST ST
TAQUERIA MARIA'S	311 S FIRST ST
FENDT BROS MEAT MARKET	303 N FOURTH ST
KWIK TRIP #444	1184 N FOURTH ST
DEW DROP INN	1027 N FOURTH ST
RIVERVIEW WATER TRAP	1022 N FOURTH ST
RUN-INN ERIN'S	700 N FOURTH ST
TURNER HALL-WATERTOWN	301 S FOURTH ST
YANGER'S PUB	300 N FOURTH ST
MARQUARDT VILLAGE TOWNE CENTRE	1045 HILL ST
HIGH MEADOW FARMS	125 HOSPITAL
WATERTOWN REGIONAL MEDICAL CENTER - HARVEST MARKET & CAFE	125 HOSPITAL DR
MOOSE LODGE 830	1212 JUNEAU ST
WATERTOWN CONCESSION	816 LABAREE ST
ROCK RIVER PIZZA CO	100 E MADISON ST
JB'S ON 3RD	301 E MAIN ST
UPTOWN BAR	416 E MAIN ST
CLARK STATION - MAIN STREET	1429 E MAIN ST



# LICENSED FOOD ESTABLISHMENTS

Facility Name	Facility Address
HOMESTYLE BAKERY LLC	411 MAIN ST
LATTE DONATTE	501 MAIN ST
OLD MAIN CAFE	745 W MAIN ST
TRIBECA GALLERY CAFE & BOOKS	401 E MAIN ST
BLAIN'S FARM & FLEET	1400 W MAIN ST
EL MAGO	309 MAIN ST
FAMILY VIDEO #368	813 MAIN ST
WALGREENS #05136 - WATERTOWN	301 MAIN ST
TOWNE CINEMA	308 E MAIN ST
GLENN'S MARKET & CATERING	722 W MAIN ST
KWIK TRIP #658	900 W MAIN ST
LATTE DONATTE - MOBILE	501 MAIN ST
TRIBECA GALLERY CAFE & BOOKS - MOBILE	401 E MAIN ST
HARDEES #7506	715 E MAIN ST
PIONEER COLLEGE CATERERS MBU	745 W MAIN ST
LYONS IRISH PUB	201 E MAIN ST
AMADO'S RESTAURANT	403 E MAIN ST
BABA'S THIRSTY RHINO	222 W MAIN ST
BAMBOO KITCHEN	310 W MAIN ST
BISMARCKS BAR & GRILL	103/105 E MAIN ST
BLUE COLLAR BBQ	410 E MAIN ST
CHALET RESTAURANT	107 W MAIN ST
CHERRY BOMB BEER AND BURGERS	715 W MAIN ST
CONNECTION CAFE	1308 W MAIN ST
DEEGS MEXICAN & AMERICAN FOOD	1002 W MAIN ST
DOMINOS PIZZA	1009 E MAIN ST
GOLDEN DRAGON RESTAURANT	516 E MAIN ST
LA CASA MEXICAN RESTAURANT	302 E MAIN ST





# LICENSED FOOD ESTABLISHMENTS

Facility Name	Facility Address
LITTLE CAESARS	306 W MAIN ST
MAIN STREET CAFE	116 E MAIN ST
MARCO'S PIZZA	813 E MAIN ST
MOON RABBIT	510 E MAIN ST
MULLENS DAIRY BAR	212 W MAIN ST
ZWIEGS GRILL	904 E MAIN ST
THE FIRECRACKER PUB	516 E MAIN ST
WAL-MART SUPERCENTER #1776	1901 MARKET WAY
ARBY'S	1910 MARKET WAY
ROSATI'S PIZZA	1907 MARKET WAY
SUBWAY AT WALMART	1901 MARKET WAY
PIGGLY WIGGLY SUPERMARKET #77 - WATERTOWN	1330 MEMORIAL DR
NUMBER ONE CHINATOWN	1309 MEMORIAL DR
SUBWAY WATERTOWN	1303 MEMORIAL DR
TWO SISTERS CAFE	1300 MEMORIAL DR
LINDBERGS BY THE RIVER	1413 OCONOMOWOC AVE
WATERTOWN AQUATIC CENTER	1009 PERRY ST
BIGG'S BAR AND GRILL	1217 RIVER DR
PHILS PIZZA PALACE	112 S SECOND ST
ELIAS INN	200 N SECOND ST
PLATTDEUTSCHER VEREIN	117 S SECOND ST
SILVER EAGLE SALOON	207 S SECOND ST
WATERTOWN MART	330 SUMMIT AVE
MERCADITO MARIA'S	307 S THIRD ST
SWEET TALKIN' TREATS	108 S THIRD ST
CITGO - STEVE'S	1021 THIRD ST
CLARK STATION - 3RD STREET	1000 S THIRD ST
DRAFTY CELLAR	110 S THIRD ST



# LICENSED FOOD ESTABLISHMENTS

Facility Name	Facility Address
JAKS KORNER BAR	200 S THIRD ST
KENTUCKY FRIED CHICKEN	1212 UTAH
LOS PRIMOS MEXICAN AMERICAN RESTAURANT	210 S WATER
KRIS'S	114 N WATER
WATERTOWN COUNTRY CLUB	1340 N WATER ST
FIREHOUSE LANES BAR & GRILL	125 N WATER ST
LUTHER PREP SCHOOL COLLEGE CATERERS	1300 WESTERN AVE