

Mobile Food Truck Vendor Permit Miami-Dade County Aviation Department

Section 1 Definitions

Section 1.01 Mobile vendor is defined in rule 5K-4.020 (1) (n) by the Florida Department of Agriculture and Consumers Services- Division of the Food Safety as persons selling foods other than fresh fruits or fresh vegetables from trucks, trailers or similar conveyance, or at flea markets, roadside stands or other semipermanent, transient, or temporary location.

Section 1.02 Mobile food truck is defined as any vehicle used for the displaying, storing, or transporting of articles offered for sale by a vendor which is licensed and registered by the Florida Department of Motor Vehicles and in compliance with all provisions of Chapter 5K-4.002 of the State of Florida, Department of Agriculture and Consumers Services- Division of the Food Safety

Section 1.03 Approved stop(s) is defined as Aviation Department approved and designated mobile vending locations where a mobile food truck vendor may stop long enough to sell food products to a customer.

Section 1.04 Restricted Area is defined as unapproved stop(s) as well as all public right-of-ways within the boundaries of each airport, within the system of airports. Section 21-27.1 of the Miami-Dade County Code prohibits selling merchandise from parked vehicles, or open stands along a sidewalk or next to a road.

Section 1.05 Food is defined as raw, cooked, processed, prepackaged, and all non-alcoholic beverages that nourishes the body and are fit for human consumption.

Section 1.06 Written material is defined as newspapers, periodicals, books, pamphlets, flyers or other similar written matter.

Section 2 Prerequisites

Section 2.01 The following items must be submitted at the time of making application:

- Valid Automobile Registration
- Proper Automobile Insurance as per section 5.08
- Valid Florida Driver's License
- Miami-Dade County Occupational License

Section 3 Application Process

Section 3.01 Application is made to Landside Operations, ground level Dolphin Garage between the hours of 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Office telephone number: (305) 876-8494.

Section 3.02 Applicants must complete and submit the attached "*Application For Mobile Food Truck Vendor*," along with the items noted in section 2.01.

Section 3.03 The application is approved when the applicant is issued a Mobile Food Truck Vendor permit decal.

Section 3.04 The permit must be renewed each calendar year at Landside Operations

Mobile Food Truck Vendor Permit Miami-Dade County Aviation Department

and is valid from January 1 until December 31 of the same year.

Section 4 Fee

Section 4.01 The annual fee for the mobile food truck permit \$360 per vehicle.

Section 4.02 The fee is due in full at the time the application for the permit/decals is made to Landside Operation. Check is made payable to Miami-Dade Aviation Department.

Section 4.03 The fee is prorated based upon the number of months remaining in the annual permit.

Section 4.04 Due to the nominal fees imposed, unused portions of the fee are neither refundable nor transferable.

Section 5 Regulations

Section 5.01 Section 21-29.1 of the Miami-Dade County Code prohibits any private businesses from conducting any commercial activity on Miami-Dade County Property without first obtaining a permit, or other authorization in writing. Violators are subject to a five hundred-dollar fine (\$500.00) or by imprisonment in the County Jail for a period not to exceed sixty (60) days, or by both.

Section 5.02 A permit is required to operate on airport property. The decal issued with the permit must be affixed to the lower corner of the driver's side windshield of the vehicle defined in section 1.02.

Section 5.03 Section 21-27.1 of the Miami-Dade County Code prohibits selling merchandise from parked vehicles, or open stands along a sidewalk or next to a road.

Section 5.04 Miami-Dade County Occupational License required is Category 220 Lunch Wagon/Truck.

Section 5.05 The decal is property of the Aviation Department. It shall be surrendered to the Department upon demand.

Section 5.06 The vendor shall observe, obey and comply with all ordinances of Miami-Dade County, Florida, including the Rules and Regulations of the Aviation Department, Chapter 25, Code of Miami-Dade County, Florida, as the same may be amended from time to time. This also includes all operational directives issued thereunder, all other laws, statutes, ordinances, regulations and rules of the Federal, State and County governments.

Section 5.07 The vendor shall protect, defend and hold the County and its officers, agents and employees completely harmless from and against any and all liabilities, losses, suits, claims, judgments, fines or demands arising by reason of injury or death of any person or damage to any property caused by vendor.

Section 5.08 In addition to such insurance as may be required by law, the vendor shall maintain during the term of this Permit the following insurance:

Mobile Food Truck Vendor Permit

Miami-Dade County Aviation Department

Attachment

- a) Public Liability: Public Liability Insurance on a comprehensive basis, including Contractual Liability, in amounts not less than \$300,000.00 combined single limit per occurrence for bodily injury and property damage.
- b) Automobile Liability: Automobile Liability Insurance, covering all owned, non-owned and hired vehicles, in an amount not less than \$300,000.00 per occurrence, combined single limit for bodily injury and property damage. AOA access is not authorized under this permit.

The insurance coverages required herein shall include those classifications as listed in the standard liability manuals, which most nearly reflect the operations of the vendor in this permit. All insurance policies required herein shall be issued by companies authorized to do business under the Laws of the State of Florida. The companies must be rated no less than "B" as to Management, and no less than "V" as to strength in accordance with the latest edition of "Best's Insurance Guide", published by A.M. Best Company, Inc., or its equivalent as approved by the Miami-Dade County Risk Management Division.

Prior to the commencement of operations hereunder, and annually thereafter, the vendor shall furnish certificates of insurance to Miami-Dade County Aviation Department, Risk Management which certificates shall clearly indicate: (1) that the Vendor has obtained insurance in the type, amount and classifications as required for strict compliance with this section; (2) that any material change or cancellation of the insurance shall not be effective without thirty days prior written notice to the County; and (3) that Miami-Dade County is named as Additional Insured with respect to the Public Liability coverage.

The County reserves the right to require the vendor to provide such reasonably amended insurance coverage as it deems necessary or desirable upon issuance of notice in writing to the vendor, which notice shall automatically amend this permit effective thirty days after such notice. Compliance with the foregoing requirement shall not relieve the vendor of its liability under any other portion of this permit.

Section 5.09 The vendor, in exercising the privileges granted in this permit, shall not discriminate or permit discrimination against any person or group of persons by reason of age, race, color, sex, religion, national origin, ancestry, or disability.

Section 5.10 Permission is granted for the sale of food as defined in section 1.06. No merchandise, written material as defined in section 1.07 or service shall be displayed or offered for sale.

Section 5.11 The vendor is responsible for maintaining a fifteen-foot radius around the operation clear of trash and refuse. Refuse must be disposed of off-premises.

Section 5.12 Prohibited activities are as follows:

- (a) Operating in restricted areas of the airport as defined in section 1.05, unapproved stops, or off-airport,
- (b) Leaving the motor vehicle unattended,

Mobile Food Truck Vendor Permit

Miami-Dade County Aviation Department

- (c) Parking the vehicle overnight on airport property,
- (d) Leaving refuse on airport property or leaving an approved stop without first ensuring that the area within a fifteen-foot radius is trash and refuse clear around the vehicle,
- (e) Placing any item relating to the operation of the business anywhere other than inside or on the vehicle,
- (f) Setting up any table(s), crate(s), rack(s), or any other devices to increase the selling or displaying capacity of the operation,
- (g) Soliciting or conducting business with persons in motor vehicles located in traffic lanes, public streets or otherwise impair the circulation of traffic, increase traffic congestion or constitute a hazard to traffic,
- (h) Restricting or interfering with the ingress to or and egress from the abutting property owner/tenant, or create or become, a public nuisance,
- (i) Remaining in an approved stop longer than necessary to complete a sale,
- (j) Conducting any illegal activity.

Section 5.13 Section 33-243 of the Miami-Dade County Code prohibits sale of merchandise from trucks, wagons, or other vehicles parked on or along public or private streets.

Section 5.14 This Permit does not grant the vendor any rights to vehicle parking, equipment storage space, or any other rights in or for any land or space, except for access to common use facilities and ingress and egress. This permit does not in any way imply or constitute the vendor as the agent or representative of the County for any purpose whatsoever.

Section 5.15 Health and sanitation requirements as required by the State of Florida and Miami-Dade County a subdivision of the State of Florida, shall be adhered to during the duration of this permit.

Section 5.16 Vehicles authorized in this permit shall be loaded so as to prevent detachment of installed equipment and product during transit.

Section 6 Enforcement

Section 6.01 The authorized employees and representatives of the County and of any applicable Federal or State agency having jurisdiction hereof shall have the right to access the vehicle at all reasonable times for the purposes of inspection to determine compliance with the provisions of this permit. This right of inspection shall impose no duty on the County to inspect and shall impart no liability upon the County should it not make any such inspections.

Section 6.02 The vendor must produce on demand the listing of all approved stops. Failure to do so may result in a violation of Section 21-29.1 of the Miami-Dade County Code.

Section 7 Denial, Suspension, and Revocation

Mobile Food Truck Vendor Permit

Miami-Dade County Aviation Department

Section 7.01 This permit may be denied, suspended or revoked for any of the causes outlined in this permit as well as for the following:

- (a) Fraud or misrepresentation contained in the application for this permit.
- (b) Fraud or misrepresentation made in the course of carrying on the business approved for which this permit is issued.
- (c) Conduct of the business in such a manner as to create a public nuisance, or constitute a danger to the public health, safety, and welfare.

Section 8 Renewal

Section 8.01 Permits are valid for the entire calendar year in which they are issued unless revoked or suspended prior to expiration.

Section 8.02 Application to renew a permit shall be made during the first two weeks of December of each calendar year. The Department shall extend the vendors this two-week grace period to reapply.

Section 8.03 Anyone found operating with an expired permit shall be considered a violator of Section 21-29.1 of the Miami-Dade County Code.