



Municipality of Penn Hills

102 Duff Road, Penn Hills, PA 15235

Code Enforcement

(412) 342-1192

codeenforcement@pennhills.org



MOBILE/ FOOD TRUCK/ VENDOR

PERMIT APPLICATION

FEE \$100.00 PER 30 DAYS OF SUBMISSION

DATE: _____

RECEIPT # _____

PERMIT # _____

PROPERTY AND APPLICANT INFORMATION – *Please Print clearly*

Property Address: Street _____ City/State _____ Zip Code _____

Applicant Name _____

Phone _____

Photo ID Attached _____

Email

OWNER'S CONTACT INFORMATION IF DIFFERENT:

Owner's Name _____

Phone _____

Owner's Address _____

Email _____

VENDOR INFORMATION: food truck _____ cart _____ table _____ Other _____

Purpose for Vendor: commercial _____ Non-Profit _____ Community/neighborhood event _____

Placement of Vendor: _____

Duration of placement: Start Date: _____

End Date: _____

Applicant's signature _____

Date: _____

Code Enforcement approval _____

Date: _____

Other notes: _____

MUNICIPALITY OF PENN IDLLS

Ordinance No. 2020 -2674

AN ORDINANCE OF THE MUNICIPALITY OF PENN HILLS, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE MUNICIPALITY OF PENN HILLS ORDINANCE 2420, THE PENN HILLS ZONING ORDINANCE, ESTABLISHING PROVISIONS FOR THE REGULATION OF MOBILE FOOD VENDORS AS A TEMPORARY USE

WHEREAS, the number of mobile food vendors wishing to conduct business in the Municipality of Penn Hills has grown significantly presenting both opportunities and challenges for local government officials; and
WHEREAS, the Mayor and Council of the Municipality of Penn Hills is desirous of amending its local zoning ordinance to establish rules and regulations mobile food in the Municipality of Penn Hills, and
WHEREAS, the Mayor and Council of the Municipality of Penn Hills propose to amend Ordinance 2420, the Penn Hills Zoning Ordinance, in accordance with the provisions of the Pa. Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended, and
WHEREAS, the Municipality of Penn Hills has received recommendations from both the Penn Hills Department of Planning and Economic Development, the Penn Hills Planning Commission, and has sought review and comments from the Allegheny County Department of Economic Development, and
WHEREAS, the Penn Hills Mayor and Council has received comments from interested residents of the community in regard to this amendment, and
WHEREAS, in order to establish mobile food vendors, it is the policy of the Municipality of Penn Hills to amend the zoning ordinance.
NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Council of the Municipality of Penn Hills and it is hereby ordained and enacted by and with the authority of the same as follows:
The following provisions and sections of the Penn Hills Zoning Ordinance, Ordinance 2420 as amended shall be further amended as follows:

SECTION 1. DEFINITIONS Section 3.2 Definitions shall be amended by the addition of the following language:
Mobile Food Vendor - A vehicle or cart, which may, upon issuance of a temporary use permit by the Municipality of Penn Hills and conformance with the regulations established by this ordinance, temporarily park upon private property within the business, industrial and mixed use zoning districts and legal non-conforming business uses with the permission of the property owner and engage in the service, sale or distribution of food for individual portion service to the general public, directly from the vehicle. The term shall include but is not limited to trucks and trailer hitch units used for food vending.

SECTION 2. SPECIFIC CONDITIONS Section 10.19 Performance Standards for Temporary Uses shall be amended by inserting the underlined text:
10.19 Performance Standards For Temporary Uses - Temporary uses may be approved by the Planning Department provided the following conditions are met:

The property owner must complete a written application form provided by the Municipality, together with an application fee in the amount equal to that required for an occupancy permit.
The proposed use must be temporary, not to exceed thirty (30) continuous days. Temporary use permits may be renewed provided a new application is made consistent with the requirements of this section.

10.19.[D] C. The Department of Code Enforcement must determine that the proposed use does not create a public nuisance that sufficient off-street parking spaces are available and that safe and efficient traffic movement is not impaired.

10.19.[E] D. Applicants are responsible for keeping the property free of rubbish

and debris at all times, as well as the collection of all rubbish and debris on adjacent properties and rights-of-way generated by the temporary use.

The Department of Code Enforcement may apply any additional conditions deemed necessary to protect adjacent properties from adverse effects, or to prevent the creation of a public nuisance.

Temporary uses may not operate and sell products within one thousand (1000) feet of a permanently placed retail vendor who would be in competition with the temporary use.

temporary uses are limited to flea markets, Christmas tree sales, seasonal produce, [and] roadside fruit stands and mobile food vendors.

Penn Hills community based non-profit corporations and organizations may apply to the Director of Planning and Economic Development for an exemption from any of the restrictions regarding temporary uses. In the process of applying for an exemption non-profit corporations and organizations must supply sufficient evidence that a majority of the proceeds from the temporary use shall directly benefit the non-profit organization.

The following regulations shall apply to mobile food vendors

1. An applicant, upon submitting an application for a mobile
2. food vendor permit, must also furnish copies of the food truck operator and/or owner's:
3. (a) Valid driver's license;
4. (b) Valid certificate of general liability coverage; and
5. (c) Valid copy of the food truck's business license and tax identification number; and
6. (d) Any licensing and/or permitting required by Allegheny County or the Commonwealth of Pennsylvania for the operation of a food truck.

2. Vending shall only be permitted in business and industrial zoning districts within the Municipality of Penn Hills according to the existing zoning map of the Municipality of Penn Hills last revised February 17, 1997, and legal non-conforming business uses.

3. Vending shall only be permitted from food trucks located on private property with permission of the property owner.

All required Allegheny County issued licenses and permits must be valid and posted in a visible location on or within the food truck at all times.

A person in charge must be present at the food truck vending site at all times.

No vehicles, trailers, tanks, generators, awnings or other equipment shall be placed within the public right-of-way.

Temporary signs used as part of the food truck vending operation shall not exceed eight square feet and shall not block any sidewalks or impede any vehicular, biking or pedestrian traffic or paths.

A mobile food vending operation is subject to any and all applicable Municipality Code requirements or other relevant Penn Hills municipal ordinances, resolutions, or requirements.

The Department of Code Enforcement may revoke a temporary use permit at any time if it is determined that the use is not consistent with the requirements of this section.

SECTION 3. REPEALER All Ordinances or parts of Ordinances; in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such conflict.

SECTION 4. AUTHORIZATION That the Penn Hills Mayor and Municipal Manager are hereby authorized to sign all documentation required to proceed with this ordinance.

SECTION 5. SEVERABILITY If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Penn Hills Mayor and Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included herein.

THIS ORDINANCE APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE MUNICIPALITY OF PENN HILLS, OCTOBER 19TH 2020.