

Section 6: FOOD, BEVERAGE, AND MOBILE BUSINESSES

6.1 License

It shall be unlawful to conduct or operate any food, beverage, or mobile business without first obtaining a business license.

(1) Any person, firm, or corporation in the business of preparing, distributing, or selling of food or nonalcoholic beverages shall, before receiving a business license, provide proof to the City Clerk or designee that the proposed business owner notified the Bear River Board of Health of its intentions to operate a business dealing with food or non-alcoholic beverages.

6.2 Any food or beverage business operator shall obey all regulations set forth by the Bear River Board of Health and be liable for disobeying any of those regulations.

6.3 When applicable, a notice shall be placed at the point of sale or on the packaged product that:

"This food was prepared in a kitchen which is not inspected by the Board of Health."

6.4 Any food or beverage business operator may have his or her license revoked by the City or the Bear River Board of Health for violation of this ordinance or the Bear River Board of Health's regulations or for any other reason justified by law.

6.5 Mobile Business means an enclosed mobile business, a food cart, a food truck, or an ice cream truck. (11-56-102)

- (1) Food Cart means a cart that,
 - a. is not motorized but can be pulled by an electric assisted bicycle;
 - b. a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption;
 - c. Food Cart does not include an enclosed mobile business, a food truck, or an ice cream truck.
- (2) Food Truck means a fully encased food service establishment;
 - a. on a motor vehicle or on a trailer that a motor vehicle pulls to transport; and
 - b. from which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption.
 - c. "Food Truck" does not include an enclosed mobile business, a food cart, or an ice cream truck. (11-56-102-40)
- (3) Ice Cream Truck means a fully encased food service establishment:
 - a. on a motor vehicle or on a trailer that a motor vehicle pulls to transport;
 - b. from which a vendor, from within the frame of the vehicle, serves ice cream;
 - c. that attracts patrons by traveling through a residential area and signaling the truck's presence in the area, including by playing music; and

- d. that may stop to serve ice cream at the signal of a patron.
- e. Ice Cream Truck does not include an enclosed mobile business, a food cart, or a food truck.

6.5.1 A Mobile Business operator who presents:

- (1) a current business license from any political subdivision within the state of Utah, (11-56-103(1)(a); and
- (2) a current permit from a local health department within the state (11-56-104((1)(b); and
- (3) evidence of passing a fire safety inspection based on the criteria that the Utah Fire Prevention Board created in Section 53-7-203; and
- (4) proof the vehicle(s) is properly registered and licensed; and
- (5) provides containers for all trash generated from the business, and
- (6) removes all trash the business generates, and
- (7) does not interfere with pedestrians, fire lanes, driveways, or traffic visibility

shall be allowed to operate within the city.