



FOOD TRUCKS & MOBILE CANTEENS





- Mobile food trucks and confectionary peddlers have become more visible in the community.
- Strict zoning regulations attempt to regulate when and where these businesses operate.
- The media has reported several stories and articles regarding mobile food vendors' desire to gain access to restricted areas of the city.
- The economy, low overhead, publicity including reality TV shows, and competition have all contributed to the growth of this industry.

Virginia Beach Requirements and Conditions

A peddler is defined as every person who engages in, or transacts any temporary or transient business in the city for the sale of any goods, wares, merchandise or services . . .

- For a period of less than 30 consecutive days
- Where there is no definite place of business
- Must move every 15 minutes

This does not apply to vendors at community events.

Classifications

Virginia Beach has two license classifications for businesses that fall under the food truck definition.

- Mobile Canteen
- Confectionary Peddler

Mobile Canteen

Every person peddling bottled soft drinks, hot dogs and wrapped sandwiches from a cart, wagon, truck, automobile, basket or tray shall pay a license tax of \$300. Required to:

- Collect & remit trustee tax: 5.5%
- Register with the Health Department
- Get Zoning approval
- Obtain a solicitors permit from the Virginia Beach Police Department *(may appeal if denied a permit)*



Confectionary Peddler

Every person peddling ice cream and other ice confectioneries, candies and confections from vehicles on the street shall pay a license tax of \$50. Municipal Code Section 18-95. Required to:

- Collect & remit trustee tax: 5.5%;
- Register with the Department of Agriculture;
- Get Zoning approval;
- Obtain a solicitors permit from
Virginia Beach Police Department;
(*may appeal if denied a permit*)
- Provide proof of Insurance on vehicle.

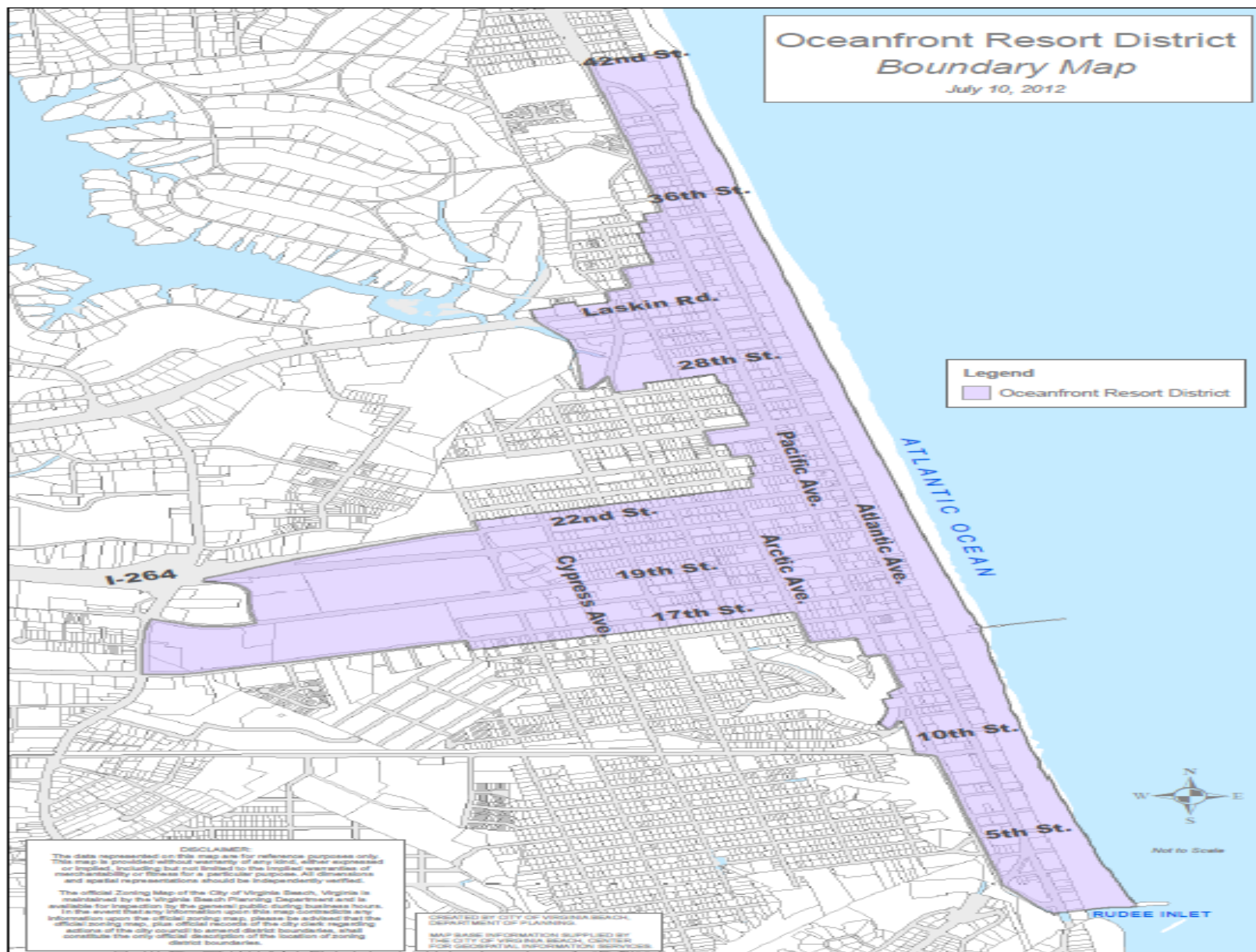


ZONING RESTRICTIONS

It shall be unlawful to sell or offer to sell:

- Goods, wares, merchandise, beverages, foods, prepackaged or otherwise, or any service on public property without a permit to do so;
City of Virginia Beach Municipal Code Section 26-3.a.
- On public property in the RT-1, RT-3, or RT-4 Resort Tourist Districts or the Oceanfront Resort District.

City of Virginia Beach Municipal Code Section 26-3.C.1.



Where can they operate?

Public Property

- The Parks and Recreation Department will allow mobile food trucks to operate in City Parks with a permit from the Parks and Recreation Department. The operator/business must also meet all other licensing requirements for food trucks, i.e., business license, police ID, and health permit. They can only operate in designated locations.
- No such sale or exchange shall be made in any street or public right-of-way along any street for which the posted speed limit is greater than twenty-five (25) miles per hour, nor shall such sale or exchange be made in any street or public right-of-way within twenty-five (25) feet of any intersection.

Public Property (continued)

- No person conducting such sale or exchange in any street or public right-of-way may remain within any one-block area for more than fifteen (15) minutes before moving to another block. Additionally, such sale or exchange may not be repeated in the same block within any eight-hour period.
- These provisions shall not apply to such sales or exchanges conducted on the premises of the Virginia Beach Farmer's Market or of any other commercial enterprise operated under franchise agreement or permit authorized by the city manager.

Private Property

Food trucks may operate on private property as long as they meet the following conditions:

- Must obtain a permit from the Zoning Department;
- No sale or exchange shall take place or be conducted and no structure used for such sale or exchange shall be located within fifty (50) feet of the closest edge of the nearest sidewalk pavement (or street pavement if there is no sidewalk) of any public right-of-way;
- Such sales or exchanges shall not be conducted on or from vacant lots;
- Before any person may conduct a sale or exchange, he or she must have prior approval of the planning department who requires a site plan identifying the location of the property on which the activity is to be conducted. The site plan must detail the location of the structure from which the sale or exchange activity will occur and specify the area under the control of said person. The plan shall also include provisions for well-defined vehicular entrances and exits.

THE HUB

- Open air market/food truck park located at 712 Atlantic Avenue in Virginia Beach called “Eat the Street”
- May be operated between the hours of 8 a.m. and 11 p.m.
- No temporary structure may be stored on the property after hours.
- No food trucks may be located parallel to Atlantic Avenue within 50 feet of the eastern boundary of the lot.
- Restrooms and trash receptacles must be positioned on-site.

Questions ?

