



City of Bay Minette

Mobile Merchandise Vending Unit – Ordinance Regulation

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Mobile Merchandise Vending Units

9.8 Mobile Food Vending Vehicles and Mobile Merchandise Vending Units

9.8.1 Mobile Vending Units, Generally. For the purposes of this section, a “Mobile Vending Unit” refers to both Mobile Food Vending Vehicles and Mobile Merchandise Vending Units.

9.8.1.1 Mobile Vending Units are permitted to operate in non-residential zoning districts (B-1, B-2, M-1 or M-2) on private property with express written permission from the property owner. Units are encouraged to locate on sites developed with a principle building that has a current City business license and an operating use.

9.8.1.2 Mobile Vendors are required to obtain a business license and Mobile Vending Permit from the City of Bay Minette prior to commencing operations within the city.

9.8.1.3 Vendors must operate in a safe and sanitary manner and kept in a clean, well-maintained condition to ensure units are free of excessive dirt, rust, mud, grease or other unsightly, unsanitary or otherwise undesirable condition.

9.8.1.4 Mobile Vending Units shall be permitted to a location that does not block drive aisles, ingress or egress from the property, or fire and emergency access.

9.8.1.5 Mobile Vending Units shall be removed at times other than the hours of operation and the set-up and take-down periods. Vehicles shall not be left unattended or stored at any time on an authorized operating site when vending is not taking place or during restricted hours of operation.

9.8.1.6 Mobile Vending Units shall not use or maintain any outside sound amplifying equipment, lights, or noisemakers, such as bells, horns or whistles or similar devices to attract customers.

9.8.1.7 Any auxiliary power, water or sewer utilities required for the operation of the Mobile Vending Unit shall be self-contained or provided by the property owner.

9.8.1.8 Vendors shall serve only walk-up customers, no drive-thru service allowed

9.8.1.9 Parking Considerations

- a. The Mobile Vendor Unit, nor related customer vehicles, cannot obstruct any street or sidewalk, or interfere with the free passage of persons/vehicles on such streets or sidewalks.
- b. Parking of the Mobile Vending Unit cannot be located in City right of way in municipal limits
- c. Mobile Vendors should encourage pedestrian access where possible. When vehicular access is required, Vendor must ensure customer parking is contained on property where parking permission has been obtained for that purpose.

9.8.1.10 The provisions of this section shall not apply to special events, festivals, community projects or public events which occur on a periodic basis and are approved by the City.

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9.8.3 Mobile Merchandise Vending Unit

9.8.3.1 Merchandise is limited to non-consumable items and/or items not intended for individual consumption at the point of sale.

9.8.3.2 No more than two Mobile Vending Units shall operate on the same site per day.

9.8.3.3 No signs shall be allowed, other than that which is physically attached to the unit. One, 24" x 48" sandwich board-style sign identifying the vendor or indicating pricing, may be displayed within 10 feet of the unit. The sign may be displayed only during business hours, shall not obstruct or impede pedestrian or vehicular traffic, and shall City of Bay Minette Zoning Ordinance - 75 - be located on-site. Electronic or illuminated signs are not allowed.

9.8.3.4 Mobile Merchandise Vending Unit Location Requirements

- a. A minimum 15-foot clearance from fire hydrants, driveway entrances and handicap parking spaces/ramps.
- b. A minimum 10-foot clearance from buildings, fire lanes, sidewalks or utility box.
- c. When located on or adjacent to a street, service shall be solely from the side of the unit that opens away from the street.

9.8.4 Mobile Vending Unit Permit

9.8.4.1 Fees for a Mobile Vending Permit are as follows and will not be prorated:

- a. Daily Permit (single 24-hour period) - \$25.00
- b. Monthly Permit (per calendar month) - \$50.00
- c. Annual Permit (January 1 – December 31) - \$100.00
- d. In addition, a \$25.00 Administrative Land Use Review is required per site, prior to commencing operations.

9.8.4.2 Mobile Vendors shall have express written permission of the property and/or business owner(s) for each location at which the mobile vending unit operates. This approval shall be in writing, signed by the property and business owner(s), shall remain on the mobile vending unit at all times and must be made available for inspection upon request of any city official at any time during the operation of the mobile vending unit.

9.8.4.3 Prior to the issuance of a City of Bay Minette business license or Mobile Vending Permit, Vendors are required to obtain all applicable licenses/permits, including but not limited to Alabama Department of Public Health permits and Alabama Department of Motor Vehicles licensing.

9.8.4.4 Mobile Vending Units and site locations are subject to the review and approval of the Bay Minette Police Department and the Bay Minette Fire Department at any time.

9.8.4.5 Compliance with *Article 9.8* shall be determined at the time of application or at the discretion of the Planning Staff if determined in the field. Mobile Vending Units determined to be non-compliant shall immediately institute all corrective action(s) deemed necessary.

9.8.4.6 Operation without a Mobile Vending Permit will result in a \$500.00 fine. If found in violation of any section of this ordinance, vendor may be issued a ticket for violation and fined an amount of \$25.00 - \$250.00 Each violation is considered a separate and distinct offense; and each day is a separate violation.