



# MOBILE FOOD VENDOR

## Informational Handout

The following information is an outline of Lake Havasu City Code Chapter 5.24 as it relates to licensing, insurance, and location. Please review the City Code for all required regulations.

A “mobile food unit” means a food establishment that is licensed by this state or a county delegated authority, that is readily movable, and that dispenses food or beverages for immediate service and consumption and other incidental retail items from any vehicle as defined in A.R.S. § 28-101.

### **LICENSING:**

- It is unlawful for any person to operate a mobile food unit or act as a mobile food vendor without first obtaining and maintaining in effect a valid license(s) from the State of Arizona Department of Health Services or a county delegated authority pursuant to A.R.S. § 36-1761.
- It is unlawful for any person to operate a mobile food unit in the City without first obtaining and maintaining a valid Business License.
- In addition to the Business License application requirements set forth in Chapter 5.04, any person desiring to obtain a license to conduct business as a mobile food unit shall submit all the following supplemental information:
  - A description, license plate number, and photograph of the mobile food unit;
  - A general description of the goods to be sold by the mobile food unit;
  - A valid driver’s license;
  - A copy of required permit(s) issued by the Mohave County Department of Public Health, Environmental Health division;
  - A copy of required license(s) from the State of Arizona Department of Health Services or a county delegated authority;
  - Evidence of a passed fire inspection in Arizona within the preceding 12 months. If you need a fire inspection, please contact the Lake Havasu City Fire Department at (928) 855-1141;
  - A copy of certificate of insurance as required in City Code Section 5.24.070.E if operating in the public right-of-way. (If pursuant to a sanctioned City Event or on a City-owned parcel, insurance shall be taken at time of approval by City); and
  - Location of commissaries.
- The mobile food unit shall keep the City business license posted near the service window and visible from the exterior of the mobile food unit.

### **INSURANCE:**

- Vendor shall furnish to the City Certificates of Insurance (“Certificate”) upon application of a license. Coverage must be provided by an insurance company admitted to do business in Arizona and rated A-VII or better by AM Best’s Insurance Rating. Vendor’s coverage will be primary in the event of loss. Vendor shall pay all deductibles and retentions. A cross-liability clause or separation of insured’s condition will be included in all commercial general liability policies required by the license. The Certificate shall provide that there shall be no cancellation, termination, material change, or reduction of limits of the insurance coverage

without ten (10) working days written notice from the Vendor's insurer to the City. The Certificate shall also state the deductible or retention level. If requested, complete copies of insurance policies shall be provided to the City. Vendor shall provide Certificates evidencing the following:

- **Workers' Compensation Insurance** in compliance with A.R.S. Title 23, Chapter 6, together with employer's liability insurance with coverage limits of not less than \$1,000,000.
- **Commercial General Liability Insurance**, on an occurrence basis, with a combined single limit of not less than \$1,000,000, each occurrence for bodily injury and property damage, with an annual aggregate limit of \$2,000,000. This insurance shall include contractual liability coverage.
- **Automobile Liability Insurance** with a combined single limit, or the equivalent of not less than \$1,000,000 each occurrence for bodily injury and property damage, including coverage for owned, hired or non-owned vehicles.
- **Additional Insureds.** For commercial general liability and automobile liability insurance policies, the Certificate shall also provide that "Lake Havasu City, its agents, directors, officers, officials, volunteers, and employees are additional Insureds with respect to Vendor's services to be provided under this license." If requested, complete copies of insurance policies shall be provided to the City.

### **LOCATION:**

#### **Operating in a parking space in the City right-of-way:**

- A mobile food unit, including any semi-permanent structure used or associated with the mobile food unit, may use no more than one legal parking space from 6:00 a.m. until 8:00 p.m. and no more than two legal parking spaces from 8:00 p.m. until 4:00 a.m.
- No mobile food unit exceeding 24 feet in length may park diagonally in a diagonal legal parking space or park in any manner that occupies more than one diagonal legal parking space.
- Shall not operate with the serving window facing street traffic or an adjacent parking space.
- Shall abide by all parking regulations, including posted time limits.
- A mobile food vendor shall not claim or attempt to establish any exclusive right to park at a particular street location unless the parking space is part of a permitted event.

#### **Operating at a Construction Site:**

- Shall be limited to one hour per day per location and may be legally parked in the right of way.

#### **Operating on City property outside of a legal parking space:**

- Requires a separate license for use, services contract, Parks Temporary Vending Permit, or similar agreement, which will be entered into at the City's sole discretion and applicable law, or a special event permit or similar permission in accordance with the City code.

#### **Operating at a Private Event on Residential Property:**

- A mobile food unit may operate on a developed private property for private use only in a residential area if the mobile food vendor obtains a separate agreement with the property

owner to operate a mobile food unit for a maximum of six hours within a 24-hour period on the private property.

- Where the subject private property is not reasonably accessible, a mobile food unit not serving alcohol may park on the side of the street directly adjacent to the subject private property and between the side property lines as extended out into the street.

**Operating on a Mixed-Use and Special Purpose (Commercial) zoning districts:**

- A mobile food unit may be located on a developed property for a maximum of three days in a seven consecutive day period in the Mixed-Use and Special Purpose zoning districts (C-CHD, MU-N, MU-G, MU-UMS, MU-CRW, C-SGD, C-1, C-2, LI, I, I-B, A-P, P-1, GC).
- If the mobile food vendor desires to operate at a location for more than three consecutive days, a Conditional Use Permit is required as follows:
  - A Minor Conditional Use Permit is required to operate on a developed property with a primary use of a restaurant, bar, nightclub, or resort.
  - A Major Conditional Use Permit is required to operate on all other properties. A Major Conditional Use Permit issued under this Section shall be for a maximum duration of one year.

**Operating in a Parking-In-Common Area:**

- A mobile food unit shall not operate in a Parking-In-Common area without obtaining a Conditional Use Permit or Temporary Use Permit as follows:
  - A Minor Conditional Use Permit is required to operate within a developed Park-In-Common area on a property with a primary use of a restaurant, bar, nightclub, or resort.
  - A Temporary Use Permit or Major Conditional Use Permit is required to operate in all other Parking-In-Common areas. A Major Conditional Use Permit issued under this Section shall be for a maximum duration of one year.

For any further inquiries regarding mobile food units please contact the Planning and Zoning Division at (928) 453-4148 or at [planninginfo@lhcaz.gov](mailto:planninginfo@lhcaz.gov).