Chapter 4 - FOOD DEALERS

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5-4-1: - Definitions.

In addition to the definitions listed in E.M.C. 5-1-1, and for the purpose of this Code in all matters relating to the licensing of food vendors, the following terms, phrases, words, and the derivations shall have the meanings herein:

Food Products: Food products prepared and processed for immediate consumption. Food products shall not apply to grocery stores and similar establishments where food is not prepared or sold routinely for immediate consumption.

Food Vendor: A licensed vendor of food products.

Ice Cream Sales: The sale of ice, ices, ice cream, frozen custard, ice milk, frozen yogurt, and sherbet, prepared, processed and sold for immediate consumption.

Park: Park means any property dedicated for such purpose and shall also include the walkways and fountain area of the Englewood Plaza and walkways and bike paths of Little Dry Creek Floodplain and sidewalks adjacent to parks. The South Suburban Recreational District parks located in the municipal boundaries of Englewood shall be considered a park.

Sidewalk or *Sidewalk Area:* That portion of a publicly maintained or declared to be a public street or highway by any law of this State or any Englewood ordinance between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for use by pedestrians.

Street: The entire width between the boundary lines of every way publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular travel or the entire width of every way declared to be a public street or highway by any law of this State or any ordinance of this City.

Vehicle: Every device in, upon or by which any person or property is or may be transported or drawn, irrespective of the source from which the power to propel said vehicle may come and irrespective of the number of wheels of said vehicle.

(Code 1985, § 5-4-1; Ord. 99-17)

5-4-2: - License Required.

It shall be unlawful for a food vendor to engage in the business of selling, offering for sale, peddling or distributing food or ice cream products from vehicles or stands on any street, sidewalk, alley, or other public place including parks, prior to obtaining a license.

(Code 1985, § 5-4-2; Ord. 99-17)

5-4-3: - Application for License.

A.

The application for a Food Vendor License shall be made in accordance with the provisions of Title 5, Chapter 1.

B.

In addition, the applicant shall be required to provide the following:

1.

Written approval for use of site, if applicable.

2.

Tri-County health approval, if applicable.

3.

Sales tax deposit for all licensees who do not hold a current city sales tax license.

(Code 1985, § 5-4-3; Ord. 99-17)

5-4-4: - Special Conditions and Restrictions of License.

In addition to licensing conditions set forth in Chapter 1 of this Title, the following special provisions shall apply:

A.

Insurance Required: License holders are required to maintain the following levels of insurance:

1.

All motor vehicles used in the operation of the licensed business shall be insured under the laws of the State of Colorado.

2.

Comprehensive general liability insurance with a minimum combined single limit of liability for bodily injury and property damage of one million dollars ($1,000,000.00) per occurrence and in the aggregate.

Failure to maintain such insurance or to show such evidence on request shall be cause for immediate revocation of the license.

B.

Ice Cream Sales: Ice cream vendors using vehicles on city streets must obtain a Food Vendor License and shall comply with the following additional requirements:

1.

Hours of operation are permitted between nine o'clock (9:00) a.m. and sunset.

2.

Any audible advertising such as music, chimes, verbal announcements or other sound must be turned off while the vehicle is at rest.

C.

Health Codes: License holders are required to operate in accordance with applicable municipal and State Health Regulations as administered by the Tri-County Health Department.

D.

Location: License holders may vend only in those areas specifically set forth in the license.

(Code 1985, § 5-4-4; Ord. 99-17)