

**Village of Brockport
Code Review Committee (CRC) Meeting Minutes
May 15, 2017**

Called to order at 5:30pm by Chair Staub.

Members present: Chair Ronald Staub, Vice Chair Bob Duff, Secretary John O’Kane, Mark Kristansen

Also present: Trustee Annie Crane, Trustee Kathy Kristansen (Village Board liaisons),

Minutes:

→ Motion by Chair Staub, second by Member Kristansen, unanimously carried to approve the corrected 4/24/17 minutes and the 5/1/17 Code Review Committee meetings.

Village Code Chapter 6: Berms, Fences, Hedges and Screen Plantings:

Chair Staub presented a draft proposal for review of Chapter 6. See attachment A. This will be CRC’s first reading.

Village Code Chapter 27: Stormwater Management and Erosion and Sediment Control:

Chair Staub said he has this presently under review. This chapter was reviewed in 2008 and is fairly current and thorough.

Village Code Chapter 19: Fire Prevention:

Recommendations made at previous meetings. CRC understands and acknowledges that NYS Fire Prevention Codes supersede local codes, unless local codes are more restrictive. No additional changes are recommended.

Village Code Chapter 23 – Peddling and Soliciting:

- 1) Section 23-4 (3) – delete “The applicant’s age and a brief physical description, including height, weight and color of eyes and hair.” The information is on the driver’s license.
- 2) Section 23-4 (4) – revise to “The applicant’s driver’s license number and vehicle registration.”
- 3) Section 23-5 (4) – delete “No person who deals exclusively in milk, milk products, newspapers or farm products by him or his employer shall be required to pay a license fee under this chapter.” This is no longer relevant.

Discussion of Food Trucks/Carts:

Committee reviewed an example from Saugerties, NY. See attachment B.

Committee reviewed an example from Williamsburg, VA. See attachment C.

- 1) Section 23-7 A. – replace “Village” with “Health Department”.
- 2) Section 23-7 – add C. include “Monroe County Health Department certificate must be prominently displayed.”
- 3) Committee recommends incorporating the highlighted sections of the Saugerties, NY document. See attachment B.
- 4) Committee recommends incorporating the highlighted sections of the Williamsburg, VA document. See attachment C.
- 5) Include Food Truck definition.
- 6) Committee recommends that it states that Food Trucks are only permitted on Village streets, except for Main Street which is NYS Route 19 – which requires NYS DOT approval.
- 7) Committee recommends that it require food truck driver or designee be present at all times.

Adjourn:

→ At 6:39pm motion by Secretary O’Kane, second by Vice Chair Duff, unanimously carried to adjourn.

Next meeting dates: Monday, 6/5/17, 6/26/17, 7/24/17, 8/28/17 5:30pm-7pm

6/5/17: Chapter 3 – Amusement Games / Chapter 4 – Alcoholic Beverages / Chapter 9 – Bingo

1st Draft

5/15/17

CRC

OK
Attachment
A

CHAPTER 6

BERMS:

^m
~~Berm~~ Definition:

Level space, shelf or raised barriers separating two areas. Also bank of earth or other materials used to protect land or structures, to divert, impound or redirect.

Prior to the issuance of a permit to construct a berm, the following criteria need to be addressed:

1. Purpose of berm
2. Design of berm
3. Materials to be used to construct berm
4. Dimensions of berm (length, width, height)
5. Maintenance of berm

Permit to be issued by Code Enforcement Officer, or his/her designee.

SAUGERTIES
CODE .

Village of Saugerties, NY
Sunday, April 30, 2017

ATTACHMENT B

Chapter 105. Food Trucks

§ 105-1. Purpose.

The purpose of this chapter is to regulate the operation of food trucks within the Village of Saugerties.

§ 105-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FOOD TRUCK

A licensed, motorized vehicle or mobile food unit which is temporarily stored on a premises where food items are sold to the general public in accordance with the standards contained in Chapter ~~105~~ 23 of the Code of the Village of ~~Saugerties~~ Brockport

§ 105-3. Permits.

- A. All food trucks shall be required to obtain a permit from the Village of ~~Saugerties~~ Brockport, upon application for an initial permit, and, on an annual basis thereafter, a food truck operator should file with the Village Clerk copies of the following documents: photo identification, valid motor vehicle registration, County Department of Health certificate, proof of insurance (which the Village may request to be named additionally insured if on Village property), emergency contact information for the owner or designee and signed letter of permission or lease agreement with the property owner. Also, all signs used in connection of the food truck shall conform with the Village Sign Law.
- B. The fee for such permit shall be ~~\$250~~ as set by Village Board and shall be due and payable at the time of application. A copy of such permit shall be clearly displayed on the food truck at all times. The permit and renewal fee shall be reviewed annually by the Village of Saugerties Board of Trustees and may be amended by the Village Board of Trustees by resolution.
- C. Food truck permits shall be required to be renewed annually, and shall be renewed for a fee of ~~\$250~~ as set by Board due and payable at the time of renewal.
- D. Failure to properly obtain and/or display a permit shall be considered a violation of this chapter. ~~The penalty shall be as follows: for the first offense, the fine shall be \$500; for the second offense, the fine shall be \$1,000. The permit shall be revoked after the third offense.~~ Penalty and fees as set by Board
- E. The Village Building Inspector shall administer this chapter and be authorized to issue appearance tickets for any violations of this chapter.

§ 105-4. Siting.

NOT A CONCERN?

- A. ~~Food trucks shall only be located on private property, and the maximum number of food trucks per lot shall be limited as follows:~~
 - ~~(1) A maximum of one food truck on lots of 1/2 acre or less;~~
 - ~~(2) A maximum of two food trucks on lots between 1/2 acre and one acre; and~~
 - ~~(3) A maximum of three food trucks on lots greater than one acre.~~
- B. Food trucks shall be located a minimum of 150 feet from the main entrance to any eating establishment or similar food service business, 150 feet from any outdoor dining area and 50 feet from any permitted food vending cart location, as measured from the designated location on the lot accommodating the food truck.
- C. Food trucks shall be located a minimum distance of five feet from the edge of any driveway or public sidewalk, utility boxes and vaults, handicapped ramp, building entrances, exits or emergency access/exit ways or emergency call box. *MAY PARK ON VILLAGE STREETS OTHER THAN STATE HGWYS.*
- D. Food trucks shall not operate on public rights-of-way or in locations designated as municipal parking, and are limited to areas zoned B-1, B-2, L-1 and Planned Waterfront.
- E. Owners of property on which a food truck is located:
 - (1) Must ensure that a food truck does not occupy any off-street parking on property required to meet the zoning minimum;
 - (2) Must demonstrate that parking space offered is in excess of the minimum requirement; and
 - (3) Must ensure that adequate ingress and egress from the property is provided to prevent traffic congestion or safety hazards.

§ 105-5. Operations.

- A. ~~All~~ ^{NO} signage associated with a food truck ~~must comply with Village of Saugerties Sign Laws, including those for Historic District overlay.~~ ^{Permitted}
- B. Hours of operation of food trucks shall be limited to the hours between 7:00 a.m. and ~~9:00 p.m.~~ ^{10 pm} Sunday through Thursday and 7:00 a.m. to midnight on official holidays and Friday and Saturday. ~~However, if the designated location on the lot accommodating the food truck is located within 75 feet of the property line of a single-family or multifamily dwelling in which case the hours of operation shall be limited to the hours between 7:00 a.m. and 9:00 p.m. on all days.~~ ^{Modified by Issuing Authority}
- C. The food truck operator or his/her designee must be present at all times during the hours of operation except in cases of emergency.
- D. Food trucks and associated outdoor seating, if any, shall be removed from all permitted locations during impermissible hours of operation and shall not be stored, parked, or left overnight on any public street or sidewalk.
- E. A food truck operator is responsible for the proper disposal of waste and trash associated with the operation of the food truck. Operators shall remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. The operator shall keep all areas within five feet of the truck and any associated seating area clean of grease, trash, paper, cups or cans associated with the vending operation. No liquid waste or grease is to be disposed in or on storm drains, tree lawns, sidewalks, streets, or other public space.
- F. ~~With the exception of allowable outdoor seating areas,~~ ^{With the exception of allowable outdoor seating areas,} all equipment required for the operation of a

food truck shall be contained within, attached to or within three feet of the food truck and all food preparation, storage, and sales/distribution shall be in compliance with all applicable County, State and Federal Health Department regulations.

§ 105-6. Exceptions.

All food truck operations shall comply with the guidelines contained herein, with the following exceptions:

- A. Permitting and operation guidelines contained herein shall not be applicable to food trucks operating at an active construction site for the purpose of supplying construction workers with food and beverages or an ice cream truck currently operating in the Village.
- B. The Village of Saugerties may allow a club or organization to temporarily organize and operate food truck(s) vending for a designated date, time, and location as approved by the Village Board for the purposes of festivals, fundraisers and farmers markets. Such club or organization shall pay an event fee of \$150. *fee as set by Village Board*
- C. The Village of Saugerties may grant permission and set the fee schedule for a limited number of food trucks to operate at municipal parks within the Village with the exception of the Lion's Club playground due to proximity to Cantine Field.

WILLIAMSBURG, VA
ATTACHMENT C

Food trucks.

When not in conjunction with a special event regulated by Chapter _____ the operation of food trucks when permitted by a specific zoning district shall be permitted by an administrative permit approved by the zoning administrator / _____ subject to the following provisions:

- (1) The applicant shall provide the following to the zoning administrator:
 - a. A copy of a valid Williamsburg business license. Such business license shall be posted in the vehicle at all times.
 - b. A copy of a valid health permit from the Virginia Department of Health stating that the food truck meets all applicable standards. A valid health permit must be maintained for the duration of the permit.
 - c. A copy of an approved inspection from the Williamsburg Fire Department stating that the food truck meets the requirements of the Virginia Statewide Fire Prevention Code and all applicable standards. The food truck must be reinspected on an annual basis.
 - d. Applicant shall provide a valid driver's license for each person who will drive the food truck.
 - e. Applicant shall provide current registration for the food truck, proof of current motor vehicle inspection, and proof of valid motor vehicle insurance for the food truck.
- (2) The administrative permit shall be issued for a period not to exceed one year but may be renewed upon written request by the operator.
- (3) The following standards and conditions shall apply to all food truck operations:
 - a. The operator must have written documentation of the consent of the owner(s) of the property or properties on which the food truck will be operated;
 - b. Unless otherwise approved, food trucks shall operate only on developed and occupied property and only during the hours when the business establishment on the premises is open for business;
 - c. The Zoning administrator / _____ may approve food trucks remaining on-site for multi-day events or late closings on a case-by-case basis. Unless otherwise approved, food trucks shall be removed from any site when the on-premises establishment closes for the day. Prior to leaving the site, the food truck operator shall pick up, remove, and dispose of all trash or refuse within at least 25 feet of the vehicle that consists of materials originally dispensed from the vehicle, including any packages or containers or parts thereof used with or for dispensing the menu items sold from the vehicle;
 - ~~d. The volume of any background music played from the food truck shall be limited so as not to be plainly audible beyond the property boundaries of the site where the food truck is located, or at a distance of 100 feet from the food truck, whichever is less;~~
 - e. Any lighting attached to the exterior of the food truck or used to illuminate the menu boards or the customer waiting areas adjacent to the food truck shall be provided with fixtures that do not produce light spill onto adjacent properties or into the night sky;

f. Receptacles, either those already available on a site or temporary/portable ones provided by the food truck operator, shall be positioned conveniently for disposal of all trash, refuse, compost and garbage generated by the use;

g. Any greywater, fats, oils, grease or hazardous liquids generated in the mobile food vending operation shall be contained within the food truck and transported off the property for proper disposal. No hazardous materials or liquids shall be released into any sewer, storm drain, ditch, drainage canal, creek, stream, river, lake or tidal water or on the ground, sidewalk, street, highway, or into the atmosphere;

h. Food trucks shall be parked at least 100 feet from any residential dwelling;

i. Food trucks shall not obstruct pedestrian or bicycle access or passage, impede traffic or parking lot circulation, or create safety or visibility problems for vehicles and pedestrians. Such vehicles may be parked in an existing parking lot provided that any required parking spaces are not obstructed and made unavailable;

j. Food trucks shall not be parked in or operated from a public street right-of-way;

k. Not more than two A-frame signs may be used to display and advertise menu items and other information associated with the food truck operation. Such signs shall not exceed six square feet in area and four feet in height, shall be positioned within 30 feet of the food truck, and shall not be placed within a public street right-of-way. Signage that is permanently affixed to the food truck shall be permitted; however, the Zoning administrator / _____ may approve flags, banners, or other decorative appurtenances, whether attached or detached on a case-by-case basis.

(4) The zoning administrator / _____ may revoke the permit at any time for failure of the permit holder to comply with the requirements of this section and to correct such noncompliance within the timeframe specified in a notice of violation. Notice of revocation shall be made in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation to the board of zoning appeals.