

**CITY OF HOUGHTON  
BUSINESS LICENSE APPLICATION**

*Upon submission, attach a copy of a current Government-issued ID to this*

TYPE OF BUSINESS LICENSE: \_\_\_\_\_

APPLICANT/ OWNER NAME: \_\_\_\_\_

APPLICANT/OWNER ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

*By signing below, applicant attests that they have read this application packet, including relevant sections of the Houghton City Code, and agrees to abide by the requirements detailed therein.*

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
DATE

*This application will be reviewed by the Zoning Official of the City of Houghton, and must receive their endorsement prior to any license being issued by this office. Allow up to 10 business days for this process to conclude.*

## **CITY OF HOUGHTON MOBILE FOOD VENDING CHECKLIST**

*When submitting your application to the City Clerk's Office, the following must be included:*

- Copy of current Government-issued photo ID
- Proof of insurance (\$1M)
- Copy of applicable licenses/permits from the County Health Department
- Fee required under City Council resolution

*The following must be completed, as applicable:*

- Name and emergency contact information for employees that may be staffing the unit
- Third-party propane inspection and approval, if necessary

*For your information, prior to a license being granted, the application materials will be reviewed and must be approved by the City of Houghton Clerk and Zoning Official. The City Fire Inspector will also review the information and will contact the applicant to schedule a fire inspection, if necessary.*

**CITY OF HOUGHTON  
ADDITIONAL INFORMATION FOR VENDING LICENSE**

FOOD PRODUCTS OFFERED FOR SALE: \_\_\_\_\_

\_\_\_\_\_

DESCRIPTION OF FOOD PREPARATION METHODS: \_\_\_\_\_

\_\_\_\_\_

DESCRIPTION OF VENDING UNIT (INCLUDE SIZE): \_\_\_\_\_

\_\_\_\_\_

PROPOSED HOURS OF OPERATION: \_\_\_\_\_

\_\_\_\_\_

INTENDED AREAS OF OPERATION LOCATED IN FOOD VENDING OPPORTUNITY SPACE: \_\_\_\_\_

\_\_\_\_\_

PLANS FOR ELECTRICAL ACCESS & WASTEWATER/TRASH DISPOSAL: \_\_\_\_\_

\_\_\_\_\_

DOES THE APPLICANT OWN A BRICK-AND-MORTAR RESTAURANT? \_\_\_\_\_

# CITY OF HOUGHTON

## ORDINANCE 2023-335

### AN ORDINANCE TO AMEND CHAPTER 18 (BUSINESSES) OF THE CODE OF ORDINANCES, CITY OF HOUGHTON, MICHIGAN

#### THE CITY OF HOUGHTON ORDAINS:

- I. That Chapter 18 of the Houghton City Code shall be repealed and replaced with the following:

#### Article 1. In General

##### Sec. 18-1 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mobile food vending* shall mean vending, serving, or offering for sale prepackaged/non-perishable foods and/or beverages from a mobile food vending unit; or vending, serving, or offering for sale food and/or beverages prepared for consumption in a mobile food vending unit; and may include the ancillary sales of branded items consistent with the food/vendor brand, such as apparel, decals, drinkware, etc.

*Mobile food vending unit* shall mean any motorized or non-motorized vehicle, trailer, or other device designed to be portable and not permanently attached to the ground and in which food or drink is prepared for direct consumption through service on the premises or elsewhere.

*Vendor* shall mean any individual engaged in the business of mobile food vending; if more than one individual is operating a single mobile food vending unit, then vendor shall mean all individuals operating such mobile food vending unit.

*Food cart* shall mean a mobile food vending unit propelled by human power alone, which has been specifically designed or used for mobile food vending and in which food or drink is not prepared on the premises.

*Food trailer* shall mean any vehicle without motive power that is designed to be drawn by a motor vehicle and is specifically designed or used for food vending operations.

*Food truck* shall mean a vehicle propelled by an engine which has been specifically designed or used for mobile food vending

*Prepackaged and non-perishable food* means any food or beverage which is not capable of supporting rapid and progressive growth of microorganisms which may cause food infections; and which is packaged in hermetically sealed container designed to keep the contents free of contamination by microorganisms and maintain the commercial sterility of its contents after thermal processing.

*Operate* shall mean all activities associated with the conduct of business.

Sec. 18-2—18-29 Reserved.

## **Article II. Mobile Food Vending**

### **Sec. 18-30 Intent**

The intent of Article III, Mobile Food Vending, is to diversify food service options within the city, thereby fostering enhanced cultural and social activities and providing new business opportunities while maintaining a fair competitive balance with brick-and-mortar restaurants.

### **Sec. 18-31. License required.**

No vendor shall engage in mobile food vending on public property without a license from the city clerk authorizing such vending. The city clerk shall prescribe the form of such license and application for such license. All licenses shall be prominently displayed on the mobile food vending unit. No vending through a mobile food vending unit of food or other human consumables shall be permitted unless it meets the definition of mobile food vending as defined by this chapter.

### **Sec. 18-32. Special Event Licensure.**

Mobile Food Vending at the site of special events sanctioned by the City of Houghton (e.g.: Bridgefest, Brewfest, Parade of Nations, Jibba Jabba, etc.) may be done under a single license obtained by the event organizer. This single license shall be valid only on the premises of the event and only for the established hours and duration of the event.

### **Sec. 18-33. Duration; nontransferability.**

A license may be issued by the city clerk for three consecutive months within a calendar year or by the full year. Any license issued under this article is nontransferable.

### **Sec. 18-34. Application.**

Every vendor desiring to engage in mobile food vending on public property shall make a written application to the city clerk for a license under this chapter. The applicant shall truthfully state, in full, all information requested on the application and attest to their understanding of the conditions of licensure accompanying the form. The application for a license shall be on forms provided by the city clerk.

### **Sec. 18-35. Fees.**

An application for a license under this article shall be accompanied by a fee in the amount established in Appendix A of this code.

### **Sec. 18-36. Requirements; private property.**

Any vendor engaging in mobile food vending may operate on private property located in the B-1, B-2, B-3, or Industrial zoning districts without a license from the City.

1. Mobile food vending units on private property may use electrical power from the property being utilized with authorization of the power customer.
2. Power cables or similar devices shall not be run across any city street or alley and shall not

be run on the ground across or within public pedestrian walkways or areas.

**Sec. 18-37. Requirements; public property.**

Any vendor engaging in mobile food vending on public property shall comply with the requirements on the application for licensure:

**Sec. 18-38. Impoundment.**

Any equipment associated with food vending that is not in compliance with this chapter and left on public property may be impounded at the owner's expense.

**Sec. 18-39. Other licenses or permits.**

A license obtained under this chapter shall not relieve any vendor of the responsibility for obtaining any other permit, or authorization required by any other ordinance, statute or administrative rule.

**Sec. 18-40. Revocation.**

The license may be voided at any time by written notice to the city clerk by a duly authorized law enforcement officer observing a violation of this chapter, a violation of any federal, state or local regulation, or a situation that is averse to the protection of the public health, safety, and welfare. A license may also be revoked if it is discovered that an applicant has made a false statement on their application. Immediately upon such revocation, the license shall become null and void.

**Sec. 18-41. Complaints; appeals.**


If a written complaint is filed with the city clerk alleging a mobile food vendor has violated the provisions of this chapter, the city clerk shall promptly send a copy of the written complaint to the vendor together with a notice that an investigation will be made as to the truth of the complaint. The vendor shall be invited to respond to the complaint and present evidence and respond to evidence produced by the investigation. If the city clerk or designee, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified. If a license is denied or revoked by the city clerk, or if a written complaint is certified pursuant to this chapter, the applicant or holder of a license may appeal to and have a hearing before the city manager or designee(s). The city manager or designee(s) shall make a written determination, after presentation by the applicant and investigation by the city clerk or designee, as to whether or not the grounds for denial, revocation or complaint are true. If the city manager determines that such grounds are supported by a preponderance of the evidence, the action of city clerk or filing of the complaint shall be sustained and the applicant may appeal the city manager's decision to a court of competent jurisdiction.

**Sec. 18-42. Civil infraction.**

A vendor who violates this chapter is responsible for a civil infraction.

**Sec. 18-43—18-100. Reserved**

This Ordinance was enacted by the City Council of the City of Houghton, Houghton County, Michigan on the 14<sup>th</sup> day of June, 2023. This Ordinance shall take effect 10 days from the date of adoption. Effective the 24<sup>th</sup> day of June, 2023.

  
\_\_\_\_\_  
Brian Irizzary, Mayor

  
\_\_\_\_\_  
Ann Vollrath, City Clerk

**CITY OF HOUGHTON**

**ORDINANCE 2023-336**

**AN ORDINANCE TO AMEND APPENDIX A – FEE SCHEDULE OF THE CODE OF ORDINANCES, CITY OF HOUGHTON, MICHIGAN**

**THE CITY OF HOUGHTON ORDAINS:**

1. That Appendix A – Fee Schedule, of the Houghton City Code is amended to read as follows:

**APPENDIX A – FEE SCHEDULE**

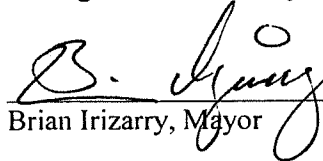
**Chapter 18 - Businesses**

**Article III. Mobile Food Vending**

**18-81. Fees.**

Food Truck Special Event .....	\$ 50.00
Food Truck Three consecutive months (1 permit per year).....	\$ 200.00
Food Truck One year .....,	\$ 500.00
Food Cart One Year .....	\$ 100.00

This Ordinance was enacted by the City Council of the City of Houghton, Houghton County, Michigan on the 14<sup>th</sup> day of June, 2023. This Ordinance shall take effect on June 24, 2023.

  
\_\_\_\_\_  
Brian Irizarry, Mayor

  
\_\_\_\_\_  
Ann Vollrath, Clerk



**CITY OF HOUGHTON  
RESOLUTION 2023-1902**

**ESTABLISHING OPERATING LOCATIONS AND TIMES FOR MOBILE FOOD  
VENDORS ON CITY-CONTROLLED PROPERTY**

At a regular meeting of the City Council of Houghton, Michigan, held on June 14, 2023, the following resolution was offered by Councilor Needham, and supported by Councilor Megowen.

WHEREAS, the City of Houghton desires to encourage mobile food vendors who add to the vibrancy and desirability of Houghton, while providing a framework under which such businesses operate; and

WHEREAS, the Houghton City Council may establish by resolution hours of operation and may identify city-controlled property for permissible Mobile Food Vending;

NOW, THEREFORE, the Houghton City Council resolves that licensed Mobile Food Vending may only operate within the areas stipulated below.


The hours of operation for licensed Mobile Food Vendors are between the hours of 7:00 a.m. and 2:00 a.m.

In accordance with Chapter 35 of the Houghton City Code, mobile food vendors are authorized to operate at the following areas as shown on the attached Exhibit A.

Parking lot under the Portage Lake Lift Bridge.  
Parking lot at the foot of Pewabic Street  
Parking lot at the foot of Dodge Street  
Parking lot between Huron and Isle Royale Streets  
Pier parallel parking  
Dee Stadium Parking (Portage Street)  
Chamber of Commerce parking lot north of Franklin Square

Dated: June 14, 2023.

Certified

  
\_\_\_\_\_  
Ann Vollrath, Clerk

# EXHIBIT A

## PROPOSED DOWNTOWN FOOD TRUCK LOCATIONS

