



**ORDINANCE AMENDING CHAPTER 385 ARTICLE V – FOOD TRUCKS OF THE
CODE OF THE CITY OF CRYSTAL LAKE**

WHEREAS, Chapter 385 of the Code of the City of Crystal Lake (the “City Code”) regulates food trucks within the City of Crystal Lake; and

WHEREAS, There have been changes in food vendors which are popular sources of food for businesses that do not have kitchens or host special events; and

WHEREAS, the Community Development Department has determined that it would be in the best interests of the City and its residents to make additional modifications to Chapter 385 of the Code of the City of Crystal Lake.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF CRYSTAL LAKE THAT:**

SECTION ONE. Recitals. The foregoing recitals are incorporated as though fully set forth herein.

SECTION TWO: That Chapter 385 Article V – Food Trucks of the City Code of the City of Crystal Lake is hereby created and shall read as follows:

Article V: Food Vendors

§ 385-33. Definitions.

For purposes of this chapter, the following terms shall have the meanings indicated:

Food Stand: A food kiosk or food booth utilizing a temporary structure to cook, prepare, and sell food.

Food Trailer: A non-motorized self-contained enclosed trailer that is equipped with facilities for cooking, preparing, and/or selling food.

Food Truck: A motorized vehicle that is equipped with facilities for cooking, preparing, and selling food.

Food Vendor: A person, sole proprietorship, partnership, corporation, limited liability company or other legal entity which sells food for human consumption from a food truck, food trailer or food stand.

Special Event: See Chapter 453 for the definition of a special event and for special event approval.

§ 385-34. Application, Issuance of Permit.

- A. It shall be unlawful for any food vendor to sell food for human consumption from a food stand, food trailer or food truck upon private property unless such food vendor holds a valid and current permit for such sale which has been issued in accordance with the provisions of this chapter, or in the event the person has a valid current permit, in violation of the terms of such permit.
- B. Food Vendors on Private Property: Food vendors that request to operate on private property shall submit an application for a food vendor permit to the Community Development Department upon such forms as may be approved by the Director of Community Development.
 - 1. Each food vendor operating on private property requires an annual permit issued in accordance with this chapter.
 - 2. A separate permit shall be required for each food truck, food trailer or food stand operated by the food vendor.
 - 3. At time of application, food vendors must provide the Director of Community Development with evidence of written authorization from the owner of each property upon which the food vendor intends to sell food, as well as a site plan for each location upon which such sales shall be conducted. Food vendors may not engage in the sale of food upon any property not identified in the application or not in accordance with the submitted site plans, unless approved by the Director of Community Development.
- C. Food Vendors on Public Property. Food Vendors may not operate upon public streets, sidewalks or property owned by the City of Crystal Lake except when operating pursuant to and in accordance with a Special Event Permit issued pursuant to Chapter 453.

§ 385-35. Conditions of Approval. All food trucks, food trailers and food stands are subject to the following conditions:

- A. All permits for operating as a food vendor will be valid for one year with an effective date of January 1 and an expiration date of December 31.

- B. Food vendors may operate on private property in any zoning district other than residential districts, except that such operations may take place within residential districts as part of an approved Special Event.
- C. Food vendors may not operate within the City for more than eight hours during any twenty-four-hour period, but in no case to exceed the hours of operation for the business on the property for which the food vendor is located, with the exception of food vendors operating as part of an approved Special Event.
- D. The food vendor's Illinois business tax (IBT) number shall be provided to the Finance Department. The point of sale shall be noted as Crystal Lake for sales tax.
- E. Proof of McHenry County Health Department approval must be provided to the Community Development Department prior to beginning operation.
- F. Food vendors operating from food stands utilizing tents or canopies shall comply with the requirements as published by the Fire Rescue Department.
- G. All food trucks and food trailers shall be required to have an annual inspection by the Fire Prevention Bureau prior to use within the City.
- H. If liquid propane gas is used, the following conditions shall be met:
 - (1) Cooking and warming equipment shall be in good working condition and cleaned of grease or other combustible material.
 - (2) Portable liquid propane gas containers, piping, valves and fittings which are located outside and are being used to fuel equipment shall be adequately protected to prevent tampering, damage by vehicles or other hazards and shall be located in an approved location. Portable liquid gas containers shall be securely fastened in place by use of an approved method to prevent unauthorized movement, tipping, or regulator damage.
 - (3) Fittings, valves, and hoses used with liquid propane gas equipment shall be maintained in good working condition. When, in the opinion of the Fire Code Official, an unsafe condition exists with the fitting, valve, or hose used by the equipment, it shall be replaced or the equipment shall not be used.
 - (4) Liquid propane gas containers shall be stored within a suitable enclosure or otherwise protected against tampering.
 - (5) A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooling appliances used for commercial purposes that produce grease-laden vapors. (Reference: 2018 IFC Section 607).
 - (6) Combustible materials shall be kept a minimum of three feet from cooking appliances.
 - (7) Provide a fire extinguisher of minimum size 2A10BC in the cooking area. Cooking equipment involving vegetable or animal oils and fats shall be protected by a Class K rated portable fire extinguisher.
- I. Food vendors must provide receptacles for refuse and properly dispose of all waste.
- J. Food vendors must provide evidence of insurance.

- K. Food vendors must comply with all noise regulations of the City
- L. Food vendors may not provide seating or tables for their customers, with the exception of Food Vendors operating as part of an approved Special Event.
- M. Food vendors are allowed to display signage that is painted or permanently affixed to the food truck, food trailer or food stand. Food vendors are not allowed to display any additional signs, such as freestanding sandwich boards.
- N. Food vendors may not have amplified sound or music emanating from the vehicle.
- O. As part of the application, the applicant shall provide a site plan that shows the location that the food vendor will operate.
- P. Food trucks, trailers, and stands shall be located on a suitable surface, as determined by the City Engineer, for the duration of its operation.
- Q. Food vendors shall be not be allowed to operate a food truck, food trailer or food stand within fire lanes, handicap parking spaces, or in any other location that will impede traffic flow or create unsafe conditions for pedestrians.

§ 385-36: Fees:

The fee for each permit required by this article shall be \$50. All fees required pursuant to this article shall be paid to the Director of Finance of the City of Crystal Lake.

§ 385-37: Exemptions:

Food Vendors shall be exempt from obtaining a permit under one or more of the following conditions:

- A. The food vendor is operating under contract with the City of Crystal Lake.
- B. The food vendor is contracted by the Crystal Lake Park District and operating solely on Park District Property.
- C. The food vendor is contracted by an educational institution approved or authorized by the State of Illinois and operating solely on their property.
- D. The food vendor is operating as part of an approved Special Event. This exemption shall not permit the operation by food vendors upon public streets, sidewalks or property owned by the City of Crystal Lake unless such operation is expressly authorized by a Special Event Permit issued pursuant to Chapter 453.
- E. Ice cream trucks; see Chapter 504 Article II.
- F. The food vendor is operating under contract by another governmental entity and operating solely on the government entity's property.

All food vendors, regardless of whether they meet one or more of the above criteria, shall be required to meet the requirements of Chapter 385-35.

§ 385-38. Denial of Permit

An Applicant may be denied a food vendor permit under any of the following conditions:

- A. The applicant has previously failed to comply with the provisions of a food vendor permits
- B. The applicant has been convicted of a violation of any provision of this chapter
- C. The applicant has failed to qualify for any other license required by the Code of Ordinances of the City.

§ 385-39. Revocation of Permit

The Director of Community Development may revoke any issued Food Vendor Permit under any of the following conditions:


- A. The applicant is found in violation of this chapter, or of the statute of the State of Illinois or ordinances of the City of Crystal Lake relating to the public health, safety, or fire protection.
- B. The applicant has made a false material statement in the application.
- C. The applicant fails to comply with any of the provisions of this chapter or the terms or conditions of the permit issued pursuant to this chapter.
- D. The property owner communicates to the City in writing that the food vendor no longer has permission to operate.

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SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

DATED this 19th day of September, 2023

APPROVED:


Haig Haleblian, MAYOR

ATTEST:


Nick Kachiroubas, CITY CLERK

PASSED: September 19, 2023

APPROVED: September 19, 2023

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

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