

**BILL NO. 23-46 A**

**ORDINANCE NO. 2274**

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE,  
MISSOURI, AMENDING CERTAIN PROVISIONS OF  
CHAPTER 632, REGULATING MOBILE FOOD VENDORS  
AND ICE CREAM TRUCKS**

**WHEREAS**, pursuant to Ordinance No. 2213, passed October 19, 2022, the City of Dardenne Prairie enacted Chapter 632, regulating mobile food vendors and ice cream trucks; and

**WHEREAS**, the Board of Aldermen finds and determines that amending certain provisions of Chapter 632 will promote the health, safety, and general welfare of the residents of the City.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** That Subsection (B) of Section 632.020 of the Municipal Code of the City of Dardenne, Prairie, Missouri, be and hereby is amended by deleting Subsection (B) of Section 632.020 in its entirety and enacting, in lieu thereof, a new Subsection (B) of Section 632.020 as follows:

**SECTION 632.020. MOBILE VENDING PERMITS AND LICENSES.**

B. Mobile Vending Business Premises License. No owner or operator of real estate within the City shall authorize or allow a mobile vending vehicle or temporary display stand to engage in a mobile vending business on such real estate in exchange for any valuable consideration or when the total number of mobile vending vehicles or temporary display stands exceeds two (2) without the owner or operator of such real estate obtaining a mobile vending business premises license from the City Clerk pursuant to the requirements of this Chapter. Notwithstanding the foregoing, this Subsection B shall not apply to mobile vending business eating and drinking gardens.

**SECTION 2.** That Subparagraph (3) of Subsection (A) of Section 632.030 of the Municipal Code of the City of Dardenne Prairie, Missouri, be and hereby is amended by deleting Subparagraph (3) of Subsection (A) of Section 632.030 in its entirety and enacting, in lieu thereof, a new Subparagraph (3) of Subsection (A) of Section 632.030 to read as follows:

**Section 632.020. APPLICATIONS.**

A. Applications and Application Fees.

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3. Mobile Vendor Permit. A separate mobile vendor permit shall be obtained for each separate and distinct mobile vending vehicle or temporary display stand proposed to be used by an applicant. An application for a mobile vendor permit shall include the following information and shall be submitted no later than seven (7) days in advance of the first date in a license year on which the applicant proposes to operate its mobile vending business:

a. The full legal name, daytime telephone number, email address, home address, and business address of the person applying for the mobile vendor permit;

b. If the applicant is an entity, the application shall state the full name of the entity, the names and addresses of its officers, managers, members, partners or trustees, its principal address, daytime telephone number, and its registered agent and registered address;

c. The name(s), address(es), and daytime telephone number(s) of the legal owner(s) of the licensed premises on which the applicant will operate the mobile vending business along with proof of written permission or consent from the owner(s) for applicant to operate its mobile vending business. In the event that mobile vending business is to be conducted at a licensed premises not listed on the original mobile vendor permit application, the mobile vendor license holder must notify the City Clerk of such fact and amend its original application to include the additional licensed premises seven (7) days prior to commencing operation thereon;

d. A description of the type of food, beverages or merchandise proposed to be sold, distributed, or offered for sale by the mobile vending business;

e. A description of the mobile vending vehicle or temporary display stand;

f. If the mobile vending business will operate out of a mobile vending vehicle, then the application shall include:

i. The year, make, model, color, vehicle identification number (V.I.N. number), state license plate number and state of licensing, if applicable, and dimensions, which shall not exceed thirty-six (36) feet in length or nine (9) feet in width, of such mobile vending vehicle;

ii. Proof of current vehicle insurance for the mobile vending vehicle, if applicable, issued by an insurance company licensed to do business in the State of Missouri; and

iii. Proof of current vehicle registration for the mobile vending vehicle, if applicable.

g. Copies of all requisite liquor licenses issued to the applicant by the City, St. Charles County, or the State of Missouri;

h. A copy of Applicant's State of Missouri retail sales tax license authorizing the sale of goods within the State of Missouri, and a statement from the Missouri Department of Revenue that the applicant owes no tax due under Sections 144.010 to 144.510, RSMo., as amended, or Sections 143.191 to 143.261, RSMo., as amended, dated no more than ninety (90) days before the date of submission of the application;

i. If applicable, a copy of any permit or license required by the St. Charles County Department of Public Health; and

j. Such other information as the City Clerk may require to ensure compliance with the provisions of this Chapter.

**SECTION 3. Savings Clause:** Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof.

**SECTION 4. Severability Clause:** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

**SECTION 5. Effective Date:** This Ordinance shall be in full force and take effect from and after its final passage and approval.

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Read two (2) times, passed, and approved this 4<sup>th</sup> day of October, 2023.

John W. Botwin  
As Presiding Officer and as Mayor

Attest:

Kim Clark  
City Clerk

Approved this 4<sup>th</sup> day of October, 2023.

John W. Botwin  
Mayor

Attest:

Kim Clark  
City Clerk