

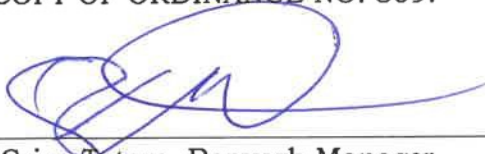
**NEWTOWN BOROUGH
BUCKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 809

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF NEWTOWN AT PART II [GENERAL LEGISLATION] CREATING CHAPTER 340 [MOBILE FOOD VENDORS] TO CLARIFY REGULATIONS FOR THE OPERATION OF MOBILE FOOD VENDORS AND REQUIREMENTS RELATED TO SPECIAL EVENT HOST PERMITS

CERTIFICATION

I, CRAIG TOTARO, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE BOROUGH MANAGER IN THE BOROUGH OF NEWTOWN, BUCKS COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. 809.



Craig Totaro, Borough Manager
4/16, 2026

ENACTED: April 15, 2026

NEWTOWN BOROUGH

BUCKS COUNTY, PENNSYLVANIA

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WHEREAS, the Newtown Borough Council is duly empowered by the Borough Code, 8 Pa.C.S.A. § 101, *et seq.*, to enact certain regulations relating to the public health, safety and welfare of the residents of Newtown Borough;

WHEREAS, Mobile Food Vendors provide a distinct service and business model to the residents and businesses of Newtown Borough which requires specific regulation and oversight to ensure safe and orderly operation;

WHEREAS, The Borough Code authorizes Borough Council to make, amend and adopt amendments to the Code of the Borough of Newtown, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Borough and the best interests of its residents; and

WHEREAS, the Newtown Borough Council has determined that certain amendments to the Code of the Borough of Newtown, as amended, are required for the orderly administration of the laws of Newtown Borough; and

WHEREAS, the Newtown Borough Council seeks to amend Chapter 340 [Mobile Food Vendors] to provide necessary clarifications to the definition of Mobile Food Vendor and provide a mechanism for modification of requirements related to Special Event Host Permits.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Newtown Borough Council that the Borough's Code is amended as follows:

SECTION 1. **Amendment to Chapter 340 [Mobile Food Vendors], Section 1 [Definitions] to clarify the definition of Mobile Food Unit.**

The Code of the Borough of Newtown, Part II [General Legislation], Chapter 340 [Mobile Food Vendors], Section 1 [Definitions] is hereby restated and amended to

delete the struck-through language (~~example~~) and add the underlined language (example) as follows:

...

MOBILE FOOD UNIT

Any motorized or non-motorized vehicle, including but not limited to food trucks, carts, ~~stands~~, ~~kiosks~~, any other device designed to be portable and not permanently attached to the ground and ancillary equipment from which food products are intended to be prepared, sold, and/or distributed, including pre-packaged foods.

SECTION 2. Amendment to Chapter 340 [Mobile Food Vendors], Section 2 [Scope and Intent] to clarify the use of a Mobile Food Unit.

The Code of the Borough of Newtown, Part II [General Legislation], Chapter 340 [Mobile Food Vendors], Section 2 [Scope and Intent] is hereby restated and amended to delete the struck-through language (~~example~~) and add the underlined language (example) as follows:

The provisions of this Chapter apply to Mobile Food Vendors and a Host, as applicable, engaged in the business of cooking, preparing, and distributing food or beverage with or without charge in public and/or private restricted spaces utilizing a mobile food unit. This Chapter shall not apply to vehicles that dispense food that move from place-to-place and are not stationary in the same location for more than fifteen (15) minutes at a time, such as ice cream trucks.

SECTION 3. Amendment to Chapter 340 [Mobile Food Vendors], Section 4 [Permits] to clarify the use of a Mobile Food Unit.

The Code of the Borough of Newtown, Part II [General Legislation], Chapter 340 [Mobile Food Vendors], Section 2 [Scope and Intent] is hereby restated and amended to delete the struck-through language (~~example~~) and add the underlined language (example) as follows:

...

D. Host Permit.

...

(5) Three (3) types of Host Permit shall be available:

...

c. Special Event Host Permit

- i. A Special Event Host Permit shall only be issued in conjunction with a Special Event Permit approved by Borough Council pursuant to Chapter 462, Special Events.
- ii. Mobile Food Units shall be permitted to operate under a Special Event Host Permit on private property or within an approved area temporarily closed to vehicular access that is within the limits of the approved Special Event.
- iii. Mobile Food Units may operate between the hours of 8:00 AM and 9:00 PM, exclusive of set-up and breakdown which shall be limited to one (1) hour before and after operation.
- iv. All Mobile Food Units shall be removed from the premises within one (1) hour following the conclusion of the event but no later than 10:00 PM.
- v. No more than four (4) Mobile Food Units shall be permitted to operate at any one (1) time under a Special Event Host Permit.
- vi. Upon good cause shown and with the intent of compliance with the spirit of this Chapter, Council may consider requests for modifications from the terms of this Section related solely to the specific requirements of a Special Event Host Permit. A written request for modification specifically listing the requested modifications and accompanied by a narrative justification for the modifications shall be submitted to Council with the Permit application in advance of any Special Event. All requests for modification shall be considered at a duly-convened public meeting of Council.

SECTION 4. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Borough's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 5. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance

shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.


SECTION 6. Effective Date.

This Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED this 15th day of April 2026, by the Newtown Borough Council.

**BOROUGH OF NEWTOWN
BUCKS COUNTY, PENNSYLVANIA**


Tara Grunde-McLaughlin, *Mayor*


Emily Heinz, *President*

Attest:


Judy S. Musto
Borough Secretary