

**ORDINANCE NUMBER 2022-493**  
**AN ORDINANCE REPEALING AND RE-CREATING ARTICLE XIII OF CHAPTER 14**  
**OF THE CODE OF ORDINANCES OF THE CITY MILTON CONCERNING MOBILE BUSINESSES**

WHEREAS, any person or entity wishing to operate a mobile business in the City of Milton is regulated by the provisions of Article XIII of Chapter 14 of the Code of Ordinances; and

WHEREAS, it having been brought to the attention of the Common Council of the City of Milton that the existing regulations of mobile businesses may make it unattractive for such businesses to operate in the city; and

WHEREAS, the Common Council of the City of Milton has determined that it wishes to facilitate the operation of mobile businesses in the city while still providing for appropriate regulation of said businesses.

NOW, THEREFORE, the Common Council of the City of Milton do ordain as follows:

Section I. Article XIII of Chapter 14 of the Code of Ordinances of the City of Milton is hereby repealed and re-created to read as follows:

**ARTICLE XIII. MOBILE VENDOR.**

Sec. 14-700. Definitions.

The following words, terms and phrases, when used in this Article shall have the meanings given to them within the section.

**Goods** means personal property of any kind including but not limited to food products which are prepared or prepackaged.

**Mobile Vendor** means a vendor which is selling goods from a motorized or nonmotorized vehicle, trailer, push or pedaled cart, or other device designed to be movable and not permanently attached to the ground. Mobile vendor does not include a vendor who is operating a mobile wholesale delivery unit, a vehicle used solely to transport or deliver food or a common carrier regulated by the state or federal government.

Section 14-701. Exemptions.

The following shall be exempt from all provisions of this Article:

- (1) Seasonal sales of fresh produce;
- (2) Direct sellers (*See article II of chapter 14*);

Section 14-702. Where permitted.

- (a) Mobile vendors are permitted on private property with the permission of the owner or other person with the authority to control use of the property.

- (b) Mobile vendors are permitted on public property only at events for which a special event permit has been issued pursuant to Article III of Chapter 54.

Section 14-703. General regulations

All mobile vendors are subject to the following regulations:

- (1) No sales of alcoholic beverages are permitted.
- (2) Hours of operation are limited to the hours of 7:00 A.M. to 10:00 P.M. Sunday through Saturday.
- (3) The mobile vendor must comply with the requirements of Section 50-72 regarding loud and unnecessary noise. The mobile vendor may not generate noise levels louder than levels produced by the equipment used in the operation of the equipment of the mobile vendor.

Section 14-704. Penalty.

Any person, firm or corporation violating any provisions of this Article may, upon conviction, be punished by a forfeiture of not less than \$50 or more than \$1000. Each day's violation constitutes a separate offense.

Section II. This ordinance shall take effect upon passage and publication as provided by law.

Approved by the Common Council of the City of Milton this 6<sup>th</sup> day of April, 2022.

CITY OF MILTON

\_\_\_\_\_  
Anissa Welch, Mayor

Attest:

\_\_\_\_\_  
Jenny Salvo, Clerk

1<sup>st</sup> Reading: \_\_\_\_\_

2<sup>nd</sup> Reading: \_\_\_\_\_

3<sup>rd</sup> Reading: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

**Effect of Ordinance: eliminates the license and site plan requirements for mobile vendors and provides for general regulation of such businesses whether operated on private or public property.**