

Guidelines for Licensed Transient/Mobile Restaurants

Parks

Unless specifically approved through the Parks Dept., Mobile restaurant vending is not allowed in parks unless associated with an approved special event. Mobile restaurant vendor must pay associated special event fees as dictated by the special event.

Events

Mobile restaurant Vending may be allowed at special events. The event sponsor MUST approve event mobile restaurant vendors prior to participation.

Streets

Complex Mobile restaurant vending is allowed on public streets or sidewalks as dictated by current ordinance and street occupancy permit fee. Mobile restaurants must remain at least 400ft from competitive businesses who serve similar products. Vendors will not impede or inconvenience the public use of the street or sidewalk. A safety officer's judgment, exercised in good faith, shall be conclusive as to whether the area is congested and the public impeded or inconvenienced.

Vending fees

- 1) Annual Mobile Restaurant street occupancy fee permits acquired through the Dept. Of Public Works or Police Dept. (Yet to be determined)
- 2) The City of Menasha Health Dept will inspect all mobile restaurants who wish to operate within the City of Menasha and possess a current State license issued by another jurisdiction. Current licenses would include those issued by another Agent Health Department or the State of Wisconsin Department of Health Services. All non-resident mobile restaurant operators will be charged an inspection fee which will be equal to the current temporary restaurant license fee. Wisconsin Food Code (WFC) Chapter 9 and all other applicable sections of the WFC shall be used as a basis for these inspections. An inspection report will be provided to the operator following the inspection, and risk factor violations cited must be corrected prior to operating.
- 3) The inspection fee charged to non-resident mobile restaurants will be issued on an annual basis for the period of July 1 – June 30. Inspection fees paid prior to April 1 will expire on June 30 of that same year. Inspection fees paid after April 1 will expire on June 30 of the following year. Inspection fees must be paid prior to setting up within the City of Menasha.

4) Mobile Restaurants are described as:

(53m) “**Mobile food establishment**” means a: (per WFC Chapter 1- References made to retail food establishments have been removed from the definition)

(a) Restaurant [FOOD ESTABLISHMENT](#) where FOOD is served from a movable vehicle, push cart, trailer or boat which periodically or continuously changes location and requires a service base to accommodate the unit for servicing , cleaning, inspection and maintenance or except as specified in 9-103.11(D).

(b) “Mobile food establishment” does not include a vehicle which is used solely to transport or deliver FOOD or a common carrier regulated by the state or federal government, or a movable concession stand designed to operate as a [TEMPORARY FOOD ESTABLISHMENT](#) .

(97) “**Temporary food establishment**” means a [FOOD ESTABLISHMENT](#) that operates at a fixed location for a period of no more than 14 consecutive days in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, anniversary sale or OCCASIONAL sales promotion.

Chris Klein
District 1 Alderman