

## Food Vendor Requirements - Downtown

Per Sections 26-5 and 26-6 of the Wheaton City Code, all applicants who intend to sell food or beverages from a cart or nonmotorized trailer on a public sidewalk within the Downtown or sell food or beverages from vehicles must submit the following:

- Completed Application for a Business License.
- Certificate of insurance, subject to the reasonable approval of the city attorney, naming the City of Wheaton as an additional insured for the term of the license and including a liability insurance policy of not less than \$2,000,000 per occurrence.
- Signed indemnification statement on a form provided by the city.

### Sec. 26-5. Sale of food and beverages—From vehicles.

(a) No person conducting a business from a vehicle on the public roads, streets and highways within the city shall sell any food or beverages from such vehicles except under the following conditions:

1. The vehicle shall be located more than 100 feet from the nearest intersecting road, street, or highway, and more than 100 feet from a restaurant licensed by the city serving similar products or another food vehicle licensed by the city. The vehicle shall not be located directly in front of a restaurant licensed by the city.
2. No food or beverage shall be sold from any such vehicle during the hours of 5:00 p.m. to 7:00 p.m. except on Saturdays, Sundays, and public holidays.
3. Any vehicle stopped upon the public roads, streets, or highways for the purpose of selling food or beverages shall not broadcast any music or other sounds while it is in the stopped position.
4. A valid city license must be displayed on the vehicle.
5. Said business shall provide a certificate of insurance, subject to the reasonable approval of the city attorney, naming the city as an additional insured for the term of the license and including a liability insurance policy of not less than \$2,000,000.00 per occurrence.
6. Said business shall provide a signed indemnification statement on a form provided by the city.

(b) Any vehicle used for the sale of food and beverages upon the public roads, streets and highways shall possess the following equipment which shall be in good working order and operative at the time in which the sales are taking place:

1. A sign on the front and back of the vehicle which shall consist of letters no less than five inches in height which shall state: "Caution, Children Crossing."

2. A foldout diamond-shaped sign on the left side of the vehicle which shall consist of letters no less than five inches in height which shall state: "Slow."
3. Two amber lights, eight inches in diameter, mounted on the front and back of the vehicle capable of flashing alternately so as to be visible at a distance of 500 feet in normal daylight.

### **Sec. 26-6. Same—From carts on public sidewalks.**

No person conducting a business from a cart or nonmotorized trailer on a public sidewalk within the city shall sell any food or beverage from such cart or trailer except under the following conditions:

1. The cart shall be located not less than 100 feet from a restaurant licensed by the city serving similar products or another food cart or trailer licensed by the city. A cart shall not be located directly in front of a restaurant licensed by the city.
2. No person conducting business from a cart may sell any food or beverage from a road, street, or highway or while the cart is attached to a motorized vehicle.
3. Carts must be equipped with appropriate litter containers for use by the customers of the business.
4. Carts shall not be placed within 15 feet of any fire hydrant, emergency facility, or intersecting driveway, street, or alley.
5. Carts shall not be placed where the width of the paved area for pedestrian passage is reduced to less than three (3) feet.
6. A valid city license must be displayed on the cart.
7. Operation of carts shall only be in the central business district, which shall be defined as the area from West Street to Washington Street and Seminary Avenue to Illinois Street.
8. For the purpose of this section, a cart or non-motorized trailer shall be no larger than 72 inches high, 60 inches wide, and 72 inches long. Carts and trailers shall be self-contained and require no external power source.
9. Said business shall provide a certificate of insurance, subject to the reasonable approval of the city attorney, naming the city as an additional insured for the term of the license and including a liability insurance policy of not less than \$2,000,000.00 per occurrence.
10. Said business shall provide a signed indemnification statement on a form provided by the city.
11. Carts shall not conduct business along streets that are closed by authority of the city council.

**Complete the required [Business License Application](#).**