

ORDINANCE NO. 496-2025

AN ORDINANCE REQUIRING FOOD TRUCKS OPERATING WITHIN THE CITY LIMITS OF GAS TO OBTAIN A LICENSE FROM THE CITY OF GAS.

Be it ordained by the Governing Body of the City of Gas, Kansas:

SECTION 1. MOBILE FOOD VENDING

Section 1. Definitions.

The words and phrases listed below when used in this Ordinance shall have the following meanings:

"City Approved Event" shall mean any event sponsored by the City, any event such as a community celebration or festival approved by the Governing Body, or any event sanctioned by the City.

"Mobile Food Vending" shall mean to conduct, hold, carry on, pursue, or operate a business of vending, peddling, hawking and/or selling any food and/or beverage from a Mobile Food Unit stopped in one location for a period of more than 5 minutes.

"Mobile Food Vendor" shall mean any person, corporation, association, or other entity, however organized, that offers any food or beverage for sale from a Mobile Food Unit to conduct Mobile Food Vending.

"Mobile Food Unit" or "Unit" shall mean any self-contained vehicle, trailer, cart, wagon, or other type of conveyance from which any food and/or beverage is offered for sale.

"Person" shall mean an individual, corporation, partnership, company, agency, institution, or any other entity.

Section 2. Vending without City License.

It is unlawful for any person to conduct Mobile Food Vending within the corporate limits of the City of Gas, Kansas, without obtaining a license in accordance with this Ordinance.

Section 3. License Application.

No person shall engage in activities coming under this ordinance within the city without first obtaining a license. Any applicant for a license under this ordinance shall file with the city clerk a sworn application on a form furnished by the city clerk, which shall give information, or provide documentation as follows:

- A. Name of owner, name of business, phone number, copy of state or government issued identification card, and permanent address of the applicant and the business;
- B. The name of the owner and the type, make and registration number of the vehicle(s)/mobile food unit to be used;
- C. Date(s) and time(s) for which the license is desired;
- D. Address (or description) of location and nature of the business;
- E. A statement that the applicant understands and agrees that the license will not be used or represented in any way as an endorsement of the applicant by the City of Gas, Kansas or by any department, officer, or elected or appointed official of the City.
- F. Proof of a valid driver's license from any state for operation of the class of vehicle identified in the application for the applicant and any agents or employees of the applicant who will be involved in driving the identified vehicle;
- G. Proof of a current sales tax license from the State of Kansas or proof of exempt status from state sales tax;
- H. Proof of Food Service Permit issued by the State of Kansas;
- I. Signatures of applicant, individually and/or by its members and officers, and any agents or employees of the applicant who will be involved in the applied-for mobile food vending certifying that all the information provided in the application is true and correct.

Section 4. Fees.

All applications for mobile food vending license certificates shall be accompanied by a non-refundable license fee as follows:

\$10.00 application fee, license shall be good for one year from date of issuance.

Use of City Electricity \$25.00 per day.

Section 5. License.

If the facts stated in the application are satisfactory and the requirements of this Ordinance are met, the City Clerk may issue a mobile food vending license to the applicant. The issuance of a license shall not constitute approval of the business or activity or otherwise prohibit enforcement of this Ordinance or any other applicable laws, city code provisions, rules or regulations. Vendor shall possess all applicable health and safety licenses, food handling licenses or the like as required by local, state, and federal laws, rules, or regulations.

Section 6. Operating conditions.

All mobile food vending licenses shall be subject to compliance with the following conditions:

- A. Location. Mobile food vendors shall not locate on any City or public property without first securing approval from the City; request shall be made at least seven (7) days prior to the event;
- B. Written Permission of Property Owner. All mobile food vendors operating on private property shall acquire and maintain the written permission of the property owner for the use of and location of the Unit on said property. Written permission of the property owner shall be kept in the Unit and produced upon request by the Chief of Police or designee or other public officer charged by the City with enforcement of this Ordinance.
- C. Hours of Operation. Mobile food vendors are prohibited from offering for sale any food or beverage outside the hours of 8:00 a.m. to 10:00 p.m., unless otherwise approved.

Section 7. Term and transferability.

Licenses issued under this Ordinance are available for periods of annual or one week. Such certificates may not be transferred.

Section 8. Exemption.

The provisions of this Ordinance shall not apply to the following activities:

- The sale of farm or garden products or fruits grown by the seller or his or her employer or recognized Farmers Market;
- Vendors selling as part of a Special Event sponsored in part by the City, CIVIC organizations, not-for-profit organizations, charitable organizations, public or private schools;
- Individuals providing catering services to a private event and not open for the sale of food and/or beverage to the general public.
- Auctions
- Garage sales at private residences
- Lemonade Stands
- Brick and Mortar Restaurants already operating as a business with a City of Gas, Kansas address.

Section 9. Approval.

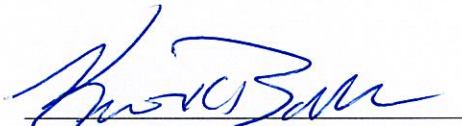
Any person registered under this Ordinance must keep their approved application inside the unit used for mobile food vending. Such certificate must be current and may be used only by the registered person.

Section 10. Penalty for violation.

Any person, partnership or corporation who violates any provision of this ordinance shall be punished by a fine of not more than \$500.00 for each violation.

SECTION 2. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

PASSED AND APPROVED by the governing body this 9th day of December, 2025.


Kenneth Baker, Mayor

ATTEST:


Rhonda Hill, City Clerk