

Draft Amendments to Chapter 170 to include Food Trucks

170.10 Food Trucks

170.11 Applicability

Any Food Truck operating within the Town of Conway shall be responsible for obtaining a permit pursuant to this chapter and shall comply with these regulations and any additional terms of the permit.

170.12 Definitions:

FOOD TRUCK A food service establishment mounted on wheels or otherwise designed to be immediately moveable.

SIGN Any device, fixture, placard, structure or attachment thereto that uses color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of any person or entity, or to communicate information of any kind to the public, whether commercial or noncommercial. Any portion of any awning, either freestanding or attached to a structure, decorated with any sign element, either attached or part thereof, shall be considered a wall sign.

TEMPORARY EVENT An event whose occurrence is limited to not more than 14 days per calendar year.

170.13 Location

- (A) Site Plan approval is required to establish a Food Truck Location.
- (B) Food Trucks are permitted within the following zones on lots with an existing commercial use.
 - a. Highway Commercial, Recreational Resort, Center Conway Village Commercial, Conway Village Commercial, Conway Village Residential, Center Conway Village Residential, Industrial One & Two.
- (C) Any Food Truck with a current permit may operate in an approved location.
- (D) One Food Truck is permitted per lot. Additional Food Trucks may be allowed by Special Exception. This restriction does not apply to Temporary Events.

170.14 Standards

- (A) Site Plan approval is required to establish a permanent Food Truck Location.
- (B) Site Plan applications must address the following:
 - a. Parking. Sites must maintain required parking for all operations as per site Plan Regulations 110-20.

- b. Garbage. Adequate garbage receptacles must be provided.
- c. Pedestrian Safety. Standing, waiting, or any pedestrian interaction with the Food Truck must be outside of any travel way.
- d. All businesses are required to make themselves accessible to people with disabilities under the Americans with Disabilities Act (ADA) Title III guidelines.
- e. No seating area is permitted with the travel way or parking lot. Seating areas shall be identified and approved by the Planning Board.
- f. Restroom facilities shall be available to patrons within the primary commercial structure or by temporary facilities placed on site. All restroom facilities must comply with ADA standards.

(C) Temporary Permits

- a. A Temporary Event Permit is required for any Food Truck to operate in a location without Site Plan approval and shall not remain in a location for greater than 14 days or as specified in a permit decision.
- b. Any Food Truck operating as a Temporary Event shall also possess a current Food Truck Permit.

170.15 Permit Required

- (A) Any Food Truck operating in the Town of Conway shall have a current permit.
- (B) Food Truck operators shall have in their possession a valid Mobile Food Unit permit from the New Hampshire Department of Health and Human Services unless a State exemption applies.
- (C) A Food Truck shall not be unattended for 30 or more minutes, parked or stored overnight on any public grounds, street, or highway.
- (D) Signage.
 - a. Approved Food Truck operations are permitted one A-Frame sign not to be placed within any public Right-of-Way and shall meet the following requirements:

- i. Placement must provide a minimum 6-foot clear path of travel between the edge of the A-frame signage and any obstruction in the sidewalk, such as light poles, and fire hydrants.
- ii. Signage shall not be used for general advertising, but only to identify business name and business information (e.g. operating hours, menu, slogan).
- iii. Signs may not be secured to facilities or buildings; they shall be removable at all times.
- iv. Additional signage shall require a sign permit.