City of Bryant, Arkansas
Community Development
210 SW 3rd Street Bryant, AR 72022
501-943-0943

Food Truck Permit Application

Date: _____

Business Information:

Name _____

Number of Employees _____

Federal Tax Employer ID Number _____

Arkansas State Sales Tax Number _____

Business Owner:

Name _____

Address _____

_____

Phone _____

Email _____

Contact Person:

Name _____

Address _____

_____

Phone _____

Email _____

Checklist for Submission

- ☐ Completed Application and Checklist
- ☐ Copy of Approval from **Arkansas Department of Health**
- ☐ Surety Bond in the sum of $1,000.00, payable to the city and conditioned for faithful performance of the payment of all applicable fees and penalties.
- ☐ **OR IN PLACE OF SURETY BOND,** Applicant can provide proof of Liability Insurance. (Further information on the details of liability insurance can be found in Section 2-4 of the Temporary Business Section of the Bryant Business Ordinance.)
- ☐ Business License Fee based on number of Employees. (Reference table for amount.)

Employees	0-10	11-25	26-75	76-100	101- Above
Fees	$300.00	$450.00	$750	$1,050.00	$1,350.00

READ CAREFULLY BEFORE SIGNING

I _____, do hereby certify that all information contained within this application is true and correct. I further certify that I agree too and will abide by all food truck rules and regulations as outlined in the Temporary Business Section of the Bryant Business Ordinance. I also understand that I shall comply with all additional applicable ordinances of the City as well as the requirements of all state and federal laws. Furthermore, I understand violation of Temporary Business Ordinance 2007-43 is a misdemeanor punishable by a fine of up to $500.00 per occurrence of violation. Each day's occurrence is a separate violation.

Owners Signature _____

CHAPTER 2 — TEMPORARY BUSINESSES

Section 2-1. Procedure: Application for obtaining authority to conduct a temporary business privilege license in the City of Bryant, Arkansas will be made to the Bryant Department of Community Development.

Section 2-2. Definitions:

a. For purposes of this Ordinance, a "temporary business" is defined as a free standing business operation in a temporary structure, portable building, trailer or tent for seasonal or short-term operation. It is further defined as having no permanent municipal water and wastewater services.

b. For purposes of this Ordinance, "portable commercial building" is defined as a building on wheels or skids that is not permanently affixed to a foundation that is being used for commercial purposes.

c. For purposes of this Ordinance, "Food Truck" is defined as a large vehicle or trailer equipped with facilities for cooking and selling food.

Section 2-3. Application:

1. Temporary Business
   a. Prior to establishing any temporary business within the city limits of Bryant, Arkansas, the applicant will submit a site plan to the City of Bryant Development Review Committee (DRC). This site plan must:
      - Show the exact location of the proposed temporary business establishment including the setbacks (25 Feet) from street right-of-ways, buildings, and other temporary businesses.
      - Clearly identify any open display areas(s)
      - Show the parking spaces to be dedicated by the owner of the property for use by this temporary business.
   b. In addition to the site plan, the applicant will submit a letter from the property owner stating that they are in agreement with the site plan. The applicant must provide proof of Federal Tax Employer Identification, State Sales Tax Numbers, and Department of Health Approval, if applicable.
2. Food Truck

   Prior to establishing any food truck within the city limits of Bryant, Arkansas, the establishment must agree to and abide by the following:

   - Must be 25 feet from property line, building entrances, and temporary businesses/food trucks. Must be 50 feet from a fireworks stand. (Does not apply to food trucks in an approved food truck court.)
   - Cannot set up in City of Bryant Right-Of-Way without permission from DRC. Must receive permission from AR DOT to be in their Right-Of-Way.

- Must provide sufficient on-site parking in a manner that does not interfere with street traffic.
- Must provide a trash service by providing at least one trash can that is regularly maintained during hours of operations.
- Must obtain a Conditional Use Permit for setup in any residential zone.
- The applicant must provide proof of Federal Tax Employer Identification, State Sales Tax Numbers, and Department of Health Approval, if applicable.
- Upon request, the applicant must provide proof of authorization from the property owner.

3. If the applicant is approved, the Development Review Committee shall confirm the classification of the temporary business and the time period the temporary business may operate in accordance with the schedule set forth below:

Use	Time Period
Carnivals	30 Days per permit
Fireworks stands or tents	30 Days per permit
Christmas tree stands, tents or lots	60 Days per permit
General commercial sales stands, tents or lots	90 Days per permit
Concession/refreshment/food truck	Yearly

4. The classification and length of permit duration for any other business, determined by the Development Review Committee to be of a temporary nature, may be set at the discretion of the Development Review Committee within the intent of the time and rules as stated herein.
5. The Development Review Committee may recommend to the Planning Commission that an application for a temporary business permit be denied if the application does not comply with the requirements of this ordinance. The Committee's decision to deny an application for temporary business permit will be reviewed by the Bryant Planning Commission at its regularly scheduled meeting. If the Commission accepts the recommendation to deny an application for a temporary business permit, the applicant has 30 days to appeal the Commission's decision to the Bryant City Council. The Bryant City Council shall hear the appeal at its regularly scheduled meeting and shall make the final decision as to the denial or approval of the temporary business permit.

Section 2-4: Surety Bond:

1. The applicant for licenses described in Section 2-3 above shall also file with the Community Development Department a surety bond in the sum of one thousand dollars ($1000.00), which shall be due before the license will be issued. Said bond shall be made payable to the City and conditioned for the faithful performance of the payment of all applicable fees and penalties provided for herein.
2. In place of a surety bond, an applicant can provide proof of Liability Insurance. An insurance Certificate naming the City of Bryant as additional insured, equipment liability insurance or other proof of insurance coverage may be deemed necessary by the City. The Certificate of insurance must cover liability for any injury to persons or

property caused by the proposed project. Self-insurance is not acceptable. The City reserves the right to demand inspection of the entire insurance policy and endorsements and will require at least 30 days prior notification of cancellation or nonrenewable during the time of the permit.

Section 2-5 Permitting:

1. In addition to a $25.00 application fee, all temporary businesses and food trucks within the City shall pay double the fees listed in Exhibit A hereto, based on number of employees, prior to conducting any trade, profession, occupation or pursuit. An application fee for each application shall be collected at the time of receipt of an application. The application fee shall be subtracted from the total business permit fee. All fees are based on a monthly fee and no portion of a monthly fee shall be reimbursed if the length of operation is less than one month. It shall be the duty of the Community Development Department upon the receipt of the amount of the temporary business or food truck privilege license fee provided herein to issue a license for every person, firm or corporation liable to pay such fee and to state in each license issued, the amount thereof, the period of time covered thereby, the name of the person, firm or corporation to whom issued and the business, occupation or profession to be carried on. All fees are nonrefundable.
2. The Temporary Business and Food Truck Permit shall be displayed during all hours of business operation; the permit is not transferable to another party.
3. Renewal of a permit shall be treated as a new application under the provisions of this ordinance.
    a. Exceptions: There will be no requirement to obtain a permit for a temporary business, which will only function for one day or less within a 30-day period. Any temporary business or food truck that will operate for more than a period of one day must obtain a permit, excluding schools, civic groups, community and church groups.
    b. Enforcement**:** The licensee shall comply with the provisions of all applicable ordinances of the City as well as the requirements of all state and federal laws. The City of Bryant Code Enforcement Division will periodically inspect for evidence of a valid temporary business permit. Violation of this Ordinance is a misdemeanor, which is punishable by a fine of up to $500 per occurrence of violation. Each day's occurrence is a separate violation and may be prosecuted by the City of Bryant, Arkansas as a separate offense.