

**Owosso  
Parks & Recreation  
Commission**



**Regular Meeting  
7:00 p.m. Wednesday, January 26, 2022  
City Hall, Council Chambers**

AGENDA  
Parks & Recreation Commission  
Wednesday, January 26, 2022  
7:00 PM  
Council Chambers

Call to order:

Pledge of Allegiance:

Roll call:

Approval of agenda: January 26, 2022

Approval of minutes: December 8, 2021

Public comments:

Communications:

New Business:

- Grove Holman bids and grant
- Kiwanis Donation/Match
- Food trucks
- Annual Report

Next Meeting: February 23, 2022

Public/Commissioners Comments:

Adjournment:

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours' notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy K. Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 or at (989) 725-0500. The City of Owosso website is: [www.ci.owosso.mi.us](http://www.ci.owosso.mi.us)

**PARKS AND RECREATION COMMISSION  
REGULAR MEETING**

WEDNESDAY, December 8, 2021

7:00 p.m.

City Hall, Council Chambers

**CALL TO ORDER:** Chairman Workman called the meeting to order at 7:01 p.m.

**PLEDGE OF ALLEGIANCE:** Was recited

**ROLL CALL:** Was taken by Amy Fuller

***MEMBERS PRESENT:*** Chairman Andrew Workman, Vice-Chair Jeff Selbig, Commissioners Carol Anne Smith, Gerald Bila and Ellen Rodman

***MEMBERS ABSENT:*** Commissioner Kevin Maginity

***OTHERS PRESENT:*** Amy Fuller

**APPROVAL OF AGENDA:** **COMMISSIONER SELBIG MADE A MOTION TO APPROVE THE AGENDA FOR DECEMBER 8, 2021. MOTION SUPPORTED COMMISSIONER SMITH. AYES ALL, MOTION CARRIED.**

**APPROVAL OF MINUTES:** **COMMISSIONER RODMAN MADE A MOTION TO APPROVE THE MINUTES FOR OCTOBER 27, 2021 WITH NO CHANGES. MOTION SUPPORTED BY COMMISSIONER BILA. AYES ALL, MOTION CARRIED.**

**PUBLIC COMMENTS:** Commissioner Selbig inquired about the open seat on the commission. Amy Fuller and Commissioner Rodman reported on the presentation given to the Kiwanis Club on December 7, 2021.

**COMMUNICATIONS:** None.

**OLD BUSINESS REPORT FROM CITY LIAISON:** The Grove Holman Building project is out for bid, the bid opening is scheduled for 12/21/21. A second dock for Hopkins Lake was ordered and arrived to DPW on 12/2/21. It will be installed on the east side of the lake this spring. This will complete one of the items on the Parks and Recreation Master Plan.

**NEW BUSINESS:**

Master Plan and CIP: The Commission reviewed items on the city's Capital Improvement Plan and the Parks Master Plan.

Next Meeting: January 26, 2022 at 7:00 PM in Council Chambers at City Hall

Public/Commissioners Comments: Commissioner Smith requested the Commission work on an annual report. Amy Fuller reported she would bring a draft to the January meeting.

**ADJOURNMENT:**

**COMMISSIONER SELBIG MADE A MOTION TO ADJOURN AT 8:16 P.M. MOTION SUPPORTED BY COMMISSIONER SMITH. AYES ALL, MOTION CARRIED.**

Respectfully submitted by:  
Amy Fuller, Assistant to the City Manager



City of Owosso  
 301 W Main Street Owosso, MI 48867  
 989-725-0535

**APPLICATION, POLICY AND PROCEDURES  
 FOR MOBILE FOOD VENDING LICENSES**

**IF YOU ARE APPLYING FOR A FESTIVAL/EVENT BEING HELD IN THE CITY OF OWOSSO,  
 YOU MUST CONTACT THAT FESTIVAL/EVENT COORDINATOR.**

***A separate license and separate application is required for each unit***

<b>1. Business Name:</b>		
Name of Food Truck:		
Address:		
Name of Individual Representing Business:		
Cell Phone:		Email:
<b>2. Is your business a licensed food service establishment based in the City of Owosso?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>3. Will you be vending on city property?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<i>If yes, please attach a certificate of general liability insurance for \$1 million per occurrence, with the City of Owosso named as certificate holder, along with an endorsement to the policy naming the City of Owosso as additional insured.</i>		
<b>4. Make/Model/Year of vending unit:</b>	<b>VIN:</b>	
<b>5. Do you have a fryer?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>6. Do you have a grill?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>7. Do you have a griddle?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>8. Do you have a broiler?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>9. How will you be disposing of grey water/untreated waste?</b>		
<b>10. Will you be using cooking fuel?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<i>If yes, please complete the following:</i>		
What type of cooking fuel are you using?		
Where, on the unit, will the cooking fuel be located?		
How much cooking fuel will be located on the unit?		
<b>11. Do you have an exhaust hood?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<i>If yes, please complete the following:</i>		
Who installed the hood?		
What is the address of the installer?		
What is the code/standard/year used in design of the hood?		
What is the mechanical license number?		
Date of last inspection on the exhaust hood system:		
<b>12. Do you have a suppression system?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<i>If yes, please complete the following:</i>		
Who installed the suppression system?		
What is the address of the installer?		
What is the code/standard/year used in design of the hood?		
What is the mechanical license number?		
Date of last inspection on the suppression system:		
<b>13. Do you have fuel piping?</b>	<input type="checkbox"/> YES	<input type="checkbox"/> NO

<i>If yes, please complete the following:</i>		
What code/standard/year used in fuel piping?		
Who installed the fuel piping?		
What is the mechanical license number of the fuel piping installer?		
<b>14. Please attach the following:</b>		
• Fees	• Michigan Sales Tax License	• Copy of Special Transfer Food Unit (MDARD)
• Photo of Unit	• Copy of State issued photo ID for all employees working at the unit	• Copy of the most recent 3 <sup>rd</sup> party fire suppression inspection (if applicable)
• Copy of license from Shiawassee County Health Department		
<b>15. Fee Schedule</b> (non-refundable AND permits are valid for six (6) months)		
<b>Location</b>	<b>May – October Fee</b>	<b>November – April Fee</b>
• City-controlled property	\$300	\$200
• Non-city property	\$150	\$100
• Year-round city food service establishments on city-controlled property	\$250/year	
• Year-round city food service establishments not on city-controlled property	\$0/year	
<b>16. Allow up to 10 days for City review</b>		
<b>17.</b> Have you ever had any licenses required by this City or any other State or Municipal authority revoked, suspended, or denied within three (3) years immediately prior to the date of this application? YES/NO		
<i>If yes, state the circumstances of any such revocation, suspension or denial:</i>		
I, the Applicant, acknowledge that all of the above information is true and correct to the best of my knowledge		
I have read and agree to comply with the rules and regulations stipulated by the City of Owosso for Mobile Food Vending of the Owosso Code of Ordinances		
I agree to hold harmless the City of Owosso, its agents, employees and associates now and forever for any damages, injuries or loss, personal or property, which may result due to the business related activities on city property		
I as the proprietor of the mobile food vending truck/cart take full responsibility for myself and my employees at said location		
I understand it is my responsibility to make certain by business operations conform with all State and County Food Service codes and requirements.		
<b>Signature of Applicant</b>		
<b>Printed Name</b>		
<b>Date</b>		
<b>18. FOR OFFICE USE ONLY</b>		
Date received:	Amount paid:	
<b>Department review:</b>	<b>Comments/Signature:</b>	
• Police/Fire Chief		
• DPW/Engineering		
• Building Department		
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	
Date license issued:	License #:	
Approved by:		

**CHECKLIST FOR MOBILE FOOD VENDING UNIT LICENSEE**

**(Keep this checklist for your records)**

<p><b>FESTIVALS/EVENTS TAKE PRECEDENCE OVER PUBLIC PARKING LOTS. YOU MUST CONTACT THE FESTIVAL/EVENT COORDINATOR TO PARTICIPATE.</b></p>	
1. Prominently display your license on your unit	
2. Allowed in commercially zoned districts on private property, City owned parks or City owned public parking lots (the following public lots are available):	
<ul style="list-style-type: none"> <li>• CITY HALL PARKING LOT</li> <li>• (ALLOW 2 UNITS)</li> </ul>	<ul style="list-style-type: none"> <li>• MAIN STREET PLAZA</li> <li>• (ALLOW 1 UNIT)</li> </ul>
<ul style="list-style-type: none"> <li>• PAYMASTER LOT</li> <li>• (ALLOW 1 UNIT)</li> </ul>	<ul style="list-style-type: none"> <li>• LOT #6 EXCHANGE/PARK STREET</li> <li>(ALLOW 1 UNIT)</li> </ul>
SEE MAP ON NEXT PAGE	
3. Provide waste receptacles at the site of the unit and remove all litter/debris on a daily basis.	
4. Not allowed on a public street in a residentially or commercially zoned district unless prior approval has been obtained through a Traffic Control Order and City Council authorization.	
5. No flashing/blinking/strobe lights, all exterior lights over 60 watts shall contain opaque, hood shield or direct the illumination downward	
6. No loud music, amplification devices or “crying out” which causes a disruption or safety hazard	
7. Comply with the City’s Noise Ordinance, Sign Ordinance and all other City Ordinances	
8. Comply with all applicable federal, state and county regulations	
9. Allowed one (1) portable sign – height of four (4) feet and square footage of eight (8) feet per side , located within five feet of the unit; can’t be placed on sidewalk nor impede pedestrian and/or vehicle safety.	
10. A mobile food vendor may only operate between the hours of 7 a.m. and 2 a.m.	
11. No Mobile Food Vending Unit may be left unattended for more than 2 hours on public property; and any Mobile Food Vending Unit not in operation shall be removed from public property between the hours of 2 a.m. and 7 a.m.	
12. Shall not utilize any electricity or power without the prior written authorization of the power customer. No power cable or similar device shall be extended at or across any city street, alley, or sidewalk except in a safe manner.	
13. The use of an inverter generator (reduction is noise level ) is required in the DDA District	

## Chapter XX MOBILE FOOD VENDING

### ARTICLE I. IN GENERAL

#### Sec. XX-1. Purpose.

This chapter is established to enable mobile food vending on public and private property. This chapter is enacted on the basis that mobile food vending can add to the vibrancy and desirability of Owosso. This chapter also provides a framework under which vendors are required to operate mobile food vending units.

#### Sec. XX-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mobile Food Vending* shall mean vending, serving, or offering for sale food and/or beverages from a Mobile Food Vending Unit which meets the definition of a Food Service Establishment under Public Act 92 of 2000. Vending may include the ancillary sales of non-food paraphernalia related to the Mobile Food Vending Unit.

*Mobile Food Vending Unit* shall mean any readily movable motorized wheeled vehicle or non-motorized towed vehicle designed and equipped to prepare, serve, and sell food and/or beverages.

*Operate* shall mean all activities associated with the conduct of business, including set up and take down and/or actual hours where the Mobile Food Vending Unit is open for business.

*Vendor* shall mean any individual engaged in Mobile Food Vending; if more than one individual is operating a single Mobile Food Vending Unit, then Vendor shall mean all individuals operating such a single Mobile Food Vending Unit.

#### Sec. XX-3. Permit required.

- a) No vendor shall engage in Mobile Food Vending without a permit from the building department authorizing such vending. The building department shall prescribe the form of such permits and application for such permit. All permits shall be predominantly displayed on the mobile food vending unit. No vending through a Mobile Food Vending Unit of food and/or other human consumables shall be permitted unless it meets the definition of Mobile Food Vending as defined by this ordinance.
- b) Permits may be issued by the building department for Six (6) month intervals being May through October and November through April. Any permit issued under this Chapter is non-transferable.
- c) Every vendor desiring to engage in Mobile Food Vending shall make a written application to the building department for a permit under this Chapter. The applicant shall truthfully state, in full, all information requested by the building department and be accompanied by a fee established by resolution of the City Council. Additionally, the applicant shall provide all documentation, such as insurance, as required by the city.
- d) An application for a permit under this Chapter shall be accompanied by a fee in the amount established by resolution of the City Council. There shall be no proration of fees. Fees are nonrefundable once a permit has been issued by the building department. No fee shall be charged to any honorably discharged veteran of the United State Military who is a resident of

the State of Michigan and submits official documentation evidencing such to the building department. If operating on non-city property, no fee shall be charged to a business which is on the city's tax rolls whose normal business includes the sale of food and/or beverages. No one shall hire or subcontract such vendors in an attempt to evade the provisions of this Chapter.

- e) A permit obtained under this Chapter shall not relieve any vendor of the responsibility for obtaining any other permit, or authorization required by any other ordinance, statute or administrative rule.
- f) If a permit is denied by the building department, the applicant may appeal to and have a hearing before the City Manager regarding the denied permit.
- g) The City Manager shall make a written determination, after presentation by the applicant and investigation by the building department, as to whether or not the grounds for denial, are true.
- h) If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of building department shall be sustained and the applicant may appeal the City Manager's decision to a court of competent jurisdiction.

## **ARTICLE II. REQUIREMENTS**

### **Sec. XX-4. Private property.**

Mobile Food Vending may be permitted on private property only in the following districts as indicated on the City of Owosso Zoning Map: B-1 Local Business, B-2 Planned Shopping Center, B-3 Central Business, B-4 General Business, OS-1 Office Service, and P-1 Vehicular Parking.

### **Sec. XX-5. Public property.**

- a) Mobile Food Vending may be permitted within Owosso City Parks. The building department shall request input from the Owosso Parks and Recreation Commission for any permit application within an Owosso City Park.
- b) Mobile Food Vending may be permitted within parking lots or spaces owned or controlled by the City of Owosso.
  - 1) Any Mobile Food Vending Unit with a valid permit may park in a city owned or controlled parking lot or space for the duration authorized by the permit.
  - 2) Mobile Food Vending Units shall not be restricted to the hours where parking would otherwise be allowed in the particular parking lot or space.
  - 3) Mobile Food Vending Units shall be prohibited from city owned or controlled parking areas where parking is prohibited altogether.
- c) Any Mobile Food Vending Unit located on a public street, including on-street parking areas, shall be required to obtain a Traffic Control Order and City Council authorization

### **Sec. XX-6. General requirements for private and public property.**

- a) Provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other waste attributes to the vendor on a daily basis.
- b) Not use any flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields or direct the illumination downward.
- c) Not use loud music, amplification devices or "crying out" or any other audible methods to gain attention which causes a disruption or safety hazard as determined by the City.
- d) Comply with the city's Noise Ordinance, Sign Ordinance and all other City ordinances.



- e) Comply with all applicable federal, state and county regulations
- f) May have one portable sign that shall not exceed an overall height of four (4) feet and a maximum square footage of eight (8) feet per side, located within five feet of the unit; and under no circumstances shall such sign be placed upon the sidewalk or impede pedestrian and/or vehicle safety.
- g) A mobile food vendor may only operate between the hours of 7 a.m. and 2 a.m. Other restrictions regarding hours of operation may be established by resolution of the City Council.
- h) Any Mobile Food Vending Unit not in operation between the hours of 2 a.m. and 7 a.m. shall be removed from public property.
- i) No Mobile Food Vending Unit may be left unattended for more than 2 hours on public property.
- j) Shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended at or across any city street, alley, or sidewalk except in a safe manner.

### **ARTICLE III. ENFORCEMENT AND PENALTIES**

#### **Sec. XX-7. Complaints, permit revocation and appeals.**

- a) If a written complaint is filed with the building department alleging a Food Vendor has violated the provisions of this Chapter, the building department shall promptly send a copy of the written complaint to the vendor together with a notice that an investigation will be made as to the truth of the complaint.
- b) Upon receiving the notice of investigation, the vendor may respond to the complaint and present evidence regarding the complaint and/or the investigation.
- c) If the building department, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified.
- d) The building department shall revoke the permit of any vendor engaged in Mobile Food Vending who ceases to meet any requirement of this Chapter or violates any other federal, state or local regulation, makes a false statement on their application, or conducts activity in a manner that is averse to the protection of the public health, safety and welfare.
- e) Immediately upon such revocation, the building department shall provide written notice to the permit holder by certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the permit shall become null and void.
- f) If a permit is revoked by the building department, or if a written complaint is certified pursuant to this Chapter, the holder of a permit may appeal to and have a hearing before the City Manager.
- g) The City Manager shall make a written determination, after presentation by the applicant and investigation by the building department, as to whether or not the grounds for revocation or the written complaint are true.
- h) If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of building department or filing of the complaint shall be sustained and the applicant may appeal the City Manager's decision to a court of competent jurisdiction.

#### **Sec. XX-8. Appearance tickets.**

The Police Chief and sworn officers of the Police Department, or such other officials as designated by the City Manager are authorized to issue and serve appearance tickets with respect to a violation of this

Chapter pursuant to Michigan law. Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

**Sec. XX-9. Civil infractions.**

A vendor who violates this Chapter is responsible for a civil infraction and subject to a fine of \$500 per day.

**Sec. XX-10. Impoundment from public property.**

Any equipment associated with Mobile Food Vending on public property that is found to not be in compliance with this Chapter may be impounded at the owner of the equipment's expense.

DRAFT