



Mobile Food Vending Permit Application

Overview

The City of Stonecrest wishes to provide economic opportunity for small businesses, provide a variety of goods and services for sale, and promote stable vendors who will enrich the City's ambiance and act as assets to public security.

Any person engaging in the business or trade of vending within the City of Stonecrest must first obtain a business license by registering the name of the business and providing payment of the occupational taxes levied. Vending on privately-owned commercial or industrial property without a permit issued shall be unlawful. Vending on public property in the incorporated boundaries of the city shall be prohibited. *Public property and public space both* mean, any property owned by the City of Stonecrest within street rights-of-way, including any roadways and sidewalks, but excluding city-owned parks. Vending shall only be permitted in city-owned parks or property where such activity is associated with a special event and/or subject to regulation under a more specific permit.

General Guidelines

The annual permit fee for all valid vendor permits shall be \$75.00.

An application for permit, including the proposed vending areas, must be submitted for approval at least 30 calendar days prior to the proposed vending start date. A valid vendor permit will be issued for a one-year period. When the one-year permit expires, a vendor may apply for a renewal permit which allows the vendor to vend for another one-year period. All valid vendor permits are required to be renewed annually on or before March 1. All annual permit fees and applicable annual maintenance fees are due and payable at the time of renewal.

All valid vendor permits are nontransferable, and must be displayed in clear view, together with the vending permit photo identification card, at the permitted location or designated area at all times when the vendor or assistant vendor is present.

No valid vendor permit shall be issued to any person who has been convicted within five years immediately prior to the filing of the application for any felony or misdemeanor relating to drug possession and related matter; crimes of moral turpitude; larceny, fraudulent conveyance, perjury and/or false swearing, or subrogation. Any conviction for dealing and/or trafficking in illegal drugs will automatically disqualify an applicant.

Requirements

All vending businesses wishing to sell prepared food items in the City of Stonecrest must obtain a mobile food unit permit or written approval from the DeKalb County Board of Health. This must be obtained before applying for a City of Stonecrest mobile food vending permit. To learn more, visit the DeKalb County Board of Health website at <https://www.dekalbhealth.net/envhealth/food-safety/>



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Requirements - continued

Vending businesses wishing to sell commercially pre-packaged food items must obtain a food license from the Georgia Department of Agriculture or a letter from the department stating that a food license is not required. A copy of this license or letter must be included when applying for your City of Stonecrest mobile food vending permit. To learn more, visit the Georgia Department of Agriculture's website at <https://www.agr.georgia.gov/mobilevehlicense.aspx>

The Georgia Department of Public Health's guidelines on mobile food services like food trucks, can be found at <https://dph.georgia.gov/environmental-health/food-service>. Click the dropdown menu for "Mobile Food Services".

All vendors shall provide the City with proof of a Georgia Sales Tax Certificate and file with the Georgia Department of Revenue (GDOR) the appropriate forms and remit monthly sale tax revenues to GDOR. Information regarding sales and use tax registration with the State of Georgia can be found at <https://dor.georgia.gov/taxes/business-taxes/sales-use-tax/sales-and-use-tax-registration-f>



Mobile Food Vending Permit Application Notice of Rules and Standards

It is the intent of the City of Stonecrest to establish a uniform set of rules and regulation which are fair and equitable to serve and protect the health, safety, and welfare of the general public

Operational Rules

- (a) Hours of operation shall be between 7:00 a.m. and 6:00 p.m., or as previously approved by the City Manager or his designee in connection with a special event permit.
- (b) Any and all signage must comply with the City of Stonecrest Code of Ordinances, chapter 21.
- (c) Vendors may offer items permissible for sale only.
- (d) All vendors shall display their valid vending permits, photo identification card, and any required copies of licensing agreements at the valid vendor location.
- (e) All vendors must maintain an auditable point-of-sale system to track and report on sales revenue and appropriate taxation in accordance with the requirements of section 15-19-3.
- (f) Vending operations may not obstruct vehicular traffic flow except for up to 15 minutes to load and unload vending carts and merchandise.
- (g) Vending operations, including, but not limited to, the display of merchandise and may not exceed the approved operating area.
- (h) Vending carts and/or food trucks shall not be left unattended or stored at any time in the operating area when vending is not taking place or during restricted hours of operation.
- (i) Vending carts and/or food trucks should not occupy more than one standard parking space.
- (j) Vending carts and/or food trucks shall not operate on vacant or undeveloped lots.
- (k) Vending carts and/or food trucks shall be located within 100 yards of the principal structure of the lot upon which it intends to vend.
- (l) Vending carts and/or food trucks are allowed to stay at any one place of operation for a maximum of four hours.
- (m) Vendors offering prepared food shall obtain the proper authorization and permits from the DeKalb County Board of Health or the comparable department of another municipality.
- (n) Vendors offering pre-packed food and prepackaged beverages shall obtain the proper authorization from the Georgia Department of Agriculture.
- (o) Valid vendor locations shall:
 - (1) Not be within 15 feet of street intersections or pedestrian crosswalks or 15 feet of building entrances/exits or within 50 feet of hotels/motels;
 - (2) Not be within 15 feet of a driveway, bus stop, crosswalk, or intersection;
 - (3) Provide a minimum of five feet of unobstructed pedestrian space;



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- (4) Not be within 15 feet of a fire hydrant driveway; and
- (5) Not be within 600 feet of the closet property line of any public or private elementary, middle or high school.

Aesthetic Standards

- (a) Length of the cart may not exceed seven feet and width may not exceed four feet in height, excluding canopies, umbrellas, or transparent enclosures; may not exceed five feet;
- (b) Canopies shall have a minimum clearance of seven feet and a maximum height of nine feet, six inches above the sidewalk;
- (c) Canopies may not exceed 48 square feet (eight feet by six feet);
- (d) All carts must be mobile, and able to roll on wheels;
- (e) The design, materials, and colors are to be of natural wood or metal products and considerate of the immediate surroundings of the proposed location;
- (f) Materials must be in working order, and may not include peeling paint, visible defects or areas requiring maintenance;
- (g) The wheels located under the cart are preferred; however projecting wheels must have fenders;
- (h) Hitches attached to the cart must be removable and detached when in operation; and
- (i) If used, propane tanks must be enclosed.

Motor Vehicle Vendors

The City of Stonecrest allows vendors selling ice cream or other pre-packaged food and/or non-alcoholic pre-packaged beverages out of motor vehicles in the public right-of-way without stopping or standing to do business for more than 30 minutes. Mobile vehicle vendors shall not be restricted to an operational area or location specifically listed as valid vendor locations. All vendors shall display their valid vending permit and license in the approved vehicle.

The rules and guidelines for a motor vehicle vendor include, but are not limited to:

- (a) All vendors shall display their valid vending permit and license in the approved vehicle.
- (b) Motor vehicle vendors shall not be permitted to sell prepared food or prepared non-alcoholic beverages.
- (c) Mobile vehicle vendors shall not stop or stand and do business for more than 30 minutes.



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- (d) Before making any sale, mobile vehicle vendors must park the vehicle at the right curb and at least eight feet from any other vehicle that may be parked on the street and not less than 100 feet from any intersecting street. When the vending vehicle stops, all sound equipment or other devices used to notify customers of the presence of the vendor shall be stopped and shall not be resumed until the vehicle is again put in motion.
- (e) No vehicle using sound equipment or other method of attracting customers shall operate such equipment between the hours of 9:00 p.m. and 9:00 a.m. daily. On days in which schools are in session, no motor vehicle shall be operated within 600 feet of any public school in the city one hour before or one hour after published school hours.
- (f) Mobile vehicle vendors shall affix to their motor vehicle, or a receptacle for trash, which shall be maintained and emptied regularly, and which shall be marked as being for trash. Motor vehicle vendors are responsible for the removal of trash within a 25-foot radius surrounding their vehicle.
- (g) All motor vehicle vendors are required to have auditable point-of-sale system to track and report on sales revenue and appropriate taxation in compliance with state law.

I have read and received a copy of the City of Stonecrest’s Mobile Food Vending Permit Notice of Rules and Standards.

Name (print)

Signature

Date



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BACKGROUND INVESTIGATION CONSENT FORM

To: City of Stonecrest Finance Department, Revenue Division
3120 Stonecrest Blvd., Stonecrest, GA 30038

With regards to my application for a Mobile Food Vending Permit, I hereby authorize the City of Stonecrest Revenue Division to receive any criminal history record information pertaining to me, which may be in the files of any State or Local Criminal Agency in Georgia.

Last Name *First Name* *Middle Name*

Street *City* *State* *Zip*

Sex *Race* *Date of Birth*

Signature *Social Security Number* *Date*



NON-CRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant that is the subject of a Georgia only or a Georgia and Federal Bureau of Investigation (FBI) national fingerprint/biometric-based criminal history record check for a non-criminal justice purpose (such as an application for a job or license, immigration or naturalization, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification that your fingerprints/biometrics will be used to check the criminal history records maintained by the Georgia Crime Information Center (GCIC) and the FBI, when a federal record check is so authorized.
- If your fingerprints/biometrics are used to conduct a FBI national criminal history check, you are provided a copy of the Privacy Act Statement that would normally appear on the FBI fingerprint card.
- If you have a criminal history record, the agency making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The agency must advise you of the procedures for changing, correcting, or updating your criminal history record as set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a Georgia or FBI criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the agency denies you the job, license or other benefit based on information in the criminal history record.
- In the event an adverse employment or licensing decision is made, you must be informed of all information pertinent to that decision to include the contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision shall be a misdemeanor [O.C.G.A. § 35-3-34(b) and §35-3-35(b)].

You have the right to expect the agency receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of state and/or federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

If the employment/licensing agency policy permits, the agency may provide you with a copy of your Georgia or FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, information regarding how to obtain a copy of your Georgia, FBI or other state criminal history may be obtained at the [GBI website](http://gbi.georgia.gov/obtaining-criminal-history-record-information) (<http://gbi.georgia.gov/obtaining-criminal-history-record-information>).

If you decide to challenge the accuracy or completeness of your Georgia or FBI criminal history record, you should send your challenge to the agency that contributed the questioned information. Alternatively, you may send your challenge directly to GCIC provided the disputed arrest occurred in Georgia. Instructions to dispute the accuracy of your criminal history can be obtained at the [GBI website](http://gbi.georgia.gov/obtaining-criminal-history-record-information) (<http://gbi.georgia.gov/obtaining-criminal-history-record-information>).



Authority: The FBI’s acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI’s Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI’s Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

I have read and received a copy of the Privacy Act Statement.

Name (print)	Signature	Date
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CHECKLIST

An application for permit must be submitted for approval at least 30 calendar days prior to the proposed vending start date. The items below must be submitted prior to issuance of a permit. Failure to provide documents will delay processing of the application. All applicants shall furnish all data, information and records requested of them within ten days from the date of request. Failure to furnish such information within ten days shall automatically dismiss, with prejudice, the application.

- Notarized application form
- Permit Fees and applicable business license and occupational tax fees.
- Background investigation consent form. This form will be submitted to the DeKalb County Police Department. The fee for the background check must be paid separately to the DeKalb County Police Department.
- Privacy Act Statement signed and dated
- Notice of Rules and Standards signed and dated
- List of proposed vending areas with estimated times and days/dates vending will occur
- Certifications of approval of vending locations form private property owners
- Dimensional site plan drawing for each vending location
- Copy of a Georgia Department of Revenue issued sales and use tax registration
- Valid government issued ID and two (2) original 2x2 passport photos.
- General description of items permissible for sale to be sold or offered for sale
- Georgia Department of Agriculture Food License or Letter not requiring confirmation for Pre-packaged food items
- DeKalb County Board of Health mobile food unit permit or written approval for prepared food
- State Commissioner of Veterans' Service issued Certificate of Exemption (If submitting application as a disabled veteran)
- Notarized E-Verify Private Employer Affidavit
- Notarized S.A.V.E. Public Benefit Affidavit

Name (print)

Signature

Date



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Date: _____ BL# _____

Permit Type: Food Cart Food Truck Motor Vehicle Other: _____

Items offered for sale (check all that apply):

Prepackaged Food Prepared Food
 Prepackaged Non-alcoholic Beverages Prepared Non-Alcoholic Beverages

Applicant's Name: _____

Applicant's Current Address: _____

Business Name: _____

Business Telephone Number: _____ Cell Number: _____

Business Address (physical location): _____ Suite or Apt No.: _____

City, State, Zip: _____

E-mail: _____

Type of Ownership (check one): Corporation LLC Sole Owner Partnership Other _____

Corporate/Owner's Name: _____

Corporate/Owner's Address: _____

Mailing Address: _____ Suite or Apt No.: _____

City, State, Zip: _____

Contact Person: _____ Phone Number: _____

Fed ID or SSN (Owner): _____ Sales Tax ID: _____

Are you a Veteran? Yes No If yes, please provide certificate of exemption.



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Previous addresses past 5 years (please attach additional page if needed):

General description of the items permissible for sale to be sold or offered for sale (please attach additional page if needed):



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Proposed vending locations with estimated times and days/dates vending will occur. For each vending location a certificate/letter of approval from the private property owner must be submitted.



S.A.V.E. Public Benefit Affidavit O.C.G.A. § 50-36-1

Instructions: As required by Georgia Security and Immigration Compliance Act of 2006, as amended, every agency administering or providing Public Benefits is responsible for requiring that applicants for public benefits execute a sworn affidavit verifying the applicant’s lawful presence in the United States (Ga. Code 50-36-1(f)(2)). The applicant shall execute this affidavit in front of a Notary and return it to the city along with the associated application, renewal form, contract, bid packet, or other applicable document.

By executing this affidavit under oath, as an applicant for (Occupational Tax license or Alcoholic Beverage license or any other public benefit) as referenced in O.C.G.A. § 50-36-1, from the City of Stonecrest, the undersigned applicant verifies one of the following with respect to my application for public benefit.

(Please check one)

- 1) ____ I am a United States citizen. (REQUIRES VERIFICATION AT SUBMISSION)
- 2) ____ I am a legal permanent resident of the United States.
- 3) ____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by Georgia Law O.C.G.A § 50-36-1(f). A complete list of secure and verifiable documents have been provided within application packet.

REQUIRES VERIFICATION AT SUBMISSION – Which type of secure and verifiable document was provided with this affidavit? _____.

In making the above representation under oath, I understand that any person who knowingly and willfully who makes a false, fictitious, or fraudulent statement or representation in this affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

THIS FORM MUST BE NOTARIZED AND SIGNED

I _____ (representative for) _____
Applicant Printed Name (Name of BUSINESS, corporation, partnership, etc.)

Signature of Applicant Date

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE ____ DAY OF _____, 20 ____

Executed in _____ (City), _____ (State)

NOTARY PUBLIC Signature My Commission Expires



E-Verify Private Employer Affidavit O.C.G.A. § 36-60-6(d)

The e-verify private employer affidavit must be collected when applying for occupational tax certificates, business licenses, permits and alcohol licenses. The City of Stonecrest will not issue initial licenses, certificates or renewals without a completed Private Employer Affidavit on file.

By executing this affidavit under oath, as an applicant for a _____ (Occupational Tax Certificate, Business License, Alcohol License or other document required to operate a business as referenced in O.C.G.A. § 36-60-6(d), from the City of Stonecrest, the undersigned applicant representing the private employer known as _____ (Printed Name of Business) verifies one of the following with respect to my application for the above-mentioned business document:

1. Choose ONE of the following:

- (A) _____ On January 1st of the below signed year the individual, firm, or corporation employed **more than 10 employees**. If the employer selected (A) please fill out section 2 below.
- (B) _____ On January 1st of the below signed year the individual, firm, or corporation employed **10 or fewer employees**. If the employer selected (B) section 2 is not required.

2. The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6(a). The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as listed below:

E-Verify # User Identification Number	Date of Authorization
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In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20 and face criminal penalties allowed by such statute.

THIS FORM MUST BE NOTARIZED AND SIGNED

Applicant Printed Name	Signature of Applicant	Date
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SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 20 _____

Executed in _____ (City), _____ (State)

NOTARY PUBLIC Signature	My Commission Expires
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SECURE AND VERIFIABLE DOCUMENTS

The following list of secure and verifiable documents, published under the authority of O.C.G.A. § 50-36-2 contains documents that are verifiable for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status.

- A United States passport or passport card
- A United States military identification card
- A driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
**Please note that a driver's license from one of the following states is NOT acceptable at this point due to non-compliance with the immigration verification prior to issuance: Alaska, Idaho, Illinois, New Jersey, New Mexico, New York, Rhode Island, Utah or Washington, PENDING: Maryland and Massachusetts.
- An identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
- A tribal identification card of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at <http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm>
- A United States Permanent Resident Card or Alien Registration Receipt Card
- An Employment Authorization Document that contains a photograph of the bearer
- A passport issued by a foreign government
- A Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard
- A Free and Secure Trade (FAST) card
- A NEXUS card
- A Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card
- A unexpired driver's license issued by a Canadian government
- A Certificate of Citizenship issued by the United States Department of Citizenship and
- Immigration Services (USCIS) (Form N-560 or Form N-561)
- A Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570)

In addition to the documents listed herein, if, in administering a public benefit or program, an agency is required by federal law to accept a document or other form of identification for proof of or documentation of identity, that document or other form of identification will be deemed a secure and verifiable document solely for that particular program or administration of that particular public benefit. [O.C.G.A. § 50-36-2(c)]