

ORDINANCE 15-03

AN ORDINANCE REGULATING ICE CREAM TRUCK VENDORS AND DOOR TO DOOR SALES/SOLICITATION WITHIN THE CITY OF DECATUR, ARKANSAS, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS IT IS HAS COME TO THE ATTENTION OF THE CITY COUNCIL OF THE CITY OF DECATUR THAT THERE IS A NEED FOR REGULATION OF ICE CREAM VENDORS AND DOOR TO DOOR SALES AND SOLICITATION WITHIN THE CITY OF DECATUR, THE CITY COUNCIL PASSES THE FOLLOWING ORDINANCE TO REGULATE ICE CREAM TRUCKS AND DRIVERS AS FOLLOWS:

APPLIES TO DOOR TO DOOR SALES/SOLICITATION AND ICE CREAM TRUCK VENDORS

1. Any individual or business performing ice cream truck or door to door operations must have a city business license, and a state tax ID.
2. Any individual or business performing ice cream truck or door to door operations must provide a copy of a driver's license, state ID, or passport to the city for each driver or sales person. (Any driver must have a valid driver's license).
3. Any individual or business performing ice cream truck or door to door operations must provide valid addresses and phone numbers for their place of business.

APPLIES TO ICE CREAM TRUCK VENDORS ONLY

1. Drivers must carry valid proof of insurance in vehicles at all times
2. Must be 18 years of age, with a Valid Driver's license
3. Must submit to a background check on all drivers, with a fee of \$5.00 per licensed driver payable the City of Decatur Police Department.

No permits shall be issued if applicant has:

- a. Any felony of any kind for the past five years
- b. A felony conviction was for sexual offense, an offense involving drugs, or use of a firearm or if it was a violent crime, regardless of when the felony occurred, regardless of when the crime occurred.
4. Must submit a background check to the Arkansas State Police.
5. Vendors truck equipment must include:

- a. Slow signal arm to be used when vehicle is stopped for the purpose of vending.
- b. Convex mirrors
- c. Signs- "slow children crossing"
- d. Trash Receptacles
- e. Copy of Health department permit if items sold are not pre-packaged

6. Operation of Ice cream trucks

- a. No vending before 10:00am or thirty minutes after sunset
- b. No vending on streets where the speed limit exceeds 30mph.
- c. No vending to person in the roadway, must vend from the right side of the truck
- d. No vending within 500 feet of a school when School is in session.

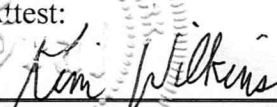
7. Penalty for violation. Any person violating this Ordinance shall be subject to a fine of \$ 500.00

In the event of a continuing violation, each and every day the violation continues is considered a separate and punishable offence. Each sales transaction completed in violation of the terms of this ordinance shall be a separate violation.

EMERGENCY: Certain factors, including the need for ensuring the safety of ice cream truck operations and of children, exist to make the implementation of this Ordinance an urgent matter. Accordingly, the immediate effectiveness of the provisions of this Ordinance is necessary and proper for the preservation of the peace, health, safety, and welfare of the residents of Decatur, Arkansas; and, therefore, an emergency is declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 8th day of June 2015.


Bob Tharp, Mayor

Attest:


Kim Wilkins, Clerk

