



Town of Oak Island · Development Services
4600 E Oak Island Dr · Oak Island, NC 28465
910·278·5024

Food Truck Business License Application

Location of Proposed Food Truck Operation: _____

Days & Hours of Operation: _____

Business Name: _____

Contact Name: _____

Address: _____

Phone: _____

For Office Use Only

Notes or special conditions: _____

Approval: _____ Date _____

I acknowledge that I, the applicant, have received a copy (see back of form) and explanation of all the rules and regulations pertaining to this permit.

Signature of applicant

Date

Note: Name and address of the above must be the same as on applicant's driver's license or other legal identification, and a **copy of the ID used must be attached** to this permit

SECTION 7.43 FOOD TRUCKS.

Food trucks shall be permitted in accordance with Section 6.5, subject to the following standards:

7.43.1. Exceptions to the Process.

7.43.1.1. Food trucks may conduct sales while parked on a public street when the Town Council has approved a temporary street closing for a Town-sponsored or civic event such as a street festival/ fair.

7.43.2. Food Truck Location.

Food trucks cannot set up within 50 feet of a competing business, merchant or vendor retailing the same goods and merchandise, unless located within a specialty market. Food trucks operating on the same site as a restaurant with a current inspection from the Brunswick County Environmental Health Department are exempt from this separation requirement. Additionally, food trucks must be parked at least 15 feet from any fire hydrant, and five feet away from any driveway, sidewalk, utility box or vault, handicapped ramp, building entrance or exit, or emergency call box. These minimum distance requirements are all measured in a straight line from the closest point of the proposed food truck location to the closest point from the buffered point, or in the case of a restaurant measured from the closest point of the restaurant's main entrance. If a zoning permit is issued and a restaurant subsequently opens within 100 feet (measured from the restaurant's main entrance) of the approved food truck location, the food truck may continue to operate until the permit expires.

7.43.3. Zoning Permit.

The zoning permit must be signed by the property owner and completed and submitted along with a site plan or plot plan. If a property owner has a property large enough to accommodate more than one food truck, only one zoning permit is required to be submitted showing the location of all food trucks. The plot plan must show the limits of the property, the location(s) of the proposed food truck, and label adjoining uses on neighboring properties. The applicant must also submit a NC Department of Agriculture Permit, a copy of the vehicle or trailer registration, and proof of compliance with the Brunswick County Health Department regulations. The permit applications must include the property owners' signatures. Fees for these permits shall be as established in the town's yearly fee schedule. The maximum number of food truck licenses to be issued is 10 per year with the restriction that licenses are limited to one per itinerant merchant or vendor. Food trucks must renew license annually. Business license for food truck vendors shall be valid for one year.

7.43.4. Parking.

Food trucks may not occupy any required parking stall for the primary use while the primary use is open to the public, thereby resulting in an overloading of parking spaces. Food trucks and the primary use may share parking spaces when having separate hours of operation. Parking stalls that are overflow or extra according to the regulations in the UDO may be used to park a food truck; however, parking stalls leased to another business or adjacent use may not be used unless the food truck is operating under separate hours of operation. Food trucks may not park in handicapped accessible parking spaces, nor can they park in access or drive aisles. The approved location for the parking trucks, as shown on the zoning permit, must be physically marked. The food truck parking space can be marked with paint, tape or other easily identifiable material. Food trucks may not be parked in an approved location after hours of operation. Parking shall be provided in accordance with Article 10, Part III.

7.43.5. Hours of Operation.

Food trucks may operate between the hours of 7:00 AM and 10:00 PM.

7.43.6. Prohibitions.

Food trucks may not use audio amplification or freestanding signage. All equipment associated with the food trucks must be located within three feet of the food truck. The food truck operator is responsible for disposing of all trash associated with the operation of the food truck. Town trash receptacles may not be used to dispose trash or waste. All areas within five feet of the food truck must be kept clean. Grease and liquid waste may not be disposed in tree pits, storm drains, the sanitary sewer system or public streets. Food trucks are all subject to the Town-wide noise ordinance.

7.43.7. Maximum Number of Trucks Per Property.

7.43.7.1. Maximum of two food trucks on lots of one-half acres or less.

7.43.7.2. Maximum of three food trucks on lots between one-half acre and one acre.

7.43.7.3. Maximum of four food trucks on lots greater than one acre.

7.43.7.4. Outdoor seating associated with a food truck is only permitted on lots at least two acres in size or greater.

(Ord. of 10-9-2018; Amend. of 10-13-2020(2))

7.43.8. Food Truck Rodeos

7.43.8.1 Unimproved commercial property may develop a location for the exclusive use of food trucks subject to the performance standards of Chapter 10 of the UDO and the regulations of this Section.

7.43.9. Permanent Food Truck Locations

7.43.9.1 Commercial businesses may, as a part of a site plan approved per Article 5 of this UDO, install a permanent food truck location on their site subject to the regulations of this Section except those related to spacing from a competing business found in 7.43.2. The business shall be responsible for all permitting and documentation that the Food Trucks using the location meet the requirements of this Section.