

**CARROLLTON TOWNSHIP  
SAGINAW COUNTY, MICHIGAN**

**ORDINANCE NO. 2021-01**

The Board of Trustees of Carrollton Township, Saginaw County, Michigan ordains that the Carrollton Township Code of Ordinances be amended as follows:

**SECTION I: PURPOSE.**

CHAPTER 18, BUSINESSES, ADDING ARTICLE IV. – FOOD VENDORS, SEC. 18-62 – DEFINITIONS AND SEC. 18-63 – REQUIRED, OF THE CARROLLTON TOWNSHIP CODE OF ORDINANCES is hereby amended to read as follows:

**ARTICLE IV. – FOOD VENDORS.**

**Sec. 18-62. – Definitions.**

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*Food* - Any good or substance, solid or liquid, which is customarily edible; Food includes prepacked food and non-prepackaged food.

*Food Vendor* - A person who travels from place to place and who sells or offers to sell food which accompanies the person. Food vendor includes each individual assistant to or supplier for another food vendor. Food vendor also includes a food vendor who operates from, in, or through a temporary food service establishment or a mobile restaurant.

*Mobil Restaurant* - Any vehicle which is used to transport food for human consumption from a licensed establishment, commissary, catering kitchen, food processor, or similar licensed food service to be served directly from said vehicle at locations such as factories, construction projects, or similar prearranged stations on private property.

*Non-Prepacked Food* - Food which is not wrapped, packaged, or bottled pursuant to the laws of the State or the United States. Non-Prepacked food includes, but is not limited to, fruit and vegetables, hot dogs, burgers, grilled food prepared on location, ice cream served in cups or cones, ices, soft drinks in cups, popcorn, and cotton candy and other confections.

*Prepackaged Food* - Food which is wrapped, packaged, or bottled pursuant to the laws of the State or the United States.

*Supplier* - A person who knowingly provides or supplies a food vendor by oral or written contract or agreement or other understanding. A supplier does not include a person who has no knowledge or agreement that the food supplied to the food vendor is to be sold or offered for sale by the food vendor.

*Temporary Food Establishment* - Any establishment, mobile or fixed, where food is served or provided for the public on the premises or elsewhere which operates at a fixed location for a temporary period of time, not to exceed 14 days.

**Sec. 18-63 – Required.**

- (a) A food vendor shall not operate within the Township unless the food vendor is in possession of and carries with them a valid license issued by the Township.
- (b) A license shall not be issued by the Township unless the food vendor supplies the Township with a copy of one and all valid licenses or certificates required by the county or the state or the United States pursuant to a state or federal statute or regulation.
- (c) A food vendor shall not be licensed unless they are at least 14 years of age. Applicants under 16 years of age shall submit the written consent of a parent or guardian. An applicant for such license shall submit with the applications satisfactory proof that all suppliers furnishing the food vendor with a vehicle or equipment or goods for the food vendor shall also have a license under this division (c).
- (d) No food vendor shall have exclusive right to any location in the public streets except as provided in division (f) below; no food vendor shall be permitted to make a sale within 50 feet of a street intersection, park on a public roadway except as provided in division (f) below, park on school property or private property without the consent of the owner or person in possession thereof or person responsible for permitting such parking; no food vendor shall enter a public park or public playground except as provided by division (f) below. A food vendor shall not be permitted to operate in any congested area where their operations might impede or inconvenience the public. For the purpose of this division (d), the judgement of a police officer exercising good faith shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.
- (e) A food vendor may sell or offer for sale any prepackaged foods as defined in *Sec. 18-62 – Definitions* above if the food vendor also is in compliance with all applicable state and federal laws and regulations.
- (f) A temporary food establishment or a mobile restaurant may not park or locate on any public street, public roadway, public park or any public property except with the permission of the Township Director or his or her designee.

**SECTION II: REPEAL AND SAVINGS CLAUSE**

All other ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed.

**SECTION III: EFFECTIVE DATE**

This Ordinance shall take effect immediately after adoption.

Adopted: April 12, 2021

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Phillip E. Abney, Supervisor

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Jerry W. Fritz, Clerk

**CERTIFICATION**

STATE OF MICHIGAN  
COUNTY OF SAGINAW

I, Jerry W. Fritz, the duly elected Clerk of Carrollton Township, do hereby declare that the foregoing is a complete and true copy of Ordinance No. 2021-01, which was adopted at a regular meeting of the Carrollton Township Board held April 12, 2021, the original of which proceedings is on file in my office. Public notice of said meeting was given to and in compliance with Act 267, Public acts of Michigan, 1976.

Signed: \_\_\_\_\_  
Jerry W. Fritz, Clerk

Date: April 12, 2021