

Village of Nashville  
Ordinance No. 5-14-2026

**AN ORDINANCE TO REGULATE THE OPERATION OF MOBILE FOOD VENDING ON VILLAGE PROPERTY, AND THE ISSUANCE OF PERMITS, LICENSES OR APPROVALS FOR MOBILE FOOD VENDING UNITS IN THE VILLAGE OF NASHVILLE.**

**THE VILLAGE OF NASHVILLE ORDAINS:**

**Section 1. PURPOSE.**

The purpose of this ordinance is to establish a policy to manage mobile food vending businesses in the public areas of the Village of Nashville (sometimes referred to as the “Village”); to establish a framework to permit and regulate mobile food vending service Vendors in the Village of Nashville on public property; to reduce vehicular and pedestrian traffic congestion; to promote the safe use of streets and sidewalks; and to protect the health, safety and welfare of the people of the Village of Nashville.

**Section 2. MOBILE FOOD VENDING SERVICE VENDOR DEFINED.**

For the purposes of this Ordinance, unless the context clearly indicates or requires a different meaning, “Mobile Food Vending Service Vendor” or “Mobile Food Vender Unit” means a motorized vehicle in which, upon the issuance of a permit by the Village of Nashville in conformance with the regulations under this Ordinance, may temporarily park upon public areas and/or in conjunction with a Special Event or School Function engage in the preparation, service, sale or distribution of ready to eat food for individual portion service to the general public directly from the vehicle. A Mobile Food Vending Service Vendor or Mobile Food Vender Unit are sometimes collectively referred to as a Mobile Food Vendor. A Mobile Food Vending Unit may also include a trailer pulled by a motorized vehicle engaged in the preparation, service, sale or distribution of ready-to-eat food for individual portion service to the general public from the trailer, and shall include cookers, grills, smokers or other similar apparatuses contained within or on the trailer.

**Section 3. SPECIAL EVENT OR SCHOOL FUNCTION**

For the purposes of this Ordinance, unless the context clearly indicates or requires a different meaning, a “Special Event” means a community sponsored type event in which the sponsor (the “Sponsor”) of the event has obtained permission from the Village to hold such an event and a “School Function” means an event sponsored by a school (the “School”).

**Section 4. PERMIT REQUIREMENTS**

Except as may otherwise be allowed by this Ordinance e.g. Special Event or School Function, or as a special use, no Mobile Food Vendor may engage in the preparation, service, sale or distribution of food in the Village on public property without first obtaining a permit from the Village. The application fee may be adjusted from time to time by resolution of the Nashville Village Council. All fees must be paid to the Village Treasurer at the time the application is submitted. All permits must be available on site for inspection upon request by the Village, Zoning Administrator or law enforcement officer.

#### Section 5. **NUMBER OF PERMITS, DURATION AND TRANSFERABILITY.**

- A. Mobile Food Vendor permits are available for issuance by the Village of Nashville on a first-come, first-served basis. Mobile Food Vendor permits shall only be for the calendar year in which such a permit is issued.
- B. Transferability. Each Mobile Food Vendor permit is valid only for each individual vehicle or trailer operated by a Mobile Food Vendor and shall not be transferred among vehicles or trailers.

#### Section 6. **INSURANCE**

All Mobile Food Vendors who obtain a permit pursuant to Section 4 must obtain and maintain a policy of liability insurance by a company licensed to do business in the State of Michigan and approved by the Village. Insurance coverage must be in the minimum amount of \$1,000,000.00 for personal injury and property damage arising out of the permitted operation, including operation by employees, agents or independent contractors. Proof of insurance must be provided to the Village before a permit can be granted and thereafter upon reasonable request. The insurance policy shall name the Village of Nashville, its officers, employees and agents as additional insurers and shall provide that the insurance be primary. The policy shall provide 30 days' prior written notice of revocation cancellation or amendment, to the Village. All Mobile Food Vendors agree to hold harmless and protect the Village of Nashville and its officers, employees, and agents from any liability, claims, costs, expenses or attorney fees arising out of the permitted operation that is not covered by the insurance policy required herein.

#### Section 7. **APPLICATIONS**

An Application of a person desiring to operate a Mobile Food Vending permit pursuant to Section 4 shall provide a written application for such a permit to the Village Office. Applications for a Mobile Food Vendor permit shall be on a form provided by the Village and shall include all of the following:

- A. Name, signature, phone number, email contact and business address of the applicant;
- B. Copy of the Mobile Food Vendor driver's license or form of identification.
- C. Information on the Mobile Food Vehicle including VIN, year, make, model and its dimensions;

- D. Proposed hours of operation and areas of operation;
- E. Detailed plans for power access, water supply, waste disposal and wastewater disposal;
- F. Copies of all necessary licenses and permits issued by the Barry County Health Department and/or the State of Michigan;
- G. A Certificate of Insurance evidencing coverage consistent with this Ordinance;
- H. A signed statement or acknowledgment that the permit holder shall hold harmless the Village, its employees, officers and agents and shall indemnify the Village, its employees, officers and agents;
- I. Copy of the applicant's state-issued Michigan sales tax license.

## Section 8. **REGULATIONS**

- A. Section 4 Permits. All of the following regulations must be followed at all times by any Mobile Food Vendor who obtains a permit pursuant to Section 4:
  - a. Mobile Food Vendors may conduct business only between the hours of 9:00am and 9:00pm. Mobile Food Vendors shall not conduct business at any other time unless permitted by a Special Event of School Function.
  - b. A valid permit must be presented promptly for inspection or examination when requested by the Village, Zoning Administrator or law enforcement officer. Inability to present a valid permit will require that the Mobile Food Vendor cease its operations until a permit can be provided.
  - c. While operating, a Mobile Food Vendor shall operate in such a manner as to not interfere with pedestrian or vehicular traffic. If directed by the Village, Zoning Administrator or law enforcement officer, the Mobile Food Vendor shall promptly relocate.
  - d. The operator of a Mobile Food Vending Unit shall direct exhaust away from the service side of the vehicle.
  - e. A Mobile Food Vendor shall only serve customers while parked.
  - f. A Mobile Food Vendor shall service customers only on the curb, lawn or sidewalk side of the Mobile Food Vending Unit while in an authorized parking space.
  - g. No Mobile Food Vending Unit shall be in motion while food preparation devices are in use (e.g. fryers, stoves, faucets, etc.)
  - h. A Mobile Food Vendor shall be completely self-contained, and is prohibited from utilizing any municipally-owned utilities, including but not limited to electrical outlets, hydrants or sewers.
  - i. No Mobile Food Vending Unit shall be left unattended while food is in the vehicle or the food preparation devices are in use (e.g. fryers, stoves, faucets, etc.).
  - j. A Mobile Food Vendor shall keep the area in which it operates free of trash, clean and tidy. The Mobile Food Vendor shall place a trash receptacle immediately outside the Mobile Food Vending Unit, in plain sight at all times. The receptacle

shall be emptied at an appropriate trash collection location as needed. No liquid waste of any kind may be emptied into municipal storm or sanitary sewers.

- k. Mobile Food Vendors shall comply with all applicable laws, rules and regulations in licensing or permit requirements including by not limited to those issued by Barry County, The Barry County Health Department or the Michigan Department of Agriculture and Rural Development or any successor agency, the Michigan Secretary of State, and any other agency with licensing or regulatory jurisdiction over the Mobile Food Vendor, a Mobile Food Vending Unit or the services provided by a food vendor.
- l. The operation of all Mobile Food Vehicles shall meet any noise ordinance imposed by the Village.
- m. In addition to signs placed on the mobile food vending unit itself, vendors may have one portable sign not greater than six square feet, with no dimension greater than three feet, and no height (with legs) greater than four feet, located within five feet of the unit; and under no circumstances shall such a sign be placed upon a sidewalk or roadway and impede pedestrian and/or vehicular traffic.
- n. There shall be no flashing, blinking or ultra-bright lights allowed on Mobile Food Vending Units or related signage. All exterior lights over 60 watts shall contain opaque hood shield directing illumination downward.
- o. No lines, wires, cables, or other hazards may be extended across any street, alley or sidewalk in the Village.
- p. Mobile Food Vendors permitted under this Ordinance may operate on publicly owned property in accordance with the terms of their permit.
- q. Any Mobile Food Vendor desiring to locate in a public park shall comply with all Village regulations for parks and recreational spaces.
- r. Mobile Food Vending Units, when parked on public streets shall be parked in conformance with all applicable parking restrictions, and shall not hinder the lawful parking or operation of other vehicles.
- s. Mobile Food Vendors shall not be located within sixty (60) feet of a permanent business with a food license during that business' hours of operation, unless waived by the owner of the business in writing.
- t. Mobile food Vendors shall not operate outside of the locations designated by this Ordinance, or in areas not authorized under the required permit.
- u. No Mobile Food Vendor shall operate within one hundred (100) feet of any fair, festival, civic event or other special event that is licensed or sanctioned by the Village, unless the Mobile Food Vendor has obtained the permission of the event sponsor.
- v. No Mobile Food Vendor shall operate within thirty (30) feet of any intersection or driveway.

- B. Special Events and School Functions. Mobile Food Vendors at a School Function or Special Event shall adhere to the rules and requirements of the Sponsor and/or School but at minimum shall follow the Regulations listed in this section of this Ordinance.

## **Section 9. IMPOUNDMENT**

Any equipment associated with the Mobile Food Vending Unit that is not in compliance with this Ordinance and is left on public property may be impounded at the owner's sole expense.

## **Section 10. REVOCATION AND APPEAL**

Once a permit has been issued pursuant to Section 4, it may be revoked, suspended or not renewed by Village for failure to comply with the provisions of this Ordinance or any rules or regulations promulgated by the Village. The Village shall revoke the permit of any Mobile Food Vendor engaged in mobile food vending who intentionally fails to meet any requirement of this Ordinance or intentionally violates any other federal, state or local law, ordinance or regulation; makes a false statement on their application; or conducts their business in a manner adverse to the public health, safety or welfare of the Village and its residents. Immediately upon revocation, the Village shall provide written notice to the permit holder by certified mail to the address indicated on the application. The permit shall become immediately null and void upon revocation. If a permit is denied or revoked by the Village or if a written complaint is certified pursuant to this Ordinance, the applicant or permit holder may appeal to the Village Council in writing, at which point the Village Council shall make a written determination on the validity of the denial, revocation or complaint after reviewing all evidence related to the appeal. The Village Council shall consider whether the decision is supported by a preponderance of the evidence and, if so, it shall be sustained. The applicant or permit holder may appeal the decision of the Village Council to a court of competent jurisdiction.

## **Section 11. OTHER PERMITS**

A permit obtained under Section 4 or right to operate under Section 2 shall not relieve any Mobile Food Vendor of its responsibility for obtaining any other permit or license or authorization required by any other ordinance, statute, law or administrative rule promulgated by any entity with jurisdiction over the location or conduct considered within this Ordinance.

## **Section 12. VALIDITY AND SEVERABILITY**

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

## **Section 13. REPEALER CLAUSE**

Any ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 14. **VIOLATION**

Notwithstanding Sections 10 and 11, a violation of this ordinance shall be a municipal civil infraction and, in addition thereto, the Village of Nashville shall be entitled to enforce this ordinance by seeking injunctive relief or any other remedy allowed by law.

Section 15. **EFFECTIVE DATE**

This ordinance shall become effective upon publication.

YEAS:           Argo, White, Hartwell, Courtney, Hummel, Page & Kenyon.

NAYS:           None.

ABSENT:       None.

ORDINANCE 05-14-2026 ADOPTED.

Mike Kenyon, Village President

Kayce Nelson, Village Clerk

**CERTIFICATION**

I, Kayce Nelson, the Clerk for the Village of Nashville, Barry County, Michigan, hereby certify that the forgoing is a true and accurate copy of an ordinance adopted by the Village Council of the Village of Nashville at a regular meeting held on May 14<sup>th</sup>, 2026.

Kayce Nelson, Village Clerk

Adopted: 05-14-2026

Published: 05-23-2026

Effective: 05-23-2026