

Mobile vendor/food truck ordinance vs. proposed ordinance v.3

Current (2020-48)

Food trucks are “mobile food vendors”
“Outdoor vendors” include “mobile food vendors”

30-day continuous residency, then must move
Doesn’t specify how far to move
Doesn’t specify when they can return

Dining tables, chairs are not permitted

Proposed (2026-xx v.3)

“Food trucks” sell food/beverages
“Mobile vendors” sell non-food items

30-day continuous residency, then must move
Must move off the property and stay away 3 days

Trucks must be “readily movable”
Valid license, registration, functional tires
Equipment should be mounted on the truck with exceptions
No permanent structures like porches, storage units
Allowed an “apple box”-style step-up to window

Dining tables, chairs are not permitted

Mobile food court ordinance vs. proposed ordinance

Current (2020-25)

Called a “mobile food court”

“A congregation of mobile food vehicles”

Allows tables and seating in mobile food courts

Proposed (2026-xx)

Called a “food truck court”

Commercial space dedicated to “food trucks”
Clearly specified food truck courts are solely for food trucks

Trucks allowed to have a liquid propane tank on the ground

Allows tables and seating in food truck courts

UPDATED 8-27-2026

Version 3

Changes/additions are underlined

ORDINANCE NO. 2026-xx

**AN ORDINANCE REGULATING THE OPERATION
OF MOBILE VENDORS, FOOD TRUCKS AND FOOD TRUCK COURTS
WITHIN THE CITY OF MOUNTAIN HOME, ARKANSAS;
AND REPEALING ORDINANCE NO. 2020-25 AND ORDINANCE NO. 2020-48**

WHEREAS, the City of Mountain Home did establish policies for the operation of food truck courts through the adoption of Ordinance No. 2020-25; and

WHEREAS, the City of Mountain Home did establish policies for the operation of mobile vendors and food trucks through the adoption of Ordinance No. 2020-48; and

WHEREAS, Mountain Home continues to see a growing interest in mobile vendors, especially in the area of food trucks; and

WHEREAS, the City of Mountain now finds it necessary and appropriate to better clarify the policies that govern the operation of mobile vendors, food trucks, food truck courts and what mobile vendors are allowed to operate at a food truck court;

**NOW, THEREFORE, BE IT ORDAINED
BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS:**

Section 1. Definitions

Food truck: A food establishment preparing and/or serving food and/or beverages from a self-contained vehicle, either motorized or within a trailer, that is readily movable without disassembling for transfer to another location. Food trucks may serve as a conveyance for vending food and/or beverages at a fixed location. Food trucks shall trade solely on food and/beverages, and shall not offer additional goods, wares, merchandise or services. However, an exception is made for food trucks wishing to sell branded merchandise promoting the food truck itself (t-shirts, hats, etc.). For this Ordinance, the term “truck” shall be interpreted broadly to include a variety of self-propelled vehicles, towed trailers or other structures and does not specifically refer to a truck-style vehicle. This definition does not include children’s lemonade stands.

Food truck court: A parcel of land with dedicated spaces for two or more food trucks to congregate to offer food or beverages for sale to the public as the principal use of the land. This definition shall not be interpreted to include a congregation of food trucks as a secondary, accessory, and/or temporary use on existing commercially developed or zoned properties.

Food truck unit: An individual space in a food truck court dedicated for the operation of a single food truck. A food truck court will have several food truck units with the intention of hosting multiple food trucks at the same time.

Food truck vendor: A person preparing and/or serving foods from a self-contained vehicle, either motorized or within a trailer, that is readily movable without disassembling for transfer to another location.

Mobile vending: Exhibiting, displaying, selling or offering for sale any non-edible goods, wares, merchandise or services from a self-contained vehicle, either motorized or within a trailer, that is readily movable without disassembling for transfer to another location.

Mobile vending unit: An establishment that exhibits, displays, sells or offers for sale any non-edible goods, wares, merchandise or services from a self-contained vehicle, either motorized or within a trailer, that is readily movable without disassembling for transfer to another location. This definition applies strictly to the vehicle or trailer involved, not the owner or operator of such an establishment.

Mobile vendor: A person that exhibits, displays, sells or offers for sale any non-edible goods, wares, merchandise or services from a self-contained vehicle, either motorized or within a trailer, that is readily movable without disassembling for transfer to another location. This definition does not include door-to-door solicitors, food trucks, children's lemonade stands or homeowners having garage sales.

Section 2. Business licenses and documentation

A. Mobile vendors and food trucks

- a. Each mobile vendor or food truck vendor shall obtain a business license for each mobile vending unit or food truck they operate. Said business license shall have a cost of \$150.00 and shall be renewed annually.
- b. Mobile vendors and food trucks shall obtain the following documentation prior to conducting business in the City:
 - i. A current inspection from the Health Department (food trucks only).
 - ii. A valid driver's license.

- iii. Mobile vendors and food trucks shall present a copy of the property owner's written authorization to operate on the designated property. The written authorization shall describe the approved location and operation schedule.
- iv. A valid mobile vendor or food truck license issued from the City of Mountain Home, Arkansas.
- c. Operations on private property in areas zoned Commercial or Industrial shall require express written permission from the property owner or their designee.
- d. Operations on property owned by a school or school district shall require express written permission from the school's governing body or its designee.
- e. Written permission from the property owner must be present at the mobile vending unit or food truck and available for inspection at all times.
- f. The provisions of this section shall apply to all mobile vendors or food truck vendors who are providing a service within the corporate limits of Mountain Home.

B. Food truck courts

- a. Owners of a food truck court shall hold a business license for each and every food truck court they own or operate. Said business license shall have a cost of \$50.00 per each food truck unit space provided and shall be renewed annually.
- b. A food truck owner's application for a business license shall be on such form or forms as may be required to confirm compliance with the standards herein. An application shall include a detailed site plan of the proposed food court, show the location and dimensional relationships of the property lines, all proposed food truck unit locations, setbacks, vehicle parking, sidewalk locations, dining or sitting areas and water retention for the site.
- c. Individual food trucks residing in a food truck court shall possess a food truck license issued by the City of Mountain Home for their respective vehicles. It shall be the duty of each food truck vendor to obtain and maintain their respective business license.

Section 3. Rules and regulations

A. Mobile vendors and food trucks

- a. Mobile vendors and food trucks shall not continuously stay at one property for longer than thirty days (30 days). Once the mobile vendor or food truck has continuously operated at one particular property for thirty days (30 days), said mobile vendor or food truck shall vacate that particular property for a time of no less than three days (3 days) before being eligible to return to said property.

- b. All vehicles shall be maintained in a “readily movable” state, with up-to-date vehicle licensing, vehicle registration and functional tires.
- c. Excluding generators and service tables, equipment must be mounted on the vehicle itself. All external equipment, except generators and service tables, shall not be permitted to rest on the ground. Up to two folding tables may be used by the truck to offer customers items such as utensils, napkins, condiments or beverages. However, any tables used in such a manner shall not also be used as a dining area for customers.
- d. Awnings should be attached to the vehicle itself and be capable of being disassembled on short notice. Permanent porches, decks or other structures are not permitted.
- e. “Apple box” exemption: Mobile vendors and food trucks may utilize an “apple box” styed wooden box as a step up in order for customers to better reach the ordering/pickup windows. Such a box shall be no taller than 36 inches in height. No more than two steps/risers shall be permitted on such a box.
- f. Accessories such as storage buildings, dining tables, chairs, booths, bar stools, benches and standup counters are not permitted. This prohibition applies to mobile vendors, food truck vendors, property owners, or others providing such items for mobile vendors or food truck vendors.
- g. Mobile vendors and food trucks shall not operate on property zoned as Residential.
- h. A mobile vendor or food truck vendor is not granted or entitled to the exclusive use of a particular service location, in whole or in part, other than the approved time and place.
- i. All food trucks shall offer a waste container for public use that the food truck vendor shall empty at his or her expense. Food truck vendors shall remove all trash at their expense. Food truck vendors shall not utilize dumpsters of other existing businesses without the permission of such businesses.
- j. Mobile vendors or food trucks shall not conduct business while parked on a public street within the City of Mountain Home, Arkansas.
- k. No mobile vendor or food truck shall make or cause to be made any unreasonable or excessive noise in violation of City ordinances.
- l. Hours of operation for mobile vendors and food trucks shall be based on what each location is zoned.
- m. Mobile vendors and food truck vendors shall ensure compliance with all City and state health regulations for mobile vendors and mobile food vendors.

B. Food truck courts

- a. The occupancy of food truck courts is strictly limited to food trucks. The residency of mobile vendors inside a food truck court is hereby prohibited. (See definitions of “food truck” and “mobile vendor” for distinctions)
- b. The 30-day continuous operation restriction normally applied to food trucks shall not apply to food trucks residing at a food truck court.
- c. Food truck courts may only be located in property zoned as Commercial C-1, Commercial C-2 or Commercial C-2A.
- d. All vehicles housed in a food truck court shall be maintained in a “readily movable” state, with up-to-date vehicle licensing, vehicle registration and functional tires.
- e. Excluding generators, equipment must be mounted on the vehicle itself (see below for liquid propane tanks). All external equipment except generators shall not be permitted to rest on the ground. Up to two folding tables may be used by the truck to offer customers items such as utensils, napkins, condiments or beverages.
- f. Food trucks parked in a food truck court are allowed to place an external liquid propane (LP) tank on the ground. Said tank shall be no larger in size than 200-pound capacity. The placement of such a tank shall require the approval of the Mountain Home fire marshal. All LP tank installations shall adhere to the regulations set forth by the Arkansas Liquified Petroleum Gas Board as well as NFPA 58 and NFPA 54.
- g. Awnings should be attached to the vehicle itself and be capable of being disassembled on short notice. Permanent porches, decks or other structures are not permitted.
- h. “Apple box” exemption: Mobile vendors and food trucks may utilize an “apple box” style wooden box as a step up in order for customers to better reach the ordering/pickup windows. Such a box shall be no taller than 36 inches in height. No more than two steps/risers shall be permitted on such a box.
- i. Dining areas, including but not limited to tables, chairs, booths, bar stools, benches and standup counters are permitted inside food truck courts.
- j. No food truck court may be located within 50 feet of an existing restaurant.

Section 4. Exemptions

A. Special events

- a. The provisions of this Ordinance shall not apply to special events on public property.
- b. The provisions of this Ordinance shall not apply to government-sanctioned events or events sanctioned by the Mountain Home Chamber of Commerce.

B. Catering events

- a. The provisions of this Ordinance shall not apply to residential and commercial private catering events.

Section 5. Site development standards for food truck courts

- A. All setback requirements in the underlying zoning district shall be adhered to. No food trucks, structures associated with the mobile food court, nor any associated seating areas shall be located in a required setback, buffer yard, access easement, drainage easement, flood plain, driveway, utility easement, and/or fire lane.
- B. There shall be at least 10 feet of clearance between all individual food trucks and all permanent, accessory or non-accessory structures.
- C. Each food truck shall be located on an all-weather surface pad.
- D. Dining areas, including but not limited to tables, chairs, booths, bar stools, benches and standup counters are permitted inside food truck courts.
- E. All food truck-related activity, such as seating, must occur within 25 feet from the associated mobile food vehicle or within a communal arrangement serving all of the food trucks.
- F. Vehicular drive-through service of food and/or beverages shall not be permitted.
- G. All food trucks and related activities shall comply with the State Fire Code. All LP tank installations shall adhere to the regulations set forth by the Arkansas Liquefied Petroleum Gas Board as well as NFPA 58 and NFPA 54.
- H. The placement of mobile food vehicles shall not impede traffic nor visually impair any motor vehicle operation with a parking lot, driveway or street.
- I. Adequate restroom facilities shall be provided either on-site or through a shared-use agreement with a neighboring business. Portable toilets, if used, must be screened from view of the public.
- J. Electrical service may be provided to the mobile food vehicles by permitted temporary electrical connection (or other permitted connection provided by an electric utility) or on-board generators. The use of on-board generators shall require sound absorbing devices used to contain or deflect noise from any external generator. No on-board generators shall be used within 150 feet of any residential use area. Above-ground utility connections shall not interfere with pedestrian or

vehicular safety and shall not be located in customer service areas or customer parking areas.

- K. All mobile food vehicles shall supply in a prominent location trash containers sufficient in size to collect all waste generated by customers and staff of the mobile vending operation. All trash and debris generated by customers and staff shall be collected by the mobile vendor and deposited in their trash container and removed from the site by the mobile food court operator.
- L. All mobile food courts shall provide a minimum of two (2) off-street parking spaces for every mobile food unit pad.

Section 6. Penalties

Any person in violation of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, may be subject to a fine of Three Hundred Dollars (\$300.00) per day. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense.

The provisions of this Ordinance may be enforced by the City of Mountain Home Police Department.

Section 7. Previous ordinances repealed

Ordinance No. 2020-25 and Ordinance No. 202-48 are hereby repealed in their entirety. All other ordinances, or parts of ordinances or amendments thereto, in conflict with this Ordinance are hereby repealed.

Section 8. Severability

Should any section, clause or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the Ordinance as a whole or part hereof other than for the part declared to be invalid.

Section 9. Effective date

The terms and conditions of this Ordinance shall be in full force and effect beginning on October 4, 2026, and shall continue until repealed, amended or replaced.

PASSED AND APPROVED THIS 3rd DAY OF SEPTEMBER, 2026.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK