

APPLICATION FOR ICE CREAM TRUCK/ICE CREAM BICYCLES/OTHER HUMAN
POWERED VEHICLES LICENSE

IN THE CITY OF LOCKPORT

OFFICE OF THE CITY CLERK

\$25.00 annual fee

Please print.

DATE: _____

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

BUSINESS PHONE: () _____

APPLICANT'S FULL NAME: _____

APPLICANT'S ADDRESS: _____

APPLICANT'S DATE OF BIRTH: _____

APPLICANT'S LAST FOUR DIGIT'S OF SOCIAL SECURITY: _____

TRUCK INFORMATION:

YEAR _____ MAKE _____ MODEL _____ COLOR _____

LICENSE PLATE NO. _____

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YEAR _____ MAKE _____ MODEL _____ COLOR _____

LICENSE PLATE NO. _____

VEHICLE INSURANCE COMPANY NAME, POLICY NUMBER, EXPIRATION DATE:
(Please provide a copy)

FULL NAME, ADDRESS, AND DATE OF BIRTH OF ALL EMPLOYEES WHO WILL BE DRIVING THE VEHICLE/ICE CREAM TRUCK:

IF GRANTED A LICENSE HEREUNDER, WILL YOU OBEY THE ORDINANCES OF THE CITY?

_____ YES _____ NO

For and in consideration of investigation and consideration by the City of the propriety of issuing said license, the undersigned forewith deposits the license fee required hereunder and agrees to be bound by all the terms and conditions of Chapter 110.79 of the Lockport Municipal Code of the City of Lockport, governing the terms of issuance of said license and refund of any monies deposited and also all terms and conditions of the Ordinance under which application for license is hereby made. Further, that the terms hereof become a part of said license when and if issued.

Applicant's Signature/Date

These documents must be attached to your Food Dispensing Vehicles or Carts License Application:

1. Valid copy of Vehicle Insurance
2. Valid copy of Certificate of Insurance Public Liability \$500,000.00
3. Valid Will County Health Department Inspection Report
4. Copy of Driver's License and/or State I.D.

* After providing Clerk's Office with all the required documentation, you need to go to the Lockport Police Department, 1212 Farrell Road, to register with them. Once approval is received from the Lockport Police Department your license will be issued.

§ 110.79 ICE CREAM TRUCKS.

(A) *Definitions.*

(1) **ICE CREAM TRUCK.** Every motor vehicle in which ice cream, popsicles, ice sherbets or frozen desserts of any kind are carried for purposes of retail sale on the city streets.

(2) **VEND or VENDING.** Offering ice cream, popsicles, ice sherbets, or frozen desserts for sale from a motor vehicle on the city streets.

(3) As used in this section, **OPERATOR** shall include every person, firm or corporation who owns, leases, contracts or in any other fashion permits a person to operate upon the city streets any ice cream truck for the purpose of vending as defined in subdivisions (1) and (2) herein.

(4) **PERSON.** Includes every driver of such vehicle as defined within these definitions.

(B) *Insurance.*

(1) No license shall be issued to an ice cream vendor selling from a truck unless a certificate is furnished to the city showing that the vendor is carrying the following minimum amounts of insurance: public liability insurance in an amount of not less than \$500,000 for injuries, including those resulting in death, resulting from any one occurrence and on account of any one accident; property damage insurance in an amount of not less than \$25,000 for damages on account of any one accident or occurrence.

(2) Certificates shall contain an agreement signed by the insurance company that prior to modification, cancellation or termination of the subject policy, written notice shall be sent to the city license clerk by said insurance company.

(C) *Equipment required for ice cream trucks.* In addition to other equipment required by law, every ice cream truck shall be equipped with:

(1) Signal lamps mounted at the same level and as high and as widely spaced laterally as practicable. These lamps shall be five to seven inches in diameter and shall display two alternately flashing red lights on the front of the vehicles and two alternately flashing red lights on the rear of the vehicle, both lights visible at 500 in normal sunlight upon a straight level street.

(2) A convex mirror mounted on the front so the driver in his normal seating position can see the area in front of the truck obscured by the hood.

(D) *Inspection.* Every ice cream truck shall be inspected by the Will County Health Department once each year prior to its use in this city for the purpose of retail sales of frozen dairy products.

(E) *Restrictions.*

(1) A person shall vend only when the ice cream truck is lawfully stopped.

(2) A person shall vend only from the side of the truck away from moving traffic and as near as possible to the curb or side of the street.

(3) A person shall not vend to a person standing in the roadway.

(4) A person shall not stop on the left side of a one-way street to vend.

(5) The hours that the vehicles or carts may vend are from 11:00 a.m. until 9:00 p.m.

(F) *Backing of ice cream trucks restricted.* The driver of an ice cream truck shall not back the same to make or attempt a sale.

(G) *Registration.* The applicant, owner, employee of any ice cream truck licensed to do business in the city shall register in person at the City Clerk's Office. The registration will consist of the following:

(1) Each applicant, owner, or employee will be required to produce a valid photo ID, i.e. driver's license, State ID card, or other means of identification.

(2) Each applicant, owner, or employee will be required to fill out a personal data form which will include name, address, date of birth, social security number, vehicle information and thumb print.

(3) Each applicant, owner, or employee will be photographed.

(4) Each applicant, owner, or employee will be furnished with a numbered photo I.D. which he or she will be required to wear on the front outside portion of his or her shirt or jacket, readily visible to the public.

(5) Any applicant, owner, or employee who violates this section are subject to fine.

(H) No owner, applicant, or employee may drive or be in the ice cream truck while vending who has been convicted of any felony or misdemeanor within the last ten years, of any criminal offense involving controlled substances, moral turpitude, prostitution, obscenity, or crime of a sexual nature, or who has a revoked or suspended driver's license or does not have driver's license with a classification to drive the ice cream truck.

(I) The hours that ice cream trucks may vend within the city are from 11:00 a.m. until 9:00 p.m.

(J) *Selling ice cream from bicycles and other human-powered vehicles.*

(1) *Definition.* As used in this section, the following term shall have the following meaning, unless the context clearly indicates that a different meaning is intended;

HUMAN-POWERED VEHICLE. Any bicycle, three-wheeled vehicle or other vehicle powered by human muscles, and any wagon pulled by an individual.

(2) *Compliance required, license.* No person, partnership, corporation or business entity of any kind shall sell or offer for sale any ice cream or frozen dessert product of any kind from a human-powered vehicle without complying with the terms of this section. No person, partnership, corporation or business entity of any kind shall sell or offer for sale any such product without having in effect a valid current license for the business

(3) *License provisions.* A separate license shall be required for each human-powered vehicle. If the human-powered vehicle is operated by a business entity that has a license of any kind from the city for sale of food products an additional license is nevertheless required for each human-powered vehicle. Applications for such license shall be made to the City Clerk's Office. The city shall inspect each vehicle for which a license is sought. If the vehicle complies with the terms of this section, the license shall be issued. The operator of each human-powered vehicle shall have a copy of the license at all times that the vehicle is being used for selling or offering for sale any ice cream or frozen dessert.

(4) *Cooling.* Each human-powered vehicle used to sell or offer for sale any ice cream or frozen dessert shall have a means of keeping the product fully frozen. This need not be a mechanical freezer, if the results can be obtained by other means such as an insulated compartment using dry ice.

(5) *Operation.* Each human-powered vehicle shall be operated in a safe manner. When the vehicle is stopped to deal with customers, the vehicle shall, if possible, be stopped off of the part of the road used for travel.

(6) *Orange flag.* Each human-powered vehicle used for sale of ice cream or frozen desserts shall be equipped with an orange flag or pennant on a stick or pole long enough to hold the flag or pennant at least six feet above the pavement level.

(7) *Wholesome products.* No products that are in any way contaminated shall be sold from any human-powered vehicle. Any ice cream or frozen dessert that has melted after its manufacture shall not be refrozen and sold or offered for sale.

(Ord. 97-078, passed 11-24-97)