

**Fee: \$100.00**  
 Annual License Period  
 License Expires: December 31, 20\_\_\_\_\_

## CITY OF PORTAGE MOBILE FOOD VENDOR LICENSE APPLICATION

Section 1: Business Information					
Business Name					
Business Address					
City		State		Zip	
Business Phone					
Business Type	(Check one)	<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	
WI Seller's Permit No.					
<i>Please Note: A Wisconsin Seller's Permit Number is <b>required</b> to process application.</i>					
Section 2: Applicant Information					
Name					
Home Address					
City		State		Zip	
Phone					
Email					
Date of Birth					
Section 3: Insurance Information					
Liability Insurance Carrier					
Policy #	(Not Less Than \$1,000,000 In Coverage)				
<i>Please Note: Copy of the Certificate of Liability Insurance must be submitted to the Clerk's Office with the Mobile Food Vendor Permit Application.</i>					
Section 4: Type of Mobile Vending Unit Information					
Item(s) to be sold					
Type of Direct Sales	(Check one)	<input type="checkbox"/> Cart	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Trailer
Description of Cart, Trailer					
<i>Please Note: Attach a photo of Mobile Vending Unit</i>					
List License Plate No. & Registration Information of any vehicle to be used:					
Location(s) Where Selling	(Check All That Apply)	<input type="checkbox"/> Sidewalk	<input type="checkbox"/> Right-of-way	<input type="checkbox"/> Private Property	
List Specified Location(s) Where Selling: Street Address, Days of Week at Location(s), Times For Each Location(s)					
1)					
2)					
3)					
4)					
5)					

**READ CAREFULLY BEFORE SIGNING**

I declare, under penalty of perjury, that the statements in this application, and all attachments to and documents submitted with this application, are true, correct and complete to the best of my knowledge. I understand and acknowledge that any information contained herein or submitted as a part of this application that is found to be false or misleading may result in this application being denied, or any license granted pursuant to this application, suspended or revoked, in addition to possible filing of applicable criminal charges. I also acknowledge that it is my responsibility to become familiar, and comply, with the provisions of Chapter 14: Businesses, Article VI: Mobile Food Vendors.

Signature of Applicant:	Date:
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**Application Attachments:**

- Site plan if location is on private property showing the location of all existing and proposed structures, access, equipment and parking.
- Authorization to Utilize Property.
- Photo of Mobile Vending Unit (Truck, Cart, Trailer, etc.)
- Certificate of Liability Insurance: City of Portage named as additional insured and certificate holder and not less than \$1,000,000 in Coverage.
- Wisconsin Seller’s Permit, DATCP State Mobile license, Photo ID, Copy of Fire Inspection Report from Portage Fire Rescue

**Applications should be submitted to:**

City of Portage  
 City Clerk’s Office  
 115 W. Pleasant Street  
 Portage, WI 53901  
 Phone: 608-742-2176

**Office Use Only**

Date Received:			
Receipt #			
Date Processed:		License #	
			<input type="checkbox"/> Approved <input type="checkbox"/> Denied

Summary of Proposed Changes

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*This new ordinance establishes the process for regulating and licensing mobile food vendors within the City of Portage. This ordinance establishes regulations related to the permitted locations and times for mobile food vendors to operate and also provides for a safety inspection prior to the granting of a license*

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**ORDINANCE NO. 25-006**  
**ORDINANCE RELATIVE TO MOBILE FOOD LICENSES**

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**CHAPTER 14 - BUSINESSES**

The following article and section shall be created as follows:

**ARTICLE VI, MOBILE FOOD VENDORS**

**Sec. 14-231. – Mobile Food Vendors**

(a) *Definitions.* As used in this article, the following terms shall have the meanings indicated:

- (1) *Mobile Food Vehicle* - A self-contained, mobile food unit, including trucks, carts and trailers, in which food is prepared or processed and from which food is sold or dispensed to the ultimate consumer.
- (2) *Mobile Food Vehicle Vendor* - The owner of a mobile food vehicle or pushcart; hereinafter referred to as "vendor."
- (3) *Pushcart* - A non-self-propelled wheeled cart, specifically designed and used for keeping, storing, or warming food or beverage for sale by a mobile food vehicle vendor, which may be moved by one person without the assistance of a motor.

(b) *License required.*

- (1) It shall be unlawful for any person to do any of the following within the City of Portage without first having obtained a valid mobile food vending license as prescribed in this article:
  - a. Operate a mobile food vehicle or pushcart;
  - b. Serve, sell, or distribute food from a mobile food vehicle or pushcart;
  - c. Cook, wrap, package, process, or portion food in a mobile food vehicle or pushcart for service, sale, or distribution.
- (2) All vendors will abide by all parking and traffic laws, ordinances, statutes, rules, and regulations. No vendor shall obstruct an adjacent path or lane of travel, including motor vehicle lanes, bicycle lanes, sidewalks, trails or other

designated parking areas unless permitted as part of a Special Event under Chapter 66.

- (3) Mobile food vending locations will be utilized on a first-come-first-reserved basis and may generally occur in commercial and industrially zoned areas. No mobile food vendor shall operate within a residential area. All mobile food vehicle units must maintain five feet from the nearest edge of any building. All vendors will maintain the appropriate distances from crosswalks, curb cuts, sidewalk benches, bike racks, bus shelters and stops and other obstructions, which in all cases shall not be less than ten feet. The vendor is required to set up the mobile food vehicle, arrange for waiting on customers and have customers line up in a way that avoids conflict between customers and the traveling public, including pedestrians, parked vehicles and moving vehicles. A clearance of not less than five feet wide will be maintained on any public sidewalk upon which a pushcart is located. Mobile food vehicles are not permitted on public sidewalks.
- (4) Mobile food vendors are allowed in City parking lots as part of an approved special event under Chapter 66, and also in any City parking lot directly adjacent to a City park. Mobile food vendors are allowed adjacent to or within parking lots located at City parks, but shall not park, stop, or operate a mobile food vehicle or pushcart, nor permit any person to park, stop, or operate a mobile food vehicle or pushcart, in a location adjacent to or within a 200-foot radius of the nearest edge of any building or section of a building located in a City park that sells food or beverages, and shall not park, stop or operate a mobile food vehicle on seeded areas within the City park unless approved by a special event permit.
- (5) A person with a valid driver's license or such a classification to allow the operation of the mobile food vehicle shall always be with the vehicle that any activity is taking place in the mobile food vehicle. The vendor is liable for any violation of this subsection.
- (6) No person will park, stop, or operate a mobile food vehicle, nor will any mobile food vehicle vendor permit any person to park, stop or operate a mobile food vehicle in a location within 500 feet of the boundary line of any property upon which a fair, farmer's market, festival, carnival, circus, civic event, or special event as defined in Chapter 66 of the Code of the City of Portage that is licensed or sanctioned by the City is occurring, except when the vendor has obtained a special event permit or otherwise properly obtained permission to do so.
- (7) All mobile food vehicle vendors are prohibited from connecting to light poles, utility poles, or any public source of electricity, water or sewer, or to any planter or tree or other public amenity.

- (8) Mobile food vehicles or pushcart vending hours on public property and public right-of-way are from 7:00 a.m. to 9:00 p.m. Mobile food vehicles must be closed, the area cleaned, and the mobile food vehicle removed by the specified time. Mobile food vehicle vending hours are not restricted on private property locations.
- (9) Nothing in this article shall be deemed to supersede or repeal any ordinance relating to noise, park closing hours, or parking, except as specifically provided in the article. Vendors will take every precaution to ensure that their operations do not materially affect the peace and welfare of the public nor cause any unreasonably loud, disturbing and unnecessary noise or any noise of such character, intensity or duration as to be detrimental to the life or health of any individual or which is in the disturbance of public peace and welfare.
- (10) A mobile food vehicle vendor who has obtained a mobile food vending license from the City and obtained written permission from a property owner may be located on private property for up to ninety (90) days each calendar year.

(c) *License application; regulation.*

- (1) Any person desiring to operate a mobile food vehicle or pushcart will make written application for a mobile food vending license to the City Clerk's office. The applicant shall submit a photocopy of a valid Mobile Restaurant License issued by the State of Wisconsin or a Health Department authorized to issue such licenses. **The fee for a mobile food vehicle license shall be listed in the fee schedule, which is non-refundable and must be submitted with the application.** The application for such license shall be on forms provided by the City Clerk's office and will include all the following:
  - a. The name, signature, and address of each applicant and of each member or officer of a corporate applicant.
  - b. A description, including make, model, VIN number, and license plate, of the mobile food vehicle.
  - c. A valid copy of all necessary licenses, permits or certificates required by Columbia County, the State of Wisconsin, or any subsidiary enforcement agencies or departments thereof, including but not limited to valid proof of registration for the vehicle and driver's licenses for all operators and documentation of the necessary approvals from the Columbia County Health Department or equivalent for operation as a mobile food vendor.

- (2) Upon receipt of an application for a mobile food vending license, the clerk may conduct a background check and may refer to the Chief of Police or his or her designee who may make and complete an investigation of the statements made in such application. The owner or operator will be required to schedule and pass a safety inspection with the Portage Fire Department before the license is issued. Any such investigation and inspection will be completed as soon as practicable. The City Clerk may refuse to issue a license to the applicant if any of the following is determined:
- a. The application contains any material omission or materially inaccurate statement;
  - b. The applicant was convicted of a crime, statutory violation or ordinance violation within the last five years, the nature of which is directly related to the applicant's fitness to engage in direct selling as a mobile food vendor;
  - c. The applicant's mobile food vehicle failed the fire department's inspection or the applicant failed to provide necessary documentation for the mobile food vehicle; or
  - d. The applicant failed to comply with any requirement of a Special Event permit under Chapter 66.
- (3) Each mobile food vending license will expire on December 31st of each year.
- (4) A mobile food vending license is not transferable from person to person.
- (5) A mobile food vending license is valid for one vehicle only and is not transferable.
- (6) The mobile food vending license will be permanently and prominently affixed to the mobile food vehicle.
- (7) License, late fee and renewal fees shall be paid in accordance with the fee schedule set by resolution of the City Council. License fees for a partial year license shall not be prorated.
- (8) Any person denied a mobile vending license may appeal the denial to Common Council by filing a request with the city clerk within 30 days of the denial. The Common Council shall consider the appeal and sustain or overturn the decision to deny the license. If license is denied by the Common Council, there is no further appeal.
- (d) *Suspension and revocation.* A mobile food vending license may be suspended or revoked by the City Clerk, or the Chief of Police, if the license holder made any material omission or materially inaccurate statements in the license application, or if the license holder violates any provision of this article, if there are noise

complaints related to the mobile food vehicle or the operation thereof, or if the license holder is convicted of any crime or ordinance or statutory violation directly related to the licensed activity. Notice of suspension or revocation will be personally served to the applicant and will include a statement of the act(s) upon which the suspension or revocation is based. Any person whose mobile vending license is suspended or revoked may appeal the suspension or revocation to the Legislative & Regulatory Committee.

(e) *Violations and penalties.*

- (1) Any person violating any provision of this article shall be subject to the forfeitures and penalties contained in Section 1-15 of the City of Portage Code of Ordinances. Each day of violation shall constitute a separate offense.
- (2) The Police Department and the Department of Public Works shall have concurrent authority to remove or cause the removal of any mobile vending equipment or merchandise found on the street, sidewalk, terrace or other mobile vending location in violation of this ordinance. In addition to any forfeiture, the violator shall be liable for any removal, towing and storage charges incurred by either department.

All other sections shall remain as previously adopted.

This Ordinance shall take effect January 1, 2026.

Passed this 24 day of November, 2025.

  
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Matthew Fiene, Mayor

Attest:

  
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Rebecca C. Ness, WCMC  
City Clerk

First reading: 11/24/2025

Second reading: 11/24/2025

Ordinance requested by:  
Legislative & Regulatory Committee

Published: 12/11/2025