



#### Council

Joe DeVito  
*Mayor*

Darryl Owens  
*Mayor Pro Tempore*

Jerry Ashmore  
Mary Beth Heyward  
Kevin Phillips

Van Willis  
*Town Manager*

T. Alan Beach  
*Chief of Police*

Jeffrey S. Coppinger  
*Operations*

Noah Krepps  
*Planning*

## Getting a Food Truck License with The Town of Port Royal

### Required Documentation

- Driver's License (must be eighteen (18) years of age or older)
- Port Royal Fire Marshal approval and Documentation  
(Phone: 843-379-7518)
- DHEC Approval and Documentation
- Proof of Automobile Liability Insurance
- Property Tax Registration using attached Business Personal Property Affidavit (Register at the Beaufort County Auditor's office)
- Copy of Food Handlers Certificate

If there are any questions, please contact the business license administrator @ (843)-986-2209

**All food truck vendors must abide by the Food Truck Ordinance**



COOL. COASTAL. FAR FROM ORDINARY.

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**ORDINANCE 2022-7**

**AN ORDINANCE CREATING SECTION 12-91 FOOD TRUCK GUIDELINES IN CHAPTER 12 LICENSES AND BUSINESS REGULATIONS, ARTICLE VIII FOOD TRUCKS OF THE PORT ROYAL CODE OF ORDINANCES IN THE TOWN OF PORT ROYAL.**

**WHEREAS**, in 2021, Port Royal Town Council enacted an Ordinance creating Section 12-92 of the Town Code of Ordinances dealing with Ice Cream Trucks; and

**WHEREAS**, recently food truck businesses have been on a rise in the area; and

**WHEREAS**, the Town currently allows food trucks to sell at the Sands Beach, Bruce Edgerly Park and in the front green of the Town Hall; and

**WHEREAS**, Town Council finds that it is in the best interest of the Town to provide more opportunity for the operation of food trucks.

**NOW, THEREFORE, BE IT ORDAINED**, by the Town Council of the Town of Port Royal duly assembled and with authority of the same that Section 12-91 Food Truck Guidelines be created and added to Chapter 12 of the Code of Ordinances of the Town of Port Royal, South Carolina:

Chapter 12, Article VIII, Section 12-91: Food Truck Guidelines:

Article VIII. Food Trucks

Sec. 12-91.

I. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a) *Food truck vendor* means a person selling food from a mobile unit to include vendors in an ice cream truck.
- b) *Food truck unit* means a self-contained, fully mobile vehicle-mounted service unit, including ice cream trucks that returns daily to its base of operations as approved by DHEC and is used for either the preparation or the sale of food products, or both, as allowed by sections. This does not include mopeds.
- c) *Food trailer* means an enclosed attached or detached trailer that is equipped with facilities for preparing, cooking, and selling various types of food products.

## II. Licensing of food truck vendors.

- a) All food truck vendors doing business in the town must obtain a town business license [per the] Code of Town Ordinances, Chapter 12, Licenses and Business Regulations and obtain approval by the town's fire marshal.
- b) A food truck vendor must be eighteen (18) years of age or older.
- c) All food truck vendors selling food and/or drinks which are not prepackaged shall obtain all necessary county and state health permits before a business license will be issued and shall comply with all laws, rules and regulations regarding food handling, and all vehicles used for the sale of food shall comply with all the laws, rules and regulations respecting such vehicles as established by the State of South Carolina.
- d) The food truck vendor shall be required to secure and maintain a policy of automobile liability insurance coverage issued by a company authorized to do business in the State of South Carolina.

## III. Regulations of food truck units and food trailers.

- a) No food truck units or food trailers shall be located within 100 feet from the door of an established restaurant unless the owner of the restaurant provides a letter of consent, a copy of which shall be kept within the food truck and a copy at the Town Hall.
- b) No food truck unit or food trailer shall be located within 75 feet from the door of a residence, except for units powered without the use of a generator.
- c) No food truck unit or food trailer shall be located for business closer than ten (10) feet from any building or structure on the license property or adjoining property except as allowed for ice cream trucks as stated here.
- d) No food truck unit or food trailer shall be located closer than fifty (50) feet from flammable combustible liquid or gas storage and dispensing structures.
- e) No food truck unit or food trailer shall set up south of Ribaut Road when a special event or festival is taking place. Refer to town staff for event calendar.
- f) No food truck unit or food trailer shall be located for business within twenty (20) feet of any public right-of-way or within twenty (20) feet of the intersection of any public right-of-way and private driveway, per South Carolina

Department of Transportation, except as allowed for ice cream trucks and food truck zones as stated herein.

- g) No signs or signage shall be permitted other than that which can be contained on the food truck or trailer or on a sandwich board utilized to sell food or merchandise during operating hours only.
- h) A food truck unit or food trailer may utilize music at a reasonable level.
- i) No food truck unit or food trailer shall obstruct or cause to be obstructed the passage of any sidewalk, street avenue, alley, or any other public right of way, except as allowed for ice cream trucks as stated herein.
- j) All lighting must be permanently or semi-permanently affixed to the vending facility. No lighting shall be permitted to shine on or into any public right-of-way or other private property or cause any glare that could be considered a public hazard, or distraction to vehicular movement, neighboring business operations, or residential uses. In addition, no flashing or strobe lighting shall be permitted.
- k) All vendors shall place a 30 – gallon garbage receptacle upon site of businesses for customer use. All trash must be removed from the site by the vendor. Use of town waste receptacles is prohibited.
- l) All food truck units or food trailers shall be equipped with at least one (1) 2A-40 BC fire extinguisher. The fire marshal will determine what is required based on how the food truck unit is outfitted.
- m) No portion of the vendor's inventory, sales equipment, or any other structure or equipment used in the sales or solicitation process shall be left overnight upon any unenclosed portion of any spot or site within the Town of Port Royal.
- n) All sales must be made directly from the permitted food truck unit or food trailer.
- o) Generators must be attached to the food truck or food trailer and are required to be whisper or quiet and produce no more than seventy-five (75) decibels (DB).

**IV. Parking, allowable vehicles, and designated area.**

- a) Allowable vehicles include trucks and trailers and must be sized to fit into the parking spaces in which service is provided to customers through the side of the vehicle at the sidewalk only.
- b) Food trucks may be permitted on town property and in town parks at the discretion of the Administrator.
- c) On Paris Avenue south of Ribaut Road, food trucks or food trailers are permitted in the right-of-way in designated food truck or food trailer zones (see Food Truck Zones map).
- d) Vending at designated public food truck or food trailer zones is permitted from 7 AM to 10 PM.
- e) Food trucks or trailers are permitted on private property in the T4NC-O, T4UC, and T5MS zoning districts. Food trucks or trailers may be permitted in all other zoning districts for nonrecurring special occasions.

- f) Food trucks or food trailers on private property must have a written agreement on file with the Town from the property owner/manager regarding the time(s) and location of use of the premises must be provided with the application.
- g) If any area is closed for an emergency or other permitted activity, no food truck vendors will be allowed to set up. Areas will be monitored for compliance and any violation could result in a fine and/or suspension/revoked business license.

V. Violations, suspension/revocations.

The town manager may suspend, revoke, and/or fine any licensed participant for the following reasons:

- a) The conditions under which the food truck/trailer is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity, and the vendor fails to correct such conditions after notification by a town official;
- b) The use is operated in violation of the conditions permitted;
- c) A repeated violation of applicable law;
- d) A vendor is found to be discharging pollutants including waste/grease, liquids wastes, gray water garbage/debris, and other materials are discharged to the town's storm drainage;
- e) All violators will be subject to a fine of one hundred dollars (\$100.00 per day for uncorrected violations) and suspension/revocation of license.

VII. Renewal process.

- a) Food truck business licenses expire on December 31<sup>st</sup> of each calendar year, and must be renewed annually, subject to administrative review, modification (if necessary), and approval.
- b) Copies of inspection reports and other applicable documentation from SC DHEC must be provided at the time of renewal.
- c) Business licenses must be renewed by April 30<sup>th</sup> or a late fee will be incurred.

This Ordinance shall become effective immediately upon adoption by Council.

REQUESTED BY:

  
Milton E. Willis  
Town Manager

ATTEST:



APPROVED BY:

  
Joe DeVito  
Mayor

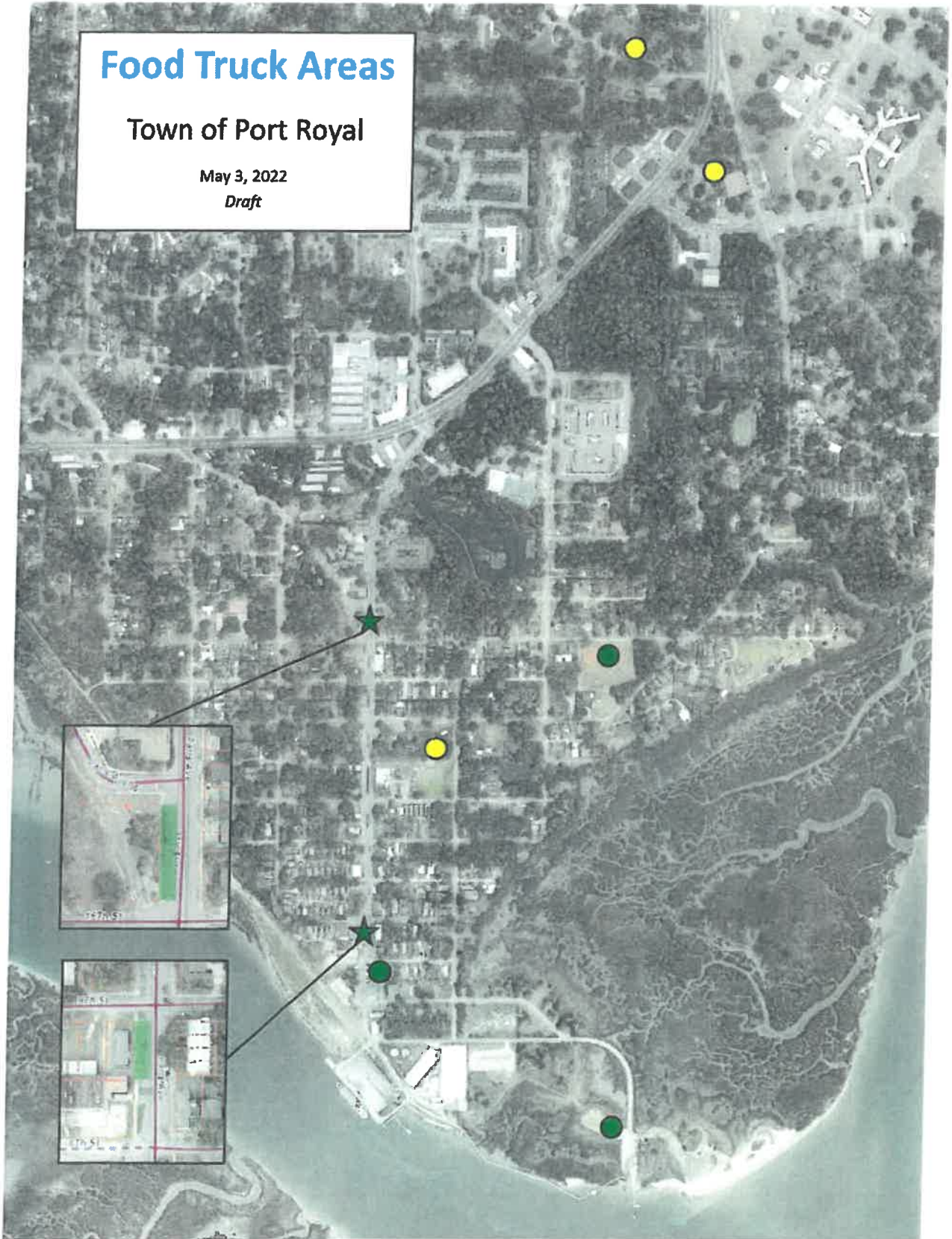
Introduced: 05/11/2022

Final Reading: 07/13/2022

# Food Truck Areas

## Town of Port Royal

May 3, 2022  
Draft



Permitted with  
proper licensing



Permitted with  
proper licensing  
& staff approval



Designated  
Food Truck  
Zone





Jim Beckett  
Auditor of Beaufort County  
Post Office Box 458  
Beaufort, South Carolina 29901-0458  
843-255-2500 Fax 843-255-9409  
[auditor@bcgov.net](mailto:auditor@bcgov.net)

**Beaufort County Affidavit For Business Personal Property Tax  
For Merchant Or Service "Furniture, Fixtures & Equipment"**

No County Or City Business License (New / Renewal) Can Be Issued Without Proof Of Paid  
Business Personal Property Tax Or This Affidavit Signed By The Beaufort County Auditor

South Carolina Code of Law § 12-37-970

Please Type or print the below information

DATE BUSINESS STARTED: \_\_\_\_\_

CORPORATE NAME: \_\_\_\_\_  
"As listed on the Business License"

BUSINESS NAME OR D/B/A: \_\_\_\_\_

BUSINESS OWNER NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHYSICAL LOCATION  
OF BUSINESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

TYPE BUSINESS OR  
SERVICE PROVIDED: \_\_\_\_\_

SERVICE ORIENTED BUSINESS ( ) or RETAIL (sales tax) BUSINESS ( )

Social Security Number or Federal employer Tax ID Number (FEIN) \_\_\_\_\_

Is this Business License due to you are renting a second home? YES ( ) OR NO ( )

**FOR COUNTY USE ONLY**

- ( ) EXEMPT  
( ) PAID (SEE ATTACHED PAID TAX RECEIPT)  
( ) APPLIED DATE FIRST (1<sup>ST</sup>) TAX BILL DUE: \_\_\_\_\_

BEAUFORT COUNTY AUDITOR'S SIGNATURE: \_\_\_\_\_

**IMPORTANT: ALL APPLICABLE BLANKS MUST BE COMPLETED TO PROCESS**



## Standardized Business License Application

PO Drawer 9 | Port Royal, SC 29935-0009

(843) 986-2209 | Fax: (843) 986-2210 | alinder@portroyal.org

**City or County:** \_\_\_\_\_

### Business Information

Corporate name:		
Name shown to public:		Open date:
Organization type:	<input type="checkbox"/> Sole proprietor <input type="checkbox"/> LLC <input type="checkbox"/> LLP <input type="checkbox"/> LP <input type="checkbox"/> Corporation <small>Articles of Organization or Incorporation may be required.</small>	
Business activity/type:	NAICS/SIC/Other code:	
Federal ID/SSN #:	State retail sales #:	
Mailing address:		
Physical address:		
<input type="checkbox"/> Inside jurisdiction, Tax parcel #: _____		<input type="checkbox"/> Outside jurisdiction
Contact name, title:		
Contact phone:	Ext.	Alternate phone:
Fax:		Email:

### Owner or Principal(s) Information

Owner or Principal(s) name(s), title(s):	SSN #:	
	SSN #:	
Driver's license #:	State:	Expiration date:
Mailing address:		
Work phone:	Ext.	Cell phone:
Fax:		Email:

### Job/Project Information

Project start date:	Estimated end date:	
Project location:	Tax parcel #:	
Project type:	<input type="checkbox"/> New construction <input type="checkbox"/> Renovation <input type="checkbox"/> Other	
General contractor name:		
State contractor license #:	State:	Expiration date:
<small>Copy may be required</small>		
Master/specialty license #:		
Job contact name:	Phone:	
Total gross revenues or contract amount: \$		
Gross revenues, inside jurisdiction: \$	Gross Revenues, outside jurisdiction: \$	
Value of authorized deductions: \$	Deduction type(s):	

**Contact your city or county business licensing office with questions regarding this form.**



Application produced by the South Carolina Business Licensing Officials Association.  
The SC Business Licensing Officials Association is an affiliate of the Municipal Association of SC.



## Other Information

<input type="checkbox"/> Yes <input type="checkbox"/> No	Buying an existing construction business? <i>If yes, purchased business' name:</i>
<input type="checkbox"/> Yes <input type="checkbox"/> No	Business leasing space to another business?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Mail business license renewals to mailing address listed in the business information section on the previous page? <i>If not, corporate address:</i>
<input type="checkbox"/> Yes <input type="checkbox"/> No	Change of use to building?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Erecting a new sign?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Existing business with no prior license?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Home occupation?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Independent contractors (Form 1099)? <i>If yes, names:</i>
<input type="checkbox"/> Yes <input type="checkbox"/> No	Leasing property? <i>If yes, landlord name and address:</i>
<input type="checkbox"/> Yes <input type="checkbox"/> No	Restrictive covenants? If yes, provide copy.

## Applicant Certification *(Contact the municipality in which you are doing business to determine if a notarized signature is required.)*

- I hereby certify that all information provided is true and correct to the best of my knowledge and that the gross revenue is accurately reported or estimated for a new business without any unauthorized deduction.
- I certify that assessments, delinquencies and personal property taxes due to the jurisdiction are fully paid.
- I understand that providing false or fraudulent information may result in penalties, business license revocation and/or prosecution to the fullest extent possible.
- I am aware of and understand the jurisdiction's requirements and codes, and the issuance of a business license is contingent upon strict and consistent compliance with all of the jurisdiction's requirements.
- I understand that failure to comply with these requirements may result in business license revocation as well as other compliance or legal efforts.
- I also understand and authorize the jurisdiction and its agents to utilize all information on this application to ensure that all other federal, state and local laws are complied with.

Applicant printed name:

Signature:

Title:

Date:

## For Office Use Only

Approved by all necessary departments? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Comments		
Approved? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date:	
Business license #	Rate class:	
Rate Base rate: \$	Every \$1,000 after: \$	
Amount due Fee: \$	Penalties: \$	Total: \$
Decal required? <input type="checkbox"/> Yes <input type="checkbox"/> No	Cost/each: \$	Total: \$
Receipt Amount paid: \$	Date paid:	Number of decals:
Staff name:	Signature:	Date:

**Contact your city or county business licensing office with questions regarding this form.**



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**HOSPITALITY FEE**

Business Name/Address

Account Number: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For: Sales in \_\_\_\_\_  
Month Year

**Computation of Fee**

- |    |  |          |
|----|--|----------|
| 1. | Gross Proceeds of sales covered by Hospitality Fee   | \$ _____ |
| 2. | Fee due (Line 1 x 2%)  | \$ _____ |
| 3. | Penalty<br>(10% if not received by the 20 <sup>th</sup> of the month following report month) | \$ _____ |
| 4. | Additional penalties<br>(10% on the 21 <sup>st</sup> of each month thereafter until paid)    | \$ _____ |
| 5. | <b>Total Hospitality Fee &amp; Penalty Due</b>   | \$ _____ |

**NOTE:** Payment is due on or before the 20<sup>th</sup> of the month following the “Sales” month shown above. A 10% penalty shall be added on the 21<sup>st</sup> day of each month following that date until paid.

I hereby certify, under penalty of Law, that the “gross proceeds of sales covered by Hospitality Fee” shown above accurately reflects the total proceeds to which the fee is applicable for the period covered by this report.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_ Telephone \_\_\_\_\_ Date \_\_\_\_\_