July 24, 2025

Dear Food Vendor,

Whitewater Pride invites you to participate in the Fifth Annual Whitewater Pride Rally, taking place on Saturday, October 4, 2025, at Cravath Lakefront Park. This event celebrates inclusive vendors, music, drag performances, and community engagement. We hope to include your business as part of this exciting day.

Our events typically welcome 500 attendees, and we are planning for even greater participation this year. Your presence will help us offer a high-quality, diverse experience for attendees

Event Details

- **Date:** Saturday, October 4, 2025
- **Time:** 10:00 a.m. - 3:00 p.m.
- **Location:** Cravath Lakefront Park 341 S. Fremont Street, Whitewater, WI

Vendor Setup and Logistics

- Setup Begins: 9:00 a.m.
- Electricity is limited, please contact us in advance to coordinate if you have electrical needs.

Participation Requirements

To secure your place in the event, the following items are required:

- $0 Vendor Participation Fee - we do not charge to be a food vendor at our event.
- $7 Mobile Food Establishment (MFE) Permit Fee - Payable to the City of Whitewater Clerk's Office.
- Required Documentation - All vendors must review and comply with:
    - The attached Mobile Food Establishment Ordinance
    - Complete the MFE License Application
    - Fill out Whitewater Pride's Vendor App here

All documents, including permits and proof of insurance, must be submitted and approved by the Clerk's Office prior to the event. Vendors will not be permitted to participate without full compliance.

Submission Deadline

- All payments and documentation must be submitted by **Friday, September 19, 2025**.

We appreciate your time and look forward to working together to create another joyous event for the LGBTQ+ community and allies. Please contact me with any questions or special needs.

Sincerely,

Camden Harlan
President, Whitewater Pride
charlan@whitewaterpride.org

5TH ANNUAL WHITEWATER PRIDE RALLY 2025

SHOW YOUR COLORS AND CELEBRATE WITH US!

OCTOBER 4, 2025

10AM - 3PM

CRAVATH LAKEFRONT PARK

341 S. FREMONT

WHITEWATER, WI

JOIN US FOR MUSIC, VENDORS, PERFORMANCES, FOOD, A PET CONTEST, FACE PAINTING, T-SHIRT COLORING AND MORE

FIRST WEBER | Julie Janowak

ST. PETER'S EPISCOPAL CHURCH
FORT ATKINSON, WISCONSIN

Fort HealthCare

First English Lutheran Church

WUL
Whitewater Unites Lives

FCCU

Scan me!

City of WHITEWATER

MOBILE FOOD ESTABLISHMENT LICENSE APPLICATION

Applicant: _____
Last First Full Middle Former Name (s)

Address: _____

Telephone: _____ Email: _____

Date of Birth: _____ Place of Birth: _____

Driver's License #: _____ State: _____

Location of Sales: _____

Name/Address of Property Owner: _____

Date(s) of Sales: _____

Items to be Sold: _____

Source of Supply Name/Location: _____

Vehicle Description/License Plate #: _____

If Employed, Name/Address/Telephone: _____

_____

Indicate last Cities/Villages (No More Than 3) Where Applicant Conducted Business Immediately Preceding Date of Application. List the Addresses from which such Business was Conducted: _____

_____

_____

_____

_____

Ordinance 2024-O-08 Creating Mobile Food Establishments

5.28.35 Transient Merchants as Mobile Food Establishment (MFE'S) and Outdoor food sales

I. Purpose- The purpose of this section is to provide guidance for a specific subset of transient merchants called, Mobile Food Establishment (MFE) as well as guidance for Outdoor food sales. The goal of this ordinance is to regulate and manage Mobile Food Establishments within the City of Whitewater no matter of the event. There a five key reasons for implementing, such an ordinance:

   a. **Public Health and Safety**: The MFE ordinance, with its comprehensive regulations on food handling, preparation, and storage, plays a pivotal role in ensuring the food sold by mobile vendors is safe for consumption. By upholding health and safety standards, the ordinance protects against foodborne illnesses, safeguarding public health.
   b. **Zoning and Land Use**: MFE ordinances typically address where mobile food vendors can operate within the city, including restrictions on locations near sensitive areas like schools, hospitals, or residential neighborhoods. Zoning regulations help maintain the character of different areas within the city and prevent conflicts between mobile vendors and established businesses or residents.
   c. **Consumer Protection**: The ordinance may require MFE operators to obtain licenses or permits, which can help ensure that vendors are operating legally and complying with relevant regulations. This gives consumers confidence that the food they purchase from mobile vendors meets specific standards and is sold by legitimate businesses.
   d. **Economic Development**: Mobile food vending, a potential economic booster, can provide entrepreneurial opportunities and diversify the food options within the city. The MFE ordinance, by creating a supportive framework, can foster the growth of this sector while balancing the interests of mobile vendors, brick-and-mortar establishments, and the community at large.
   e. **Aesthetic and Environmental Considerations**: The ordinance may include regulations that address issues such as littering, noise pollution, and visual clutter associated with mobile food vending. By imposing standards for cleanliness, waste management, and vehicle appearance, the ordinance helps ensure that MFE operations enhance rather than detract from the aesthetic quality of public spaces.

II. Definitions. A Mobile Food Establishments, otherwise known as an MFE, includes any moveable vehicle, intrastate railway car, pushcart, trailer, or boat from which food is sold or served within the city limits. This includes, but is not limited to, food trucks, trailers, and carts. MFE's and other outdoor food sellers may operate on public or private property to sell food directly to consumers.

   a. **Moveable Vehicle**: A moveable vehicle, whether motorized or non-motorized, is a versatile means of transportation that can be relocated from one place to another. In the Mobile Food Establishments (MFE) context, these vehicles serve as adaptable platforms for selling or serving food within the city limits. They can be trucks, vans, or cars, all equipped to prepare and sell food items, showcasing their potential for various food vending scenarios.

b. **Intrastate Railway Car**: An intrastate railway car is a rail transport vehicle operating within a single state's boundaries. In the context of MFE, an intrastate railway car can be converted or used to sell or serve food products. It provides a unique mobile platform for food vendors to reach consumers in various locations within the city.
c. **Pushcart**: A pushcart, a small, wheeled cart that is manually pushed or pulled, offers a convenient option in MFE. It typically consists of a platform or container used for displaying and selling goods, including food items. In the context of MFE, pushcarts are mobile food vending units stationed at different locations within the city, offering food products directly to consumers, emphasizing their ease of use and direct interaction with consumers.
d. **Trailer**: A trailer is a non-self-propelled vehicle towed by a motorized vehicle, such as a truck or car. In the context of MFE, trailers are often used as mobile food vending units equipped with cooking and serving facilities. They can be parked at various locations within the city to serve food to customers.
e. **Boat**: In the context of MFE, a boat refers to a floating platform or vessel from which food is sold or served. It provides a unique mobile food vending option for waterfront areas or events held near bodies of water within the city limits.

III. Licensing Requirements
a. A license is required for all Mobile Food Establishments (MFE.)
    i. Every MFE within the City of Whitewater shall be licensed. No person shall operate, sell, vend from, use an MFE, or otherwise engage in any activities regulated by this article unless the MFE holds the appropriate or valid license from the City. Each owner shall apply for and hold a Transient Merchant license for each unit in the City prior to the use of such establishment within the City.
b. Transient Merchant License and Application
    i. Initial application. Each owner desiring to conduct or engage in activities regulated by this article shall file a written application with the City Clerk or designee on form provided by the City Clerk for a Transient Merchant license for each individual establishment. No person may operate, conduct or engage in activities regulated by this article without filing an application for such license or without holding an appropriate license under this article. The City Clerk, Chief of Police, Fire Chief, Common Council, and/or their appropriate designee may amend and require such information on the initial application as they may, from time to time, consider desirable, proper, and/ or necessary.
    ii. Annual. An annual permit shall be valid from July 1st to June 30th, unless sooner revoked
    iii. Renewal Application. Each licensed MFE desiring to conduct activities regulated by this article after initial licensing shall file a written renewal application with the City Clerk or designee on a form provided by the City for each proposed MFE unit. The City Clerk, Chief of Police, Fire Chief, Common Council member, and/or designee may amend and require such information on the renewal application as they may from time to time consider desirable, proper and/or necessary.

iv. Fee. At the time of the application a nonrefundable fee in the amount of seven dollars shall be paid to the City of Whitewater. The use of the seven dollars will be to cover the cost of the background check done by the City. This fee will also act as the annual fee for MFE's and other outdoor sellers within the City of Whitewater. Applicants for a license under this chapter must file with the City Clerk or their designee in writing which shall include.

1. Name and physical description of the applicant
2. Complete the permanent home and local address of the applicant and the local address from which proposed sales will be made
3. A brief description of the nature of the business and the good to be sold
4. If employed, the name and address of the employer, together with credentials, establish the exact relationship.
5. Length of time for which the right to do desired business
6. A recent photograph of the applicant, approximately two inches by two inches, shows the applicant's head and shoulders clearly.
7. The names of at least two property owners of Jefferson and/or Walworth County, who will certify the applicant's good character and business responsibility
8. A statement of whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance other than traffic violations, the nature of the offense, and the punishment or penalty assessed.
9. The last cities, towns, or villages where the applicant carried on business (at most 3)
10. Applicants must provide valid proof of insurance, which includes liability coverage for their business operations.

v. No application shall be accepted for filing, nor Transient Merchant license issued or renewed, unless and until the owner and applicant possesses all necessary State and County Health Department and other required governmental agency license and permit for the MFE. Each owner or applicant, at the time of filing the City initial application and at the time of all subsequent annual renewal filings, shall provide the City Clerk proof of such other licenses and permits in such form as the City Clerk may, from time to time, deem necessary and/ or desirable.

vi. No Transient Merchant license may be issued or renewed unless and until the MFE passes inspection of the county/state health officials and agencies, and holds proper health licensing, permits and certification.

vii. No Transient Merchant license may be issued by the City Clerk unless and until all requirements set forth in this article have been fully and properly satisfied by the owner or applicant. The decision of the City Clerk shall be final in this regard.

viii. Separate license for each vehicle. Each MFE shall be separately licensed and such licenses shall not be transferable to any other MFE.

ix. License shall be displayed.

x. License information shall be displayed.

IV. Operation

i. Mobile Food Establishments

1. Each MFE shall be capable of being moved and kept under control by one person. All traffic laws shall be adhered to during operation of the vehicle.
2. Each mobile food vending vehicle shall be moved safely to and from its vending location.
3. Each MFE shall be secured at all times so as not to injure or endanger persons or property.
4. Each MFE shall be equipped with at least one leak-proof container for the deposit of waste, garbage, litter, refuse, and rubbish. A second leak-proof container for he deposits of recycle materials is also required. All such containers shall be kept covered with tight-fitting lids. When leaving the sales area, the licensee and their employee shall be responsible for the removal of all litter resulting from his or her business or customer's use of his or her business.
5. Each operator is responsible shall be responsible for the cleanup of the site, and any debris or litter in the immediate area cause by the operation.
6. Each operator, licensee and mobile food vending vehicle shall comply with all state and county laws, codes, regulations, and standards relating to serving and selling food and food products.
7. An operator shall be personally and physically present inside or next to the cart at all time during which items are displayed or sold.

b. Insurance requirement. Each licensee shall obtain, pay for and at all times maintain proof of and actual liability insurance coverage against personal injury, death, and property damage. Such insurance shall name the City of Whitewater and each and every one of the City's co-insured. At the time of filling the initial and all renewal applications, applicant shall provide a true and correct photocopy of a certificate of insurance and/or other proof of insurance for each MFE on the form required by the City Clerk.

c. Regulations

i. MFE's must be stationary at all times when sales and related activities are occurring.

ii. MFE's may set up and operate within the public right of way but not within travel lanes. MFE service window shall be oriented towards the curb side of the street and not to the front, rear, or travel lane side of the truck. MFE's may set up and operate within public parking lots within the hours of 9 AM to 3:00 AM only within the zoned area of the B2 district. MFE's and other outdoor sales shall be located not to obstruct a public way, impar the movement of pedestrians or vehicles, or pose a hazard or danger to public safety.

iii. No mobile food vending vehicle shall operate before 9:00 AM or after 10:00 PM in commercial areas.

iv. No MFE operator or other person shall use noise-makers, other than bells, lights, or music to attract customers. Such bells and music shall not be used before 9:00 AM or after dusk (sunset on any day) anywhere. No electrical or mechanical sound generated within a vending area shall be audible beyond the establishment' area shall be audible beyond the immediate working area and in no event more than 50 feet from the establishment.

v. An MFE may provide or allow a dining area near the establishment. The dining area shall allow no more than two tables with a maximum seating area of eight people. The dining area is allowed only during hours of operation and the dining components shall be stored and secured when the vending operation is closed.

vi. Any power requires for the MFE located on a public right-of-way shall be self-contained

vii. MFE's may locate in private parking lots so long as the property owner has written granted permission and all required health licenses are valid. However, the host parking lot must remain in compliance with the zoning ordinance including off-street parking requirements for the host lot. The MFE shall not block the required drive aisles and shall be at least be ten feet from the nearest edge of any building.

viii. In City parks, MFE's and other outdoor food sellers are only allowed upon issuance of a Special permit for specific park areas designated by the Recreation Director. A special temporary permit shall be valid for a period determined by the City Manager or his/her designee. A Special Event Permit must be filed out a minimum of 45 day prior to the event.

ix. An MFE or any other transient outdoor food seller may not operate for business on public property within 200 feet of an existing licensed restaurant establishment as measured door to vehicle along the curb line of the public street from the entry door into the existing establishment to the vehicle.

x. MFE's and all other outdoor food sellers are strictly prohibited from selling, serving, or distributing alcoholic beverages in any capacity within the city limits.

xi. An MFE or other outdoor food seller may not operate in any one location zoned resident or office for more than 120 minutes at a time.

xii. Each owner, operator, and other person, whether or not licensed, who engages in any activities regulated by this article shall at all times fully and timely comply with and abide by each and every requirement and provision set forth in this article and with each and every other ordinance of the City of Whitewater, state law, and county ordinances.

Ordinance introduced by Councilmember Hicks, who moved its adoption.

Seconded by Councilmember Schanen

AYES: Council President Singer, Councilmembers Majkrzak, Brown, Smith, Dawsey Smith, Hicks, Schanen

NOES:
ABSENT:
ADOPTED: July 16, 2024

John Weidl City Manager

Heather Boehm City Clerk