

**CITY OF ST. JOHNS
ORDINANCE NO. 701**

**AN ORDINANCE TO AMEND TITLE XV: LAND USAGE BY AMENDING CHAPTER
155: ZONING CODE**

THE CITY OF ST. JOHNS ORDAINS:

Section 1. Amendment to Title XV: Land Usage, Chapter 155: Zoning Code, Section 155.004:

Definitions. The City amends Title XV: Land Usage, Chapter 155: Zoning Code, Section 155.004: Definitions to add a new definition as follows:

“Vendor Truck. A retail or food service establishment operating from a vehicle or trailer that operates in a fixed location for a temporary period of time.”

Section 2. Amendment to Title XV: Land Usage, Chapter 155: Zoning Code, Section 155.183:

Temporary Uses Permitted. The City amends Title XV: Land Usage, Chapter 155: Zoning Code, Section 155.183: Temporary Uses Permitted to read as follows:

“§ 155.183 TEMPORARY USES PERMITTED.

(A) A temporary building, structure, or yard for construction materials or equipment or a temporary office for the sale or rental of real property, if in connection with and incidental and necessary to a real estate development, shall be permitted in any district provided that authorization for this temporary use, issued in conjunction with a building permit for the project shall be valid for not more than six months and may not be renewed more than three times. All temporary buildings, structures, construction material or equipment shall be removed immediately upon completion or abandonment of the construction work.

(B) Christmas tree sales may be permitted in any district upon application for an issuance of a temporary Christmas tree sales permit by the Zoning Administrator provided that any permit for such use shall be valid for not more than 30 days.

(C) A temporary permit may be issued to residents of the city for the use of a camper trailer or recreational vehicle as a temporary residence under the following conditions:

- (1) The permit may be issued for a maximum of 14 days. Only two permits may be issued to any household per year.
- (2) The vehicle must be parked on a single-family or duplex residential lot. The vehicle may not be parked in the street.
- (3) The occupants of the vehicle must have access to bathroom facilities on the lot they are parked on other than those in their vehicle.

(D) Garage sales are permitted as an accessory use to any attached or detached single-family residence, provided that any one garage sale does not last more than seven consecutive days and only two garage sales are permitted per residence per year.

E) Vendor trucks, open to the general public, shall be approved as a temporary use subject to approval of a Vendor Truck Permit in accordance with the standards outlined in this section.

(1) **Accessory Use.** Vendor trucks shall only operate as an accessory use to a permanent, principal, nonresidential use contained within an enclosed building. Vendor trucks may be allowed as the principal use on non-residential zoned land subject to a Special Use process described in Sections 155.255-261.

(2) **General Provisions.** The following shall apply to all Vendor Trucks:

(a) **Number.** Multiple vendor trucks may operate on the same site.

(b) **Hours of Operation.** Operating hours shall be no later than 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday.

(c) **Parking.** The minimum number of spaces provided shall meet the required parking for any permanent, principal use on the site.

1. For principal use vendor trucks approved by Special Use, the Planning Commission and/or City Commission may require additional parking spaces upon determination that existing spaces will not be sufficient for the anticipated parking demand at the truck. They may also determine that public parking that would otherwise count towards the requirement under Subsection a is insufficient and require on-site parking.
2. Parking spaces covered or otherwise rendered unusable by the placement or operation of the vendor truck shall not count towards the required parking.
3. The placement of the vendor truck shall not reduce the dimensions of drive aisles below the minimums described in Section 155.343, unless any drive aisle reduced in size shall be completely closed to traffic by virtue of temporary traffic control devices, such as cones or signs. The property owner shall be responsible for installing the temporary control devices. The Zoning Administrator shall review the revised traffic pattern to ensure that overall traffic within the site and on neighboring properties and public streets will not be hampered.

4. The placement of the vendor truck shall not cause an impediment to the usual movement of automobiles and pedestrians through the site, in the opinion of the Zoning Administrator. Appeals of decisions of the Zoning Administrator in this regard shall be to the Zoning Board of Appeals.
 5. Vendor trucks shall not be parked in the public right-of-way unless granted a right-of-way permit by the City, or as part of a temporary event granted approval by the City to operate for a limited period of time.
 6. Vendor Trucks in place for more than seven (7) days must be placed on a paved surface.
- (d) **Setbacks.** Vendor trucks shall comply with the minimum front setback for the primary structure and side and rear setbacks required for accessory buildings in the Zoning District they are located within.
- (e) **Waste Receptacles.** Waste receptacles shall be provided for the general public in the vicinity of the vendor truck.
- (3) **Application Required.** A Vendor Truck Permit shall be applied for subject to fees established by the City Commission for said application. The following information shall be required for a Vendor Truck Permit:
- (a) **Site Plan.** A site plan in accordance with the requirements of an Administrative Site Plan Approval as outlined in Section 155.279, unless waived by the City Manager or his/her designee. In addition, the site plan must contain any information required in this section.
 - (b) **Proof of Insurance.** Demonstration of proof of insurance shall be provided for any business seeking to engage as a vendor truck in the following coverage amounts:
 1. Proof of Commercial General Liability policy with limits of no less than one million dollars (\$1,000,000.00) per occurrence with a two million dollar (\$2,000,000.00) general aggregate including products liability issued by an insurer licensed to do business in the State of Michigan and which names the City as additional insured.
 2. Proof of public liability and property damage motor vehicle policy with limits of no less than one million dollars (\$1,000,000.00) used by an insurer licensed to do business in the State of Michigan.

- (c) **Duration.** The applicant for a vendor truck shall specify the duration of operation. An approved Vendor Truck Permit shall be applicable for the time specified in the Vendor Truck Permit, up to one year and must be renewed in subsequent years.

~~4.~~(4) **Other Jurisdiction Compliance.** Vendor trucks shall comply with all relevant City, County, State, and Federal regulations, and shall demonstrate compliance to the City as part of the approval process.

~~5.~~(5) **Exemptions:** The following shall be exempt from the provisions of this section:

- (a) Transient food trucks that do business by travelling on public rights-of-way from neighborhood to neighborhood, such as ice cream trucks.
- (b) Vendor trucks associated with a city-sponsored event or festival.
- (c) Vendor trucks hired for private parties or other events that are not open to the general public.”

Section 4. Validity and Severability.

If any portion of this Ordinance or its application to any person or circumstance shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the Ordinance which can be given effect without the invalid portion or applications, provided the remaining portions are not determined by the court to be inoperable, and to this end Ordinances are declared to be severable.

Section 5. Repealer.

All other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 6. Effective Date.

This Ordinance shall become effective twenty (20) days after notice of adoption is published in a newspaper of general circulation within the City.

CERTIFICATION

As the City Clerk of the City of St. Johns, Clinton County, Michigan, I certify that this is a true and complete copy of an ordinance adopted by the St. Johns City Commission at a regular meeting held on September 22, 2025.

Scott Dzurka, Mayor _____

Mindy J. Seavey, Clerk _____

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