

CHARTER TOWNSHIP OF COMSTOCK

ORDINANCE 554

ADOPTED: AUGUST 18, 2025

EFFECTIVE: EIGHT DAYS AFTER PUBLICATION AFTER ADOPTION

An Ordinance to amend the Comstock Charter Township Zoning Ordinance to authorize mobile vendors in the Township and to provide regulations for mobile vendors; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**CHARTER TOWNSHIP OF COMSTOCK
KALAMAZOO COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
ZONING ORDINANCE AMENDMENT
ARTICLE 4 – USE STANDARDS
SECTION 4.31- MOBILE VENDORS**

The Comstock Charter Township Zoning Ordinance is hereby amended by adding a new Section 4.31- Mobile Vendors, which shall read as follows:

- 1. Applicability.** The provisions of this article apply to mobile food businesses and mobile vendors engaged in the business of cooking, preparing and distributing food or beverages with or without charge on public or private property, and/or offering a service to the general public. The term “vendor” within this ordinance shall apply to mobile food and general mobile vendors.
- 2. Permit and Authorization Required.** Operating permits are required for all vendors who are proposing to conduct business in the Comstock Charter Township. Fees for the permit are as determined by resolution of the Township Board. The Township may impose such reasonable conditions as it deems necessary to protect the public health, safety and general welfare from excessive noises, traffic, obnoxious and unhealthy odors and any detrimental effects to the general operation of any vendor.
 - A. No operator of a vendor shall park, stand or move a vehicle or trailer and conduct business within areas of the Township where the vendor has not been authorized to operate.
 - B. An exemption to the requirement for permit may be considered by the Township if the vendor is taking part in a Township-operated event and contracted by the authorized entities.

C. Permits may be valid for up to seven (7) calendar days.

3. Definitions. As used in this article, the following terms shall have the meanings indicated:

A. **Mobile Food Vendor.** A kitchen within a licensed and operable motor vehicle or trailer whose method of operation is temporary and may be transient or in a static location and involves the preparation and sale of food and/or beverages in a ready-to-consume state for consumption either on or off the premises, but not within the motor vehicle and/or trailer.

B. **Mobile Vendor.** A licensed and operable motor vehicle or trailer whose method of operation is temporary and may be transient or in a static location and involves the sale of a product or service, either on or off the premises.

4. Regulations.

A. **Prohibited areas of operation.** vendors shall not operate in the following zoning districts:

- i. R-1A, Single Family
- ii. R-1B, Single Family
- iii. R-1C, Cluster Housing
- iv. RM, Multiple Family

B. Vendors are prohibited from occupying and/or operating within any public right of way.

C. **Business Days, operational.** A vendor may operate on any day of the week.

D. **Storage of Equipment.** All equipment associated with the operation of a vendor must be removed from the premises at the conclusion of daily operations.

E. **Private Property.** Vendors conducting business on private property, for private events that are not open to the general public, may operate without the need for a permit. Such events may include, but are not limited to: weddings; celebration of life; company events such as lunches, dinners or retreats; educational graduation.

F. **Public Property.** Vendors shall receive approval from the Comstock Charter Township Board of Trustees to operate on public property.

G. **Traffic.** Vendors:

- A. Shall not obstruct the use of any street intersection or pedestrian crosswalk.
- B. Shall not impede the ingress or egress of any driveway.
- C. Shall not obstruct pedestrian space.
- D. Shall not impede or obstruct the ingress or egress of any building.
- E. Shall not impede or obstruct any fire lane.

H. **Signage.** Vendors may have one portable sign that is 6 square feet, with no dimension greater than 3 feet and no height (inclusive of legs or support structures) greater than 4 feet, located

within 5 feet of the unit. All signage must be contained to the property on which the vendor is operating. At no time shall any signage be placed within the public right-of-way.

- I. **Waste.** Vendors must provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other waste attributable to the vendor on a daily basis. Such receptacle shall be located no more than 10 feet from the vendor. No liquid waste or grease shall be disposed of or released into any sanitary sewer or storm drains, sidewalks, streets or other public places, or municipal waste receptacles. Failure to maintain a site free of waste may be grounds for revocation of current vendor permits or withholding the issuance of new permits.
- J. **Lights.** No flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
- K. **Noise.** No loud music, amplification devices or any other audible methods to gain attention which causes a disruption or safety hazard are permitted. The decibel levels for any generator(s) used shall not exceed 80 dBA.
- L. **Parking.** The issuance of a permit does not grant or entitle the vendor to the exclusive use of any service route or parking space to the permit holder. The permit holder shall not place equipment in such a manner that it restricts access to the site, nor causes obstruction to internal maneuvering lanes.
- M. **Merchandise Sales.** Retail sale of merchandise related to the vendor may be permitted as an accessory to the primary sale or service.
- N. **Alcohol Sales.** Sale of alcoholic beverages shall only be permitted when licensed in accordance with Township and State regulations.

5. Enforcement.

- A. **Violation; fines.** Any permit holder operating a business in violation of any provision of this article or any rules and regulations promulgated by the Township is responsible for a municipal civil infraction and is subject to a civil fine. Each day of violation shall constitute a separate and distinct offense.
- B. **Permit is revocable.** Once a permit has been issued, it may be revoked, suspended or not renewed by the Township Clerk for failure to comply with the provisions of this article and any rules or regulations promulgated by the Township. An applicant seeking to challenge the revocation of a permit may submit an appeal to the Township Board of Trustees for consideration.

All other parts of Article 4.0 Use Standards shall be renumbered sequentially.

SECTION II
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION III
EFFECTIVE DATE/REPEAL

This Ordinance shall take effect eight days after publication. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Nicole Beauchamp, Clerk
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