



## CHECKLIST FOR SPECIAL TRANSITORY FOOD UNIT LICENSE

The following documents must be submitted with the Special Transitory Food Unit license application:

1. **Completed License Application** – The application must be completed in full, including all documentation, and signed by the owner/operator of the Special Transitory Food Unit. A single application permits the Special Transitory Food Unit to operate at various locations within the Township during the licensed period subject to the submittal of a property owner's permission and a sketch of the property depicting the proposed location of the Special Transitory Food Unit for each location.
2. **Sketch/Aerial Photo** – A sketch or aerial photo depicting the location of the Special Transitory Food Unit, existing buildings, parking, streets, driveways, and sidewalks. In addition, the sketch must depict outdoor seating, waste/recycling receptacles, generators, and fuel tanks if they are provided.
3. **Health Department** – The Barry-Eaton District Health Department (BEDHD) inspects and licenses all Special Transitory Food Units in Eaton County. If the Special Transitory Food Unit is licensed outside of Eaton County, a letter of intent to operate is required to be filed with the BEDHD at least four days prior to operating. The zoning administrator will not issue a Special Transitory Food Unit license without evidence of BEDHD approval or notification.
4. **Application Fee** – \$300.00 for an annual license, no proration. April 1 – March 31<sup>st</sup>.



Active till March 31, 2025

## Special Transitory Food Unit (STFU) License Application

Fee: \$300.00

Charter Township of Delta  
7710 W. Saginaw Hwy., Lansing, Mi. 48917  
Planning Department, Phone 517-323-8560

Operating a special transitory food unit means serving or offering for sale food and/or beverages from a special transitory food unit.

Operating a special transitory food unit does not include any of the following:

1. *Operations that do not involve food preparation, cooking, heating, cooling/freezing, or processing.*
2. *Operations that offer single service articles and serve only prepackaged/pre-bottled, non-potentially hazardous foods or beverages.*
3. *Operations that offer whole, uncut fresh fruits and vegetables directly to consumers*

### APPLICANT INFORMATION:

NAME: \_\_\_\_\_  
(Last) (First) (Middle)

DRIVER'S LICENSE NO. OR STATE ID CARD: \_\_\_\_\_  
(Applicant must submit a legible photocopy of their driver's license or State ID card)

BUSINESS PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

### STFU OPERATOR'S INFORMATION (If different from the applicant)

NAME: \_\_\_\_\_  
(Last) (First) (Middle)

DRIVER'S LICENSE NO. Or STATE ID CARD: \_\_\_\_\_  
(Operator must submit a legible photocopy of their driver's license or State ID card)

BUSINESS PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

### EMPLOYEE INFORMATION (If different from the applicant & operator)

Please attach a separate sheet listing the name, address, phone numbers, copy of driver's license or State ID card, and e-mail address for each employee at the STFU.

**INFORMATION PERTAINING TO THE OPERATION OF THE STFU**

Name of STFU Business: \_\_\_\_\_

Michigan Department of Agriculture & Rural Development  
(MDARD) License Number: \_\_\_\_\_

Location of proposed activity: \_\_\_\_\_  
Address

Description of STFU: \_\_\_\_\_ Trailer \_\_\_\_\_ Cart \_\_\_\_\_ Tent

Motor Vehicle \_\_\_\_\_  
(Make) (Model) (Year)

**EQUIPMENT LIST AND FIRE SAFETY**

Please indicate which of the following appliances are installed in the STFU:

Fryer \_\_\_\_\_ Griddle \_\_\_\_\_ Grill \_\_\_\_\_ Broiler \_\_\_\_\_ Refrigerator \_\_\_\_\_ Other \_\_\_\_\_

How will disposing of grey water/untreated water waste/grease be handled?

\_\_\_\_\_

Will cooking fuel be used? Is so, what type? \_\_\_\_\_

How much cooking fuel will be stored in the STFU? \_\_\_\_\_

Provide the current hydrostatic testing dates on all cylinders: \_\_\_\_\_

Is there an exhaust hood on the STFU? \_\_\_\_\_ If so, provide the code/standard/year/last certification.  
and cleaning of the hood (must be within the past year) \_\_\_\_\_  
*(Note: Any cooking using heat will require an exhaust hood)*

Is there a fire suppression system in the STFU? \_\_\_\_\_ If so, provide the code/standard/year/last  
certification of the hood (must be within the past year) \_\_\_\_\_  
*(Note: This information is required for a Type 1 hood because cooking produces grease laden vapors)*

If a Type 1 hood, is there a Type K Cooking Fire Extinguisher? \_\_\_\_\_

Is there a minimum of 1 multi-purposed, ABC 4A-60BC sized fire extinguisher? \_\_\_\_\_

Will a generator be operated in conjunction with the STFU? \_\_\_\_\_

**BUSINESS PRACTICES AND ORDINANCE REQUIRMENT AGREEMENTS**

Do you understand that any violations of the Delta Township STFU Ordinance is a civil infraction? \_\_\_\_\_

Are you utilizing Delivery Apps, such as Grub Hub, Uber Eats, Door Dash, et al? \_\_\_\_\_

Are you operating additional other businesses, or what is commonly referred to as a Ghost Kitchen? If so, please list the name of the secondary business(es): \_\_\_\_\_

Do you consent to providing one waste receptacle and one recycling bin, as is required by ordinance, and remove them when full? \_\_\_\_\_

Do you consent to not extending power cords or similar devices across any street, sidewalk or pathway and only using on-site power with the permission of the property owner. \_\_\_\_\_

Do you have a state sales tax license? \_\_\_\_\_ Please provide a copy of this application.

Do you agree to a Fire and electrical inspection by the appropriate township personnel? The inspection shall be conducted no sooner than 3 days from submission of this application. \_\_\_\_\_

Do you agree to submit this application at minimum 10 days prior to starting to serve? \_\_\_\_\_

**Notice of Revocation:** The administrator shall revoke the license of any operator of a special transitory food unit who ceases to meet the requirements of this chapter; who commits fraud, misrepresentation or makes a false statement on their application or in the course of operating the special transitory food unit; who is convicted of a felony; or who creates a public nuisance or constitutes a danger to the public health, safety, and welfare. Immediately upon such revocation the license shall become null and void and the administrator shall provide written notice to the licensee and property owner by certified mail to the address provided on the application. Upon receipt of a notice of revocation, the licensee shall remove the special transitory food unit from the occupied premises. No person whose special transitory food unit license has been revoked shall be eligible to receive another license within the township for two years from the date of license revocation.

*"I have read and understand the Revocation Statement"*                      Initial: \_\_\_\_\_

**PROPERTY OWNER OR AGENT'S INFORMATION & PERMISSION**

PROPERTY OWNER OR AGENT'S NAME: \_\_\_\_\_

CELL PHONE NO: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

I hereby grant permission for a Special Transitory Food Unit to be operated on the property that I own or represent at \_\_\_\_\_.

\_\_\_\_\_  
Property Owner or Agent's Name (printed)

\_\_\_\_\_  
Property Owner or Agent's Signature

**APPLICANT CERTIFICATION:**

I certify that as an applicant for an STFU License, that the statements and information provided on this application are true, complete and correct, to the best of my knowledge and belief. I further acknowledge that I, as operator of the STFU, and my employees will be held responsible for any violations of the Delta Township Special Transitory Food Units Ordinance which may result in revocation of the STFU license.

\_\_\_\_\_  
Applicant's Name (printed)

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
(Date)

**This is not a license and does not authorize any operation of a special transitory food unit with this application until a license has been issued by the zoning administrator. Prior to issuance of a license, fire and electrical inspections must be completed and approved.**

.....  
**OFFICIAL USE ONLY**

Filing Date: \_\_\_\_\_ MI. Sales Tax License No.: \_\_\_\_\_

Received By: \_\_\_\_\_ MDARD License No.: \_\_\_\_\_

Fee Paid: \_\_\_\_\_  
(Receipt No.)

Approval of Delta Township Electrical Inspector: \_\_\_\_\_ (Date)

Approval of Delta Township Fire Inspector: \_\_\_\_\_ (Date)

Copy of Driver's License of State ID Card Received for Applicant, Operator, and all Employees) \_\_\_\_\_

STFU Application Status: \_\_\_\_\_ Approved \_\_\_\_\_ Denied

Date of Zoning Administrator's decision: \_\_\_\_\_

STFU License No. \_\_\_\_\_

## Chapter 44 SPECIAL TRANSITORY FOOD UNITS

### Sec. 44-1. Short title.

This chapter shall be known as the "Delta Township Special Transitory Food Unit Ordinance."

( Ord. No. 16-91, 6-6-2016 )

### Sec. 44-2. Purpose.

It is the purpose of this chapter to regulate the operation of special transitory food units, to provide licensing requirements for same; and to protect the public health, safety and welfare.

( Ord. No. 16-91, 6-6-2016 )

### Sec. 44-3. Validity and severability.

The provisions of this chapter are severable and the invalidity of any phrase, clause or part of this chapter shall not affect the validity or effectiveness of the remainder of the chapter.

( Ord. No. 16-91, 6-6-2016 )

### Sec. 44-4. Repealer clause.

All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this chapter full force and effect.

( Ord. No. 16-91, 6-6-2016 )

### Sec. 44-5. Effective date.

This chapter shall be effective seven days from the date of final publication.

( Ord. No. 16-91, 6-6-2016 )

### Sec. 44-6. Definitions.

*Administrator* means the zoning administrator or his/her designee.

*Operate* shall mean the actual hours when the special transitory food unit is open for business, not including the hours to set up and take down.

*Operator* shall mean any person engaged in the business of sales from a special transitory food unit; if more than one individual is operating a motorized or non-motorized vehicle, trailer, stand, cart, or other device designed to be portable, then operator shall mean all individuals operating such motorized or non-motorized vehicle, trailer, stand, cart, or other device designed to be portable.

*Operating a special transitory food unit* means serving or offering for sale food and/or beverages from a special transitory food unit. Operating a special transitory food unit does not include any of the following: (1)

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operations that do not involve food preparation, cooking, heating, cooling/freezing, or processing; (2) operations that offer single service articles and serve only pre-packaged/pre-bottled, non-potentially hazardous foods or beverages; and (3) operations that offer whole, uncut fresh fruits and vegetables directly to consumers.

Special transitory food unit shall mean any motorized or non-motorized vehicle, trailer, stand, cart, or other device designed to be portable and not permanently attached to the ground from which food is served or offered for sale.

( Ord. No. 23-111, 6-20-2023)

#### **Sec. 44-7. Permitted locations.**

Operating a special transitory food unit shall be permitted on office, commercial and industrially zoned properties with the exception that operating a special transitory food unit shall be permitted on church, school and township owned properties regardless of the zoning classification subject to the regulations herein.

( Ord. No. 16-91, 6-6-2016 )

#### **Sec. 44-8. Permitted hours.**

Operating a special transitory food unit shall be only be permitted between the hours of 6:00 a.m. and midnight.

( Ord. No. 16-91, 6-6-2016 )

#### **Sec. 44-9. License required.**

No person shall operate a special transitory food unit without a license issued by the administrator. The serving or sales of food and/or other consumables shall not be permitted unless the operation meets the definition of special transitory food unit herein and complies with the requirements of this chapter.

( Ord. No. 16-91, 6-6-2016 )

#### **Sec. 44-10. Exceptions**

- A. The following operations are exempt from the license fee, but shall still comply with all applicable requirements of section 44-12 and 44-16:
- B. The following activities are exempt from the provisions of this chapter.
  - 1. Feeding operations in response to a disaster as determined by the Township Manager.
  - 2. Private closed group catered events not open to the general public and not offering food items for individual sale.
  - 3. Churches and non-profit organization service home prepared food in conjunction with a fundraiser.

( Ord. No. 23-111, 6-20-2023)

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**Sec. 44-11. Duration; non-transferability.**

Licenses may be issued by the administrator for a period of 30 or 120 days from the date of issuance. The license may be renewed by an operator in good standing. Any license issued under this chapter is non-transferrable between operators, properties, and special transitory food units.

**Sec. 44-12. License application.**

A person or individual desiring to operate a special transitory food unit shall submit a license application to the administrator's office. Applications shall be submitted at least ten business days in advance of the special transitory food unit's planned date of operation. No application shall be processed until it is complete. The application shall contain the following information:

- (1) The applicant's name, address, phone number, and email.
- (2) The address and/or parcel number of the property where the special transitory food unit will be located.
- (3) The name, address, phone number, driver's license or photo identification and email of the party responsible for operating the special transitory food unit, if different from the applicant. If more than one individual is employed at the special transitory food unit, the names, addresses, phone numbers, driver's license or photo identification, and emails for all employees shall be provided.
- (4) If applicable, the license plate number of the special transitory food unit.
- (5) The proposed days and hours of operation and estimated staffing level.
- (6) Written permission from the owner of the property on which the special transitory food unit will operate.
- (7) A sketch depicting the location of the special transitory food unit, existing buildings, parking, streets, driveways, and sidewalks.
- (8) Any license, permit, or authorization required by any other ordinance, statute, or administrative rule.

( Ord. No. 23-111, 6-20-2023)

**Sec. 44-13. Processing of license application.**

A special transitory food unit license shall be issued or denied within ten business days from the day the application was originally filed. If the application is denied, the administrator shall notify the applicant in writing of the specific reason(s) why the application was denied.

( Ord. No. 16-91, 6-6-2016 )

**Sec. 44-14. Enforcement and Violations.**

It shall be the responsibility of the administrator to enforce the terms of this chapter. Violations of this chapter shall constitute a municipal civil infraction and shall be enforced as per section 1-7(c) of the Delta Charter Township Code of Ordinances.

( Ord. No. 23-111, 6-20-2023)



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## **Sec. 44-15. Fees.**

An application for a license under this chapter shall be accompanied by a fee in the amount established in the schedule of fees adopted by the township board. There shall be no proration of fees. Fees are non-refundable once a license is issued by the administrator.

( Ord. No. 16-91, 6-6-2016 )

## **Sec. 44-16. Requirements.**

Persons operating a special transitory food unit shall comply with the following requirements:

- (1) Special transitory food units shall not be located within any street right of way and shall be setback a minimum of 20 feet from any property line, street right of way line, or structure.
- (2) Signage related to special transitory food units shall be in compliance with the regulations of the township sign ordinance.
- (3) A minimum of one waste receptacle and one recycling bin shall be provided at the site of the special transitory food unit. The vendor shall remove all litter, debris, and other waste attributable to the operation at least on a daily basis, or more frequently as may be necessary to maintain the premises in a clean and orderly condition.
- (4) Outdoor seating, including but not limited to tables, chairs, benches, or stand up counters shall be subject to the approval of the Administrator.
- (5) An operator shall not extend power cables, extension cords or similar devices across any street, sidewalk or pathway, and shall not utilize any electricity or power without the prior written authorization of the power customer.
- (6) Special transitory food units shall be completely self-contained, and are prohibited from using water from public hydrants and disposing of liquid wastes, including but not limited to grease, into storm drains or sanitary sewers.
- (7) The special transitory food unit shall not be located so as to block a public sidewalk or pathway, designated fire lane, or otherwise impede pedestrian or vehicular movement.
- (8) No banners streamers, flags, flashing or blinking lights shall be permitted on any portion of the site where a special transitory food unit is parked. A special transitory food unit shall not make or cause to be made any excessive noise. The operation of all special transitory food units shall be in compliance with the township noise ordinance, including generators.
- (9) Fire and electrical inspections of the special transitory food unit shall be conducted by the appropriate township personnel. The applicant must have the required inspections completed at least three days prior to the planned date of operation. Inspections are valid from April 1st in the year of issuance until March 31st of the following year, and must be renewed each April thereafter.
- (10) All operators shall provide a copy of their vehicle insurance. Operators who conduct business on township owned properties shall provide a copy of their certificate of general liability insurance which names the township as an additionally insured.
- (11) The special transitory food unit license from delta township, state sales tax license and special transitory food unit permit from the county health department shall be displayed at all times by the operator in a conspicuous location.

( Ord. No. 23-111, 6-20-2023 )

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### **Sec. 44-17. Sales tax license.**

An operator shall have a state sales tax license, and a copy shall be provided to the administrator.

( Ord. No. 23-111, 6-20-2023)

### **Sec. 44-18. Revocation.**

The administrator shall revoke the license of any operator of a special transitory food unit who ceases to meet the requirements of this chapter; who commits fraud, misrepresentation or makes a false statement on their application or in the course of operating the special transitory food unit; who is convicted of a felony; or who creates a public nuisance or constitutes a danger to the public health, safety, and welfare. Immediately upon such revocation the license shall become null and void and the administrator shall provide written notice to the licensee and property owner by certified mail to the address provided on the application. Upon receipt of a notice of revocation, the licensee shall remove the special transitory food unit from the occupied premises. No person whose special transitory food unit license has been revoked shall be eligible to receive another license within the township for two years from the date of license revocation.

( Ord. No. 23-111, 6-20-2023)

### **Sec. 44-19. Appeals.**

Any person aggrieved by an order, requirement, decision or determination of the administrator as it relates to this chapter may appeal to the township board in accordance with the following procedures:

- (1) A written statement containing the specific reason(s) for the appeal must be filed with the township clerk within 15 calendar days of the date of the decision sought to be appealed.
- (2) The township board shall hold a hearing on the appeal, which shall be open to public comment and shall include an opportunity for the appealing party to present their appeal.
- (3) Notice of the time and place for consideration of an appeal shall be sent by the township clerk by mail or personal delivery not less than ten calendar days prior to the date of the hearing to the parties making the appeal.
- (4) The township board shall issue its decision on the appeal within a reasonable time. In its determination of the appeal, the township board may take, but is not limited to, any of the following actions:
  - a. Affirm the decision of the administrator with or without modification and with or without such conditions as the board deems necessary or appropriate to further the intent and purposes of this chapter.
  - b. Reverse the decision of the administrator and state its reasons for reversal.
  - c. Make any other decision, determination, order, or requirement that the administrator could have made with respect to the subject matter of the appeal.

The township clerk shall notify the parties making the request in writing of the township board's decision regarding the appeal.

( Ord. No. 16-91, 6-6-2016 )