

Denise Hurd
Clerk-Treasurer
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501-513-3501



City of Conway
1111 Main Street
Conway, Arkansas 72032
501-450-6100
501-450-6109 FAX

Operating as an Ice Cream Vendor in Conway

City of Conway - Ice Cream Vendor Requirements, Application, and Issuance of Permits

Each Ice Cream Vendor soliciting in the City of Conway is required to obtain a permit, and must display their permit at all times.

TO OBTAIN A PERMIT

1. All applicants shall submit completed application along with all required documentation to the City of Conway City Clerk's Office, City Hall, 1111 Main Street, Conway, AR 72032.
2. All applicants shall submit a copy of their Arkansas Driver's License.
3. All applicants shall provide proof of automobile insurance according to state law with the application for the vehicle they will be vending from.
4. All applicants shall submit a criminal background check performed by the Arkansas State Police as a condition of application. This requirement is a separate requirement for the City of Conway, and is not related to a background check an applicant may have done previously for other permits etc. (Application to ASP attached)
5. Permit fee - \$25.00 for the first person/vendor/driver and \$10.00 for each additional permit issued to subsequent persons/vendors/drivers. Permits are issued for a one (1) year period and will expire (1) year from the date of issuance. Replacement permits are \$10.00 each. Fees are nonrefundable.
6. Health Permit is required for ice cream vendors serving any non-prepackage items. (811 Northcreek Dr; Conway, AR 72032. Phone # 501-450-4941)
7. If applicant will be selling any products that are "prepared" and not "pre-packaged" food products, the applicant will be required to complete an A&P Tax Permit application which levies a 2% tax on prepared foods. They are attached for your convenience.

SAFETY EQUIPMENT FOR ICE CREAM TRUCKS

- a) Signs stating "WATCH FOR CHILDREN" must be provided on the front, back and both sides of the vehicle in at least four (4) inch letters of contrasting colors.
- b) The company name, address and phone number must be on both sides of the vehicle in at least three (3) letters of contrasting colors.

- c) A serving window, capable of being closed when not in use, must be provided and must be located on the curbside only.
- d) Left and right outside rear view mirrors as well as two additional outside wide-angle mirrors on the front and back of the vehicle must be provided to enable the driver to see around the entire vehicle.
- e) Operable yellow or amber flashing hazard lights clearly visible not less than 100 yards from the mobile unit under average daylight conditions shall be provided. Such lights shall be mounted no more than 12 inches below the roof of the mobile unit. No fewer than two lights shall be visible from each approach.
- f) A rear bumper cover shall be installed to prevent children from standing or jumping on the rear of the vehicle.

ADDITIONAL REQUIREMENTS

LOCATION

- a) Mobile ice cream trucks are permitted to vend in an area for no more than 15 minutes, then they must move to another location.
- b) Mobile ice cream vending is prohibited within City of Conway parks.
- c) Mobile ice cream trucks shall not vend within one block of any block containing an elementary or junior high school during school hours or within one hour before or after school hours on a day that school is scheduled to be in session.
- d) Mobile ice cream trucks shall not vend within 100 feet from an intersection.

HOURS OF OPERATION

- a) Mobile ice cream vending may only occur from 10:00 am to one-half hour before sunset.

USE OF SOUND EQUIPMENT

- a) Use of sound equipment shall be limited to music or human speech.
- b) Sound shall not be audible more than 100 yards from the truck. Sound shall be in violation of city or state noise or nuisance ordinances or statutes.
- c) Sound equipment may only be used from 10:00 am until one-half hour before sunset.
- d) Sound shall not be broadcast within 100 yards of schools during school hours while school is in session, or within 100 yards of hospitals, churches, courthouses, funeral homes, or cemeteries.
- e) Sound shall be turned off while the vehicle is stopped for vending.

HEALTH AND SAFETY PRECAUTIONS

- a) Vendors shall be in compliance with any and all state, county, or federal health regulations relating to the vending of food drinks, or confections, and shall display any required permits or notices.
- b) Drivers shall check around the vehicle before leaving the area to ensure that children are not remaining. When handling the purchased product to the children, drivers shall make certain traffic is clear, in case a child leaves the truck immediately and fails to observe oncoming traffic.
- c) Child customers shall not be allowed inside the vehicle. This provision shall not apply to children related to the driver while riding with the driver along the sales route.

PENALTIES

- a) The violation of any provision of this ordinance is declared to be an unclassified misdemeanor, punishable by a fine not exceeding five hundred dollars (\$500.00).

These rules and regulations are set forth via ordinances numbers O-07-85, O-07-109, and O-05-142.

Permit Application – Ice Cream Vendors
City Clerk's Office
City Hall – 1111 Main Street, Conway, AR 72032 – 501-513-3501

Note: \$25 application fee for 1st driver. \$10 for each additional driver.

NAME OF BUSINESS _____

BUSINESS ADDRESS _____

BUSINESS PHONE # _____

NUMBER OF EMPLOYEES _____

NAME OF APPLICANT _____

First

Middle

Last

APPLICANTS ADDRESS _____

APPLICANT HOME/CELL PHONE # _____

APPLICANT DATE OF BIRTH _____

APPLICANT DRIVERS LICENSE # _____

APPLICANT SIGNATURE

DATE

The required permit fee and all required documents listed on the attached sheet are required before a permit will be issued.

FOR OFFICE USE ONLY

DL. AR EXP. _____

Date Received _____

Health Department Approval _____

Background Check _____

Insurance Verification _____

Fee _____

Permit Number: _____

Approved: YES _____ NO _____



ARKANSAS STATE POLICE

ASP-122
(Rev. 07/08)

Identification Bureau Individual Record Check Form

Procedure For Criminal History Check

1. The ASP form 122, Individual Record Check Form, must be completed in its entirety.
2. A check or money order in the amount of \$25.00 made payable to the Arkansas State Police, must be included.
3. If the request is presented in person, the person requesting must present a photo I.D. issued by a government agency.
4. If the request is made by mail, the signature on the ASP form 122 must be notarized.
5. If the request is made by mail, a self-addressed envelope with sufficient return postage must be included.
6. If the request is made in person at our office by a third party, such as an employment agency or employer, the ASP form 122 must be notarized.
7. If the request is required by a particular licensing entity as mandated by state law, such as teachers, health care or police, please contact the appropriate licensing entity to obtain the proper forms and be advised of the correct procedure to obtain a criminal history.

Send requests to:

Arkansas State Police
Identification Bureau
1 State Police Plaza Dr.
Little Rock, AR 72209

To contact the Identification Bureau, you may call 501-618-8500.

SEE OTHER SIDE FOR APPLICATION



ARKANSAS STATE POLICE

ASP-122
(Eff. 09/21/2022)

Identification Bureau Individual Record Check Request Form

Please mark the box if this background check is for U.S. VISA purposes only and requires an Apostille Letter ☐

Full Name: _____
Last name First name Middle name Jr/Sr/III

Daytime Phone #: (____) _____
List ALL other names ever used (married, maiden, shortened, etc)

Date of Birth: _____ State of Birth: _____ Race: _____ Sex: _____
(Month/Day/Year)

Social Security #: _____ Driver's License #: _____
State

Physical Address: _____
Street

City State ZIP

Mailing Address: _____
Street or P.O. Box

City State ZIP

APPLICANT RECORD NOTIFICATION

Change, Correction, or Updating: Procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34 and/or Arkansas Code §12-12-1013.

I give my consent for the Arkansas State Police to conduct a criminal record search on myself and release any results to the following person or entity:

Signature: _____ Date: _____
(First/MI/Last Name) Month/Day/Year

Release to: _____
(First/MI/Last Name) or Full Name of Agency

Mailing Address: _____
Street

City State ZIP

Daytime Phone #: (____) _____

THIS PROPERLY COMPLETED FORM MUST BE NOTARIZED

STATE OF _____

COUNTY OF _____

Subscribed and sworn before me, a Notary Public, in and for the county and state aforesaid, this the _____
day of _____, 20 _____.

Notary Public

☐ 82005 State Record Check

ORDINANCE NO. O-07-85

AN ORDINANCE ESTABLISHING AND CLARIFYING REQUIREMENTS FOR MOBILE ICE CREAM VENDORS AND OTHER VEHICLES VENDING PRODUCTS TO CHILDREN; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the city council expressly finds that vehicles and hand carts in which ice cream, confections, and other **frozen** dessert products **are** carried for the purpose of retail sale on the public streets has the potential to pose special dangers to the public health, safety, and welfare of children and other residents of the city; and

WHEREAS, these dangers include, but are not necessarily limited to, the conflict between traffic and the **public's** attraction to vehicles or hand carts selling such products; and

WHEREAS, it is desirable to provide responsible companies and individuals who engage in the operation of such vehicles with **regulations** to prevent safety, **traffic**, and health hazards, **as** well as to preserve the peace, safety and welfare of the community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS, THAT:

Section 1. All drivers of ice cream trucks and other vehicles vending products to children shall submit a copy of their commercial driver's license to the city and obtain a permit **from** the office of the city clerk before operating such vehicle. **A** commercial driver's license is required.

Section 2. All **permit applicants** shall provide proof of automobile insurance according to state law along with the application.

Section 3. All applicants shall be subject to a criminal history background check, and shall consent to such check **as** a condition of application. A conviction for **any** offense involving **actual** or attempted homicide, kidnapping, assault or **assaultive** offenses, sexual assault or rape, any

offense requiring **registration** as a sexual offender in **any** state, theft (including robbery or burglary), prostitution or obscenity shall be grounds for disqualification of an applicant.

Section 4. Vendors shall operate with the following safety equipment for ice cream trucks:

(1) Signs stating "WATCH FOR CHILDREN" must be provided on the **front, back,** and both sides of the vehicle in at least four inch letters of contrasting colors.

(2) The company name, address, and phone number must be on both sides of the vehicle in at least three-inch letters of contrasting colors.

(3) A serving window, capable of being closed when not in use, must be provided and must be located on the **curbside** only.

(4) Left and right outside rear view mirrors as well as two additional outside wide-angle mirrors on the **front** and back of the vehicle must be provided to enable the driver to see around the entire vehicle.

(5) Operable yellow or amber flashing hazard lights clearly visible not less than 100 yards from the mobile unit under average daylight conditions shall be provided. Such lights shall be mounted no more than 12 inches below the roof of the mobile unit. No fewer than two lights shall be visible **from** each approach.

(6) A rear bumper cover shall be installed to prevent children **from** standing or jumping on the rear of the vehicle.

Section 5. The following requirements shall apply to mobile ice cream vendors.

(1) Location.

a. Mobile ice cream **trucks** are permitted **to** vend in an area for no more than **15** minutes, then they must move to another location.

b. Mobile ice cream vending is prohibited within City of **Conway** parks, unless the vendor has applied for and received a **franchise permit** for such activity.

c. Mobile ice cream trucks **shall** not vend within one block of any block containing an elementary or junior high school during school **hours** or within one hour before or after school hours on a day that school is scheduled to be in session.

d. Mobile ice cream trucks shall not vend within **100** feet **from an intersection**.

(2) Hours of operation.

a. Mobile ice cream vending may only occur from **10:00** a.m. to one-half hour before sunset.

(3) Use of sound equipment.

a. Use of sound equipment shall be limited to music or human speech.

b. Sound shall not be audible more than **100** yards **from** the truck. Sound shall be in violation of city or state noise or nuisance ordinances or statutes.

c. Sound equipment may only be used from **10:00** a.m. until one-half hour before sunset.

d. Sound shall not be broadcast within **100** yards of schools during school **hours** while school is in session, or within **100** yards of hospitals, churches, courthouses, **funeral** homes, or cemeteries.

e. Sound shall be turned off while the vehicle is stopped for vending.

(4) Health and safety precautions.

a. Vendors shall be in compliance with any and all state, county or federal health regulations relating to the vending of food, **drinks** or confections, and shall display **any** required **permits** or notices.

b. Drivers shall check around the vehicle before leaving the area to ensure that children are not remaining. When handing the purchased product to the children, drivers shall make certain traffic is clear, in case a child leaves the truck immediately and fails to observe oncoming traffic.

c. Child customers shall not be allowed inside the vehicle. This provision shall not apply to children related to the driver while riding with the driver along the sales route.

Section 6. PENALTIES: The violation of any provision of this ordinance is declared to be an unclassified misdemeanor, punishable by a fine not exceeding five hundred dollars (\$500.00).

Section 7. Any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 8: That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 10th day of July, 2007.

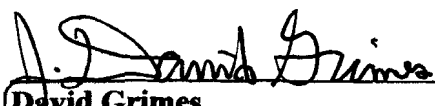
Approved:


Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer

Sponsored by:


David Grimes
Alderman, Ward 1, Position 2

② Same

019517

Doc#2007- 19340

Date 09/14/2007

12:31:48 PM

Filed & Recorded in

Official Records of

Faulkner County

RHONDA LONG

FAULKNER COUNTY CIRCUIT CLERK

Fees \$20.00

by

D. C.

0-07-109
ORDINANCE NO. 0-07-109

AN ORDINANCE AMENDING ORDINANCE O-07-85 THAT ESTABLISHED AND CLARIFIED REQUIREMENTS FOR MOBILE ICE CREAM VENDORS AND OTHER VEHICLES VENDING PRODUCTS TO CHILDREN; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council wishes to amend Ordinance O-07-85; relating to the CDL license.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS, THAT:

Section 1. Section 1 of Ordinance O-07-85 is amended to read as follows:

All drivers of ice cream trucks and other vehicles vending products to children shall submit a copy of their Arkansas driver license to the city and obtain a permit from the office of the city clerk before operating such vehicle. An Arkansas driver's license is required.

Section 2. All other parts and enumerated paragraphs will remain intact, unamended, and are in full force and effect.

Section 3. That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 4: That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 28th day of August, 2007

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett

City Clerk/Treasurer