

**Economic Development Subcommittee Meeting  
Agenda & Meeting Packet**

February 3, 2021

5:45 PM

**REVISED**

Meeting will be held **REMOTE ONLY VIA the “ZOOM” Platform**

**A NOTE TO RESIDENTS:** *Due to the continued concerns regarding the COVID-19 virus and Governor Baker’s declared State of Emergency, we will be conducting a remote/virtual EDC Meeting for all public access and participation. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number (Cell phone or Landline Required) OR citizens can participate by clicking on the attached [link](#) (Phone, Computer, or Tablet required). The attached link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting it will also be [live-streamed by Franklin TV](#) and shown on Comcast Channel 11 and Verizon Channel 29.*

- **Link to access meeting:** February 3<sup>rd</sup> EDC Meeting Link [HERE](#) -- Then click “Open Zoom”
  - Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/88275245494>
  - **Call-In Phone Number:** Call **1-929-205-6099** & enter Meeting ID # 88275245494 then press #

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**Agenda:**

- 1. Section 19 Farmer Series License-** Bylaw and Food Truck review for Breweries, Wineries & Distilleries

This is a meeting of the Franklin Town Council Sub-Committee; under the Open Meeting Law, this subcommittee is a separate "public body" from the Town Council. Therefore, unless the Town Council has separately noticed and posted its own meeting, Councilors who are not members of this subcommittee will not be permitted to speak or otherwise actively participate @ this meeting, although they may attend and observe. This prohibition is necessary to avoid the potential for an Open Meeting Law Violation

# Town of Franklin

Town Administrator  
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street  
Franklin, Massachusetts 02038-1352

## MEMORANDUM

June 1, 2017

To: Town Council

From: Jamie Hellen

**RE: Zoning bylaws – Brewery, Distillery, Winery with a tasting room**

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The proposal before the Town Council is to create a new use in the Town's zoning code by allowing for the production of beer, wine and spirits with an option of establishing a retail on premises (tasting room bar) or off-premises (take home, bottle, can, growler) business.

The proposal was presented and approved by the Economic Development Committee in late March.

The following are some bullet points to consider:

1. The proposed zoning will allow for the production of beer, wine or spirits and/or an optional tasting room in the following zoning districts: Business, Commercial I, Commercial II, Industrial, and Downtown Commercial District.
2. Production and retail will be prohibited in all residential districts.
3. The proposed zoning will allow for any producer to have a tasting room at no more than 25% of the total square footage of the structure. I want to note this is slightly smaller than the original proposal. The Planning Board voted to allow 25% of floor space, which the town staff supports. This number is commensurate with some other communities who have similar zoning.
4. A manufacturer may also have a restaurant or serve food prepared on site, but will need to go through the normal Board of Health related procedures for kitchens and receive a Common Victualler's license from the Administrator's Office. Keep in mind one note:
  - a. If a producer desires to serve on premises and obtain a Common Victualler's License to

prepare food on site, they will be limited to selling *only* their manufactured beer, wine, or spirit products. They may not import and sell any other alcoholic products because the law would require them to seek a traditional "Section 12" alcohol on-premises license like every other restaurant in town.

5. There is nothing in the bylaw that would prohibit a "BYOF" ("Bring Your Own Food") policy at an establishment. But this feature is a policy that would be put in place by each establishment.
6. Entertainment licenses may also be granted through normal procedures through the Town Administrator's office (TV's, juke box, live entertainment, etc.).
7. The following is the process for someone who ONLY desires to produce beer, wine or spirits:
  - a. Receive a Farmer's Farmer Series Production License from the state Alcohol Beverages Control Commission (ABCC).
  - b. Proceed through traditional Special Permit process in Town.
8. The following is the process for someone who wants BOTH to produce and serve the manufactured products on the premises with a tasting room bar:
  - a. Receive a Farmer's Farmer Series Production License from the state Alcohol Beverages Control Commission (ABCC).
  - b. Proceed through the traditional special permit process in Town.
  - c. Apply for a "Farmer Series Pouring License" to the Local Licensing Authority (Town Council)
    - i. The process to receive this license is the same as every other Section 12 license restaurant in town, including legal notification, abutters' notification, liquor liability insurance, and other requirements outlined in the application and town policy.



SPONSOR: Administration

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 17-788**

**DEFINITIONS. BREWERY, DISTILLERY, OR WINERY WITH TASTING ROOM**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT  
CHAPTER 185, SECTION 3.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:**

Chapter 185 of the Code of the Town of Franklin is hereby amended by adding the following text at §185-3 Definitions:

BREWERY, DISTILLERY, OR WINERY PRODUCTION WITH TASTING ROOM: A business located in a building where the primary use is for the production and distribution of malt, spirituous, or vinous beverages with a tasting room and which holds a Commonwealth of Massachusetts issued Farmer Series Production License. Any such facility that sells alcoholic beverages to be consumed on the premises shall have a Commonwealth of Massachusetts issued Farmer Series Pouring License approved by the Local Licensing Authority. The facility may host marketing events, special events, and factory tours. The facility may only sell beverages produced by, and commercial goods branded by, the brewery, distillery or winery. The facility may sell permitted beverages by the bottle to consumers for consumption off the brewery premises.

TASTING ROOM: A room attached to a brewery, distillery, or winery that allows patrons to sample or consume wine, beer, or other alcoholic beverages that are produced on-site in accordance with M.G.L. c. 138.

A tasting room may not be greater than twenty-five (25) percent of the main building's gross square footage.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

\_\_\_\_\_  
**DATED:** \_\_\_\_\_, 2017

**VOTED:**  
**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**Teresa M. Burr**  
**Town Clerk**

**ABSENT** \_\_\_\_\_

\_\_\_\_\_  
**Judith Pond Pfeffer, Clerk**  
**Town Council**

*Town of Franklin, MA  
Wednesday, October 16, 2019*

## Chapter 165. Transient Vendors

### § 165-1. Scope; purpose; authority.

- A. This chapter is enacted to supplement the provisions of Chapter 101 of the Massachusetts General Laws regulating the sale of goods, wares or merchandise by transient vendors, hawkers and peddlers and is intended to cover the sale of goods, wares or merchandise by all persons who are subject to the provisions of the said Chapter 101 and by certain other persons who may, by legislative oversight, be excluded from the scope of said statute.
- B. It is the specific and express purpose of this chapter to regulate, inter alia, the sale of goods, wares or merchandise by all transient vendors, hawkers and peddlers, not only those who go from town to town or from place to place within one town, but also those who conduct their business at a single location within one town and who may do so, not only within any tent, booth, building or other structure shelter, but also in the open air on any lot of land or part thereof.
- C. In the enactment of this chapter, the Town Council of the Town of Franklin specifically relies upon powers made available to it by Section 8 of Article 89 of the amendments to the State Constitution and by MGL c. 43B, § 13.

### § 165-2. Local license requirement; general applicability of regulations.

No person, either principal or agent, who engages in a temporary or transient business selling any goods, wares or merchandise, either in one location or in traveling from place to place, shall conduct such business within the Town without first having obtained any license required under MGL c. 101 and a local transient vendor license issued by the Town Administrator. Subject to federal and state law, no license shall be granted to any person who is not a citizen of the United States unless such person is authorized to work in the United States by the Federal Immigration and Naturalization Service, nor shall a license be issued to any entity that is not duly organized and authorized to conduct business within the commonwealth.

### § 165-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### **TEMPORARY OR TRANSIENT BUSINESS**

Any exhibition and sale of goods, wares or merchandise which is carried on at any location within this Town, unless such place is open for business during usual business hours for a period of at least 12 consecutive months during the current year. No person shall be relieved from complying with the provisions of this chapter merely by reason of associating himself temporarily with any local dealer, trader or merchant or by conducting such temporary or transient business in connection with or as a part of the business of, or in the name of, any local dealer, trader or merchant.

**TRANSIENT VENDOR**

Any person, whether principal or agent, who engages in a temporary or transient business in the Town of Franklin, whether at a single location or by going from place to place within the Town, selling or exhibiting for sale any goods, wares or merchandise.

**§ 165-4. Exclusions.**

- A. The provisions of this chapter shall have no application to any person, business, or activity which MGL c. 101 specifically exempts from local regulation.
- B. In those cases where MGL c. 101 provides that a person, business, or activity is exempt from local licensure or the payment of a fee therefor, the remaining provisions of this chapter shall still apply.

**§ 165-5. Application information.**

- A. Every person, before commencing business in this Town as a transient vendor or a locally licensed hawker or peddler, shall make written application to the Administrator on a form to be provided, stating:
  - (1) The business sought to be conducted.
  - (2) The names and residential addresses of the applicant and the owners or parties in whose interest said business is to be conducted.
  - (3) The place or places in the Town where the applicant proposes to carry on said business.
  - (4) The authority, if any, for the use of said premises.
  - (5) The proposed hours of operation for said business.
  - (6) The period of time during which it is proposed that said business shall be conducted.
- B. Each such application shall have attached thereto copies of any license which may have been issued for such business under Chapter 101 of the General Laws or otherwise.

**§ 165-6. Review of application.**

- A. The Town Administrator shall, forthwith upon its receipt, forward copies of all applications as are received by it to the Police Chief, the Fire Chief, the Building Commissioner and the Board of Health, unless such application shall indicate that the applicant has provided for such copies of the application to be filed with said agencies at the time of filing his application with the Town Administrator.
  - (1) The Police Chief shall examine into the character and reputation of each person named in the application to determine if said applicant shall be a person of good repute as to morals and integrity. The Police Chief shall review and examine each location proposed to be used for the sale of goods, wares or merchandise and the hours designated for such operation to determine if, in his opinion, any public safety hazard would exist by reason of the location, the hours of operation or the nature of the goods, wares or merchandise to be sold.
  - (2) The Fire Chief shall review and examine each location proposed to be used for the sale of goods, wares or merchandise and the hours designated for such operation to determine if, in his opinion, any public safety hazard would exist by reason of the location, the hours of operation or the nature of the goods, wares or merchandise to be sold.

- (3) The Building Commissioner shall examine and review each location proposed to be used, the hours designated for such operation and the nature of the goods, wares or merchandise to be sold to determine if, in his opinion, such are in conformity with the Zoning Bylaw and the Building Code.<sup>[1]</sup>

[1] *Editor's Note: See Ch. 185, Zoning, and the Massachusetts State Building Code, respectively.*

- (4) The Board of Health shall review and examine each location proposed to be used for the sale of goods, wares or merchandise, the hours designated for such operation and the nature of the goods, wares or merchandise to be sold to determine their conformity with the provisions of the State Sanitary Code and any local regulations of the Board of Health.<sup>[2]</sup>

[2] *Editor's Note: See Division 3 of this Code.*

- B. Each of said agencies shall make whatever report it deems necessary to the Town Administrator within one week of receipt of such application, recommending such measures or restrictions on the issuance of any license as may be necessary to protect the public peace, health, safety or general welfare of the community.

## § 165-7. Grounds for denial of license.

The Town Administrator may refuse to grant a license to any applicant if he finds that the applicant's character or business responsibility is unsatisfactory or that approval of a license is otherwise inconsistent with protection of the public peace, health, safety or general welfare.

## § 165-8. License conditions.

Each license issued under the provisions of this chapter is subject to the following conditions:

- A. No person licensed under the provisions of this chapter shall stand in or upon or park a motor vehicle in or upon or display his goods, wares or merchandise in or upon any street or sidewalk in the Town of Franklin or within 20 feet of the side line of any street, for more than 20 minutes, at one location. At the end of said time, said person shall move at least 500 feet and shall not return to any location where he has previously operated for at least four hours.
- B. No person licensed under the provisions of this chapter shall sell any goods, wares or merchandise in or upon any street or sidewalk within the Town of Franklin within 500 feet of a business selling the same or similar goods, wares or merchandise.
- C. Each license shall state with specificity the place or places at which it shall be valid, the hours of operation at each such place and the specific goods, wares or merchandise which are to be offered for sale at such places and during such times.
- D. No license may be transferred or assigned by the licensee, but a licensee may have the assistance of one or more persons in conducting his business, who may aid him but not act for him or without him.
- E. Public disturbance and threats to health and safety prohibited. No sale, barter, display for sale, or carrying for sale shall be permitted by any licensee, if such activities create a threat to the physical safety of patrons, purchasers or passersby, or if the activities of patrons or purchasers create a threat to the physical safety of others. No person hawking, peddling, or carrying or exposing any article for sale shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the Town, nor carry or convey such articles in any manner that will tend to injure or disturb the public health or comfort nor otherwise than in vehicles and receptacles which are neat and clean and do not leak.

- F. Town land. No sale, barter, display for sale, or carrying for sale shall be permitted, and no licensee shall operate, upon any public street or way, the Town Common, or any other Town land, without a license issued under this chapter. The license shall be maintained in the possession of each licensee during business operations and shall be provided to any police officer or Town enforcement official upon request.
- G. Private property. No sale, barter, display for sale, or carrying for sale shall be permitted, and no licensee vendor shall operate, upon any private property without a license issued under this chapter and the written permission of the owner of said property. Both the license and a copy of such written permission shall be maintained in the possession of each licensee during business operations and shall be provided to any police officer or Town enforcement official upon request.
- H. Each license issued under this chapter shall expire on the first day of January next following its issuance, unless sooner surrendered or revoked.

## § 165-9. Fees.

- A. Every transient vendor, upon making application under §§ **165-5** through **165-6** above, shall pay an application fee as established in Chapter **82**, Fees, of the Code of the Town of Franklin.
- B. The Town Administrator may authorize his office, upon the payment by the applicant of a license fee as established in Chapter **82**, Fees, of the Code of the Town of Franklin, to issue to him a license authorizing the sale of such goods, wares and merchandise within the Town.
- C. Upon such payment, the Town Administrator's office shall record the "local license fees paid."

## § 165-10. Temporary licenses.

Nothing in this chapter shall prevent the Town Administrator from granting, under such conditions and upon such fees, if any, as he may deem proper, special licenses authorizing a fraternal, religious, civic, veterans or other charitable organization to conduct a temporary or transient business for a particular time period not to exceed a total of four consecutive days.

## § 165-11. Violations and penalties.

A violation of any provision of this chapter shall result in a fine of \$100 for each offense; each day that the violation continues shall constitute a separate offense, except in the case of hawkers and peddlers holding a state license under MGL c. 101, § 22, or a local license under § 17 of said statute who shall be liable for a fine of \$20 for each offense, as provided in said § 17.

## § 165-12. Enforcement.

The Town Administrator or his designee, the Franklin Police Chief and Fire Chief or their designees, the Building Commissioner and the Board of Health Agent are each authorized to enforce the provisions of this chapter.



# **Temporary Special Event Food Truck License**

## **Introduction**

Under section 165 Transient Vendors of the Town Code, the Town Administrator has the authority to develop special, temporary licenses for a period of time.

The Town Administrator announces the establishment of a “Temporary Special Event Food Truck License” for the location and operation of Food Trucks within the Town of Franklin. All applicants must adhere to the following special licensure regulations, [Town Code Chapter 165-8](#) of the Town of Franklin and [105 Code of Massachusetts Regulation \(CMR\) 590.009](#).

## **Purpose**

The purpose of these licenses is for non-profit or charitable organizations within the Town of Franklin to receive a license to contract with food trucks for community wide temporary special events. A special license will allow for food trucks to be set up for business within “Food Truck Friendly Zones” (identified below) outside of the standard regulatory framework outlined in the Town’s transient vendor’s bylaw. This license is not available to private, for-profit organizations or individuals.

## **Guidelines and Licensing Requirements**

All potential licensees must adhere to the following regulations:

1. Only Franklin based organizations may apply for licenses.
2. Food trucks may only be located for business operation within the following authorized “Food Truck Friendly Zones”:
  - a. Town Common (on Main Street from High Street to Pleasant Street only)
3. Food Trucks are only allowed to operate during temporary licensed special events.
4. Per Chapter 165-8 of the Town of Franklin Code, licensed food trucks shall not be permitted to operate within 500 feet of a “business selling the same or similar goods, wares or merchandise.”
5. Licensees may only operate at within authorized “Food Truck Friendly Zones”, at specifically approved times on the license.
6. Licensees shall not deploy any free-standing sign or flags unless specifically permitted and in compliance with local Zoning Bylaw. Applicability of Zoning Bylaw shall be determined by the Town Zoning Enforcement Officer.
7. Licensees may only contract with Food Trucks who are licensed by the Board of Health. The Board of Health offers annual licenses for food trucks. Licenses are a one-time inspection and are good for all special events within Franklin. The Town’s requirements are commensurate with other cities and towns such as the City of Boston. Board of Health 508-520-4905.

8. Licensees shall not deploy tables or seating, unless specifically permitted.
9. Food Trucks shall not be positioned so as to expose the general public to vehicular traffic, mechanicals, generators, or other unsafe conditions for patrons.
10. Licensees shall make specific provisions for potable water, electricity, electric lighting if operated at night, collection and proper removal of recycling, trash and wastewater.
11. Licensees shall ensure that the licensed area is kept clean, neat and sanitary at all times. Sole reliance on the use of municipal trash receptacles is not permissible. A sanitation plan is required for application.
12. No licensee or employee of the licensee shall consume any alcoholic beverage, marijuana or unlawful controlled substances, while on duty.
13. No licensee or employee of the licensee shall be permitted to consume or smoke any tobacco products with 35 feet of the truck, while working as per Board of Health regulations and state law.
14. Operations are permitted between the hours of 11:00 AM but not later than 9:00 PM.
15. This license does not authorize to sell non-food novelty items such as: t-shirts, hats, toys, etc. A separate retail license must be obtained from the Licensing Authority to receive permission to sell non-food items.
16. All special events must be open to the public.
17. Licensees may also be required to provide deposits or pay for additional costs for police details, DPW cleanup costs, EMS or other costs as determined by the Town Administrator as conditions of licensure.

#### Application Information

Applications will only be accepted online: <https://franklinma.viewpointcloud.com/>

To apply for a “Temporary Special Event Food Truck License”, the following information will be required:

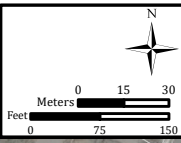
- General information on the applicant, dates, times, and special event information.
- The Licensees shall provide evidence of comprehensive liability insurance in the amount of at least \$1 million (single claim), and listing the Town of Franklin as an additional insured.
- Proof of 501©3 nonprofit status, copies of Hawkers and Peddlers licenses from each Food Truck vendor and any other information.

- Refuse plan, while both on site during and after any special event, to ensure the site is left garbage-free at the end and clean and tidy throughout the event. A deposit may be required to offset any public costs to the DPW staff to handle trash collection.
- Sanitation plan, for public restroom access during an event.
- Event site plan (or sketch), if applicable, to depict the flow of pedestrian traffic, traffic detours, road closures, positioning of the food trucks and other information on the special event.
- The local fee for a Temporary Special Food Truck License is \$100.00 for the licensee. Each food truck shall have a valid Mobile Food vehicle licenses from the Board of Health to conduct business at any special event. See [Municipal Fee Schedule in the Town Code](#).
- A valid Hawkers, Peddlers and Transient Vendors license from the Commonwealth of Massachusetts is required for each manager/owner of a food truck. The state license must be current for the duration of the locally permitted and licensed operation. If at any time, the state license is revoked, suspended and/or not active the local license shall be void.
- A separate road closure or Town Common event permit does not need to be applied for separately. If applying for a “Temporary Special Event Food Truck License,” this application will also serve as a way to also secure a public event/ road closure permit, if requested and needed.

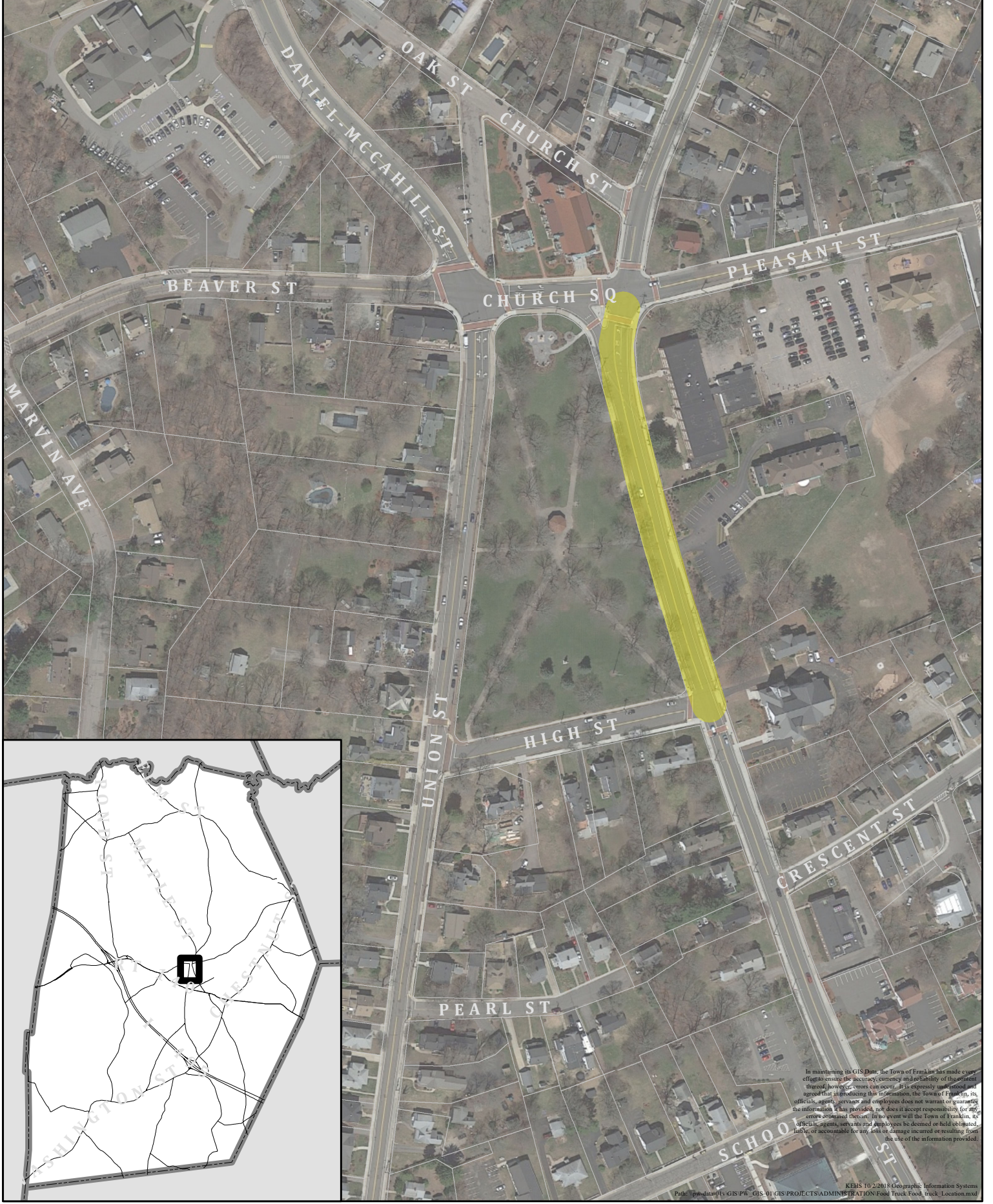
# FOOD TRUCK FRIENDLY ZONES

- Food Truck Zone
- Street
- Parcel Line
- Municipal Boundary

Imagery © Google



**Franklin**  
MASSACHUSETTS



In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof; however, errors can occur. It is expressly understood and agreed that in relying on this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss of damage incurred or resulting from the use of the information provided.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

October 2, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

**Re: Resolution 20-61: Authorization for Town Administrator to Grant Temporary Food Truck Permits to G.L. Ch. 138 Section 19B,C, and E Farmers Series Licensees**

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As a result of the COVID-19 Pandemic, Massachusetts Governor Charlie Baker has developed a phased re-opening for the state of Massachusetts. In phase 2 of the Governors reopening plan, Beer Gardens, Breweries, Wineries, and Distilleries were able to open and serve beverages only if the licensee provided seated food service under retail food permits issued by municipal authorities.

Without this granted permission to contract with food trucks these Farmer Series businesses that do not currently operate a retail food establishment are at risk of closure.

This resolution will give formal authorization to the Town Administrator to grant temporary food truck permits to Farmer Series Licensees who are currently unable to provide this food service due to no on-site kitchen facilities and who are outside the "Food Truck Friendly Zone".



**TOWN OF FRANKLIN  
RESOLUTION 20-61**

**Authorization for Town Administrator  
to Grant Temporary Food Truck  
Permits to G.L. Ch. 138 Section  
19B,C, and E Farmers Series  
Licensees**

**WHEREAS,** The Massachusetts Governor released an executive order stating that all alcoholic beverages may only be served in Phase 2 if the licensee provides seated food service under retail food permits issued by municipal authorities,

**WHEREAS,** Farmer Series Licensees (G.L. Ch 138 Section 19 B,C,E) who are currently unable to provide this food service due to no on-site kitchen facilities are required to remain closed until Phase 4 of the State’s COVID -19 Pandemic Re-Opening Plan,

**WHEREAS,** Food Trucks are currently only permitted in the “Food Truck Friendly Zone” during special events,

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Town Council of the Town of Franklin hereby grants authority to the Town Administrator to grant temporary Licenses to G.L. Ch 138 Section 19B,C, and E Farmer Series Licensees to satisfy the requirement to provide food for on-premises consumption by contracting with third parties such as food truck operators to provide food on a licensee’s premises.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2020

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

**Nancy Danello  
Temporary Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk  
Franklin Town Council**

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

**TO:** Franklin Farmer Series Businesses  
**FROM:** Jamie Hellen, Town Administrator  
Chrissy Whelton, Assistant to the Town Administrator

**RE:** Temporary Food Truck Permits to G.L. Ch. 138 Section 19B,C, and E Farmers Series Licensees

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This guidance is for Farmer Series Businesses (ie. Wineries, Breweries, Distilleries) to receive a permit to contract with and allow for food trucks on their licensed premises during Phase 2 and 3 of the Governors COVID-19 Order to increase business activity and revenues in a safe and responsible way during the COVID-19 pandemic. This license will expire upon the declaration of Phase 4 of the Governors order.

Before the granting of a temporary expansion is allowed, the owner or his/her/their designee, shall complete the online ["Temporary Permit for Food Trucks During COVID-19"](https://franklinma.viewpointcloud.com/) application via Viewpoint under "Administration". <https://franklinma.viewpointcloud.com/>

## Required Documents to Submit (where applicable)

- 1. Application:** Complete the online application for a Temporary Permit for Food Trucks and upload the additional documents needed  
here: <https://franklinma.viewpointcloud.com/categories/1080/record-types/6584>
- 2. Temporary Food Permit:** Complete the online application for a temporary food permit  
here: <https://franklinma.viewpointcloud.com/categories/1082/record-types/6585>
- 3. Food Truck Location Plan:**  
Submit a legible drawing showing the location of where the Food Trucks will be parked that includes the following information:
  1. Dimensions of the portion of the parking lot to be used for Food Trucks.
  2. Include the number of spaces that will be used for food trucks, parking spaces for customers, including handicap spaces. All public ways, including sidewalks, roads and alleys, are prohibited.
  3. Locations of curb cuts with ramps to the parking lot, if applicable.
  4. Layout of Food Trucks.

- 4. Copies of Valid Hawkers and Peddlers Licenses from each Food Truck Vendor:**  
The state license must be current for the duration of the locally permitted and licensed operation. If at any time, the state license is revoked, suspended and/or not active the local license shall be void.
- 5. Letter of Permission:** if applicable. If the parking lot is not owned by the business owner, a letter of permission from the owner of the parking lot indicating permission to allow food trucks on property is required. If you own the property, this is not required.
- 6. Letter(s) of Acknowledgement:** if applicable. If other businesses and/or residents share the use of the parking lot, a letter(s) of acknowledgement of this plan from all other users is required. If you do not share the parking lot, this is not required.
- 7. Liability Insurance:** The Licensee shall Provide evidence of comprehensive liability insurance in the amount of at least \$1 million (single claim), and listing the Town of Franklin as an additional insured.

#### Responsibilities of the Business Owner

The establishment, through its owner and/or manager, are responsible for self-enforcement of the use of the parking lot for Food Trucks, including all laws, regulations and safety protocols by the Governor or local permitting.

#### Rights of the Town of Franklin

The Town of Franklin reserves the right to revoke its permission to allow food trucks on the premises. The Health Director, Chief of Police, Building Commissioner, Town Administrator, Fire Chief and/or their designees could determine that the operation of the Food Trucks are negatively impacting public health and safety, or that a licensee is not following any of the legal requirements outlined by the Governor, Board of Health or local officials.

Please contact Chrissy Whelton with any questions via email at [cwhelton@franklinma.gov](mailto:cwhelton@franklinma.gov) or 774-571-3024