

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

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

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 or 774-571-3024