



Proposed Changes to Chapter 25, Article XII “Mobile Food Unit Vendors”

**City Council
Tuesday, March 28, 2023**



Process Overview

- On November 22, 2022, the City Council unanimously approved a moratorium on new Mobile Food Unit vendor licenses.
- All registered vendors on file were mailed and emailed a notice regarding the moratorium; also posted on the city website.
- In December, surveys were emailed to downtown businesses, all liquor licensee's and registered mobile food unit vendors.
- Tuesday, February 14, 2023, the City Council unanimously approved an extension on the moratorium on Mobile Food Unit vendors.
- Wednesday, February 15, 2023, a meeting for Mobile Food Unit vendors was held to explain proposed changes.
- Tuesday, February 21, 2023, staff presented overall proposed changes to RAP Committee.
- A special RAP Committee Meeting was held Wednesday, March 1st to discuss changes and review concept language.
- March 7th the RAP Committee reviewed proposed language and forwarded the item to COW.



Current Proposal

- Proposed language seeks to address concerns expressed by the City Council, food vendors and community members.
- Modifications include:
 - Updated definitions
 - Creation of authorized operating locations
 - New processes and procedures
 - Benefits for local vendors
- Majority of changes were to clarify language and add processes to support vendor operations.



Core Issues

Where we started:

- Location of trucks
- Proximity of trucks to brick-and-mortar restaurants
- Enforcement
- General operational concerns; including long term parking

Where we are today:

- Vendor/community feedback was incorporated into the proposal
- Clearly defined rules and regulations
- Benefits for local vendors
- Options for vendors to select locations



Sec. 25-282 Definitions

- **Current:**
 - **Address point to address point:** ambiguous
- **Proposed:**
 - 100 ft. property line to property line
 - Define “adjacent” **(NEW)**
- **Authorized Operating Location (NEW):**
 - Creates parameters and protections for vendors
 - Allows vendors to select their own locations
- **Distance Reduction Hearing (NEW)**
 - Process for vendors to request a variance
 - Variance becomes part of legal record, creates a process that benefits the vendor and the city.



Distance Reduction Hearing

The type of activity to be conducted at the premises proposed to be licensed and the days and times during which such activity will take place	Information from application
Notice to the surrounding businesses	Law Department
Type of businesses that may be affected by the mobile food unit operating at the location	License Administrator
The zoning classification of the place the mobile food vendor would like to operate	License Administrator & Zoning Official
The availability of adequate parking for patrons of both the applicant's business and the affected establishment	License Administrator & Zoning Official
Reports from fire or property standards regarding violations at the proposed location	Pertains to the location requested (city staff)
Reports from the police regarding the location, as well as the history of activity conducted at or in conjunction with the premises and any associated infractions or violations of state law or local ordinances	Pertains to the location requested (city staff)
The relevant geography and location of the applicant's business	License Administrator & Zoning Official
The legal nature and history of the applicant	Specific to any city violations
The measures the applicant proposes to implement to maintain quiet, cleanliness, and security in conjunction with the establishment	Attestation from application (part of current application)



Benefits

- Property line to property line removes any ambiguity or interpretation.
- **Hearing process:**
 - Provides a path for vendors interested in working in a specific area
 - Provides the ability for surrounding businesses and their Alderperson to go on record with support or concerns.
 - Decision is made by the Administrative Hearing Officer, not a city employee.
 - Process is straightforward.
 - If granted, they will be provided a legal document that gives them the same rights as any other permitted business in the city.
 - Creates a clear record for the business and the city.

Lack of process and procedure in current ordinance created issues.



Benefits to Vendors

- Annual licenses will only be granted to local vendors.
- Ability to set own hours of operation.
 - Residential hours remain the same.
- City is designating “Food Truck Spots” throughout the city.
- All licensed vendors will be listed on the city website.
- There will be a map of all annual vendors locations on the city website.

These are all new additions designed to support vendors.



Sec. 25-284 MFU Operating Requirements - AMENDED

Hours of Operation:

- Limited between 7:00 a.m. and 10:00 p.m. in residential areas **OR** by permit (events)
- Non-residential areas, operators are allowed to choose their own hours.
- All mobile food units must be moved to an appropriately zoned location when not in operation.

**Lack of clear requirements regarding storage and movement
are an issue in the current code.**



Sec. 25-282 Definitions

- Refreshed and updated to match current industry trends.
- Re-define “food trucks”, draft proposes three categories:
 - **Food Cart:** limited to use at events
 - Currently not allowed at all
 - **Food Trailer:** requires towing in order to move
 - **Food Truck:** self-contained, motorized unit

Lack of clear definitions created issues in the current code.



Sec. 25-286 Sanctions, Appeals - NEW

Sanctions/Appeals:

- A clearly articulated process for violations, fines and the hearing process.
- Includes a process for appealing any license denials.
- Includes a process for managing complaints, concerns, etc.

The lack of a specific process for sanctions, appeals and enforcement is an issue in the current code.



Summary of Changes

Vendor Choice:

- Hours
- Location
 - Process if chosen location is one that would not typically be approved
 - Provides protection for the vendors
- City is adding locations for food trucks
- Licensed vendors listed on city website
- Map of licensed vendors on city website
- Clearly defined due process
- Clear rules and regulations
- Clear, updated definitions and terminology consistent with industry trends



Questions?