

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 100-14

### AN ORDINANCE

amending Chapter 14 and Chapter 24 of the City Code as it relates to enabling and regulating the use of public streets and parking for mobile vending by food trucks; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 14 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 14-1. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed:

...

*Local commercial motor vehicle.* A commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than twenty-five (25) miles therefrom.

*Mobile food vendor.* A self-contained food service operation, located in a wheeled motor vehicle or trailer, used to store, prepare, display or serve food intended for individual portion service.

*Motor vehicle.* Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors.

...

Sec. 14-283. Parking for certain purposes prohibited.

No person shall park a vehicle upon any roadway for the principal purpose of:

- (1) Displaying such vehicle for sale.

...

- (6) Selling goods, merchandise or products of any kind from such vehicle; except mobile food vendors as lawfully permitted in this code.

...

Sec. 14-315. Metered mobile food vending zones designated.

The following parking metered spaces are designated as mobile food vending zones:

Cherry Street, south side, eight (8) spaces between Sixth Street and Seventh Street.

Locust Street, south side, eight (8) spaces between Ninth Street and Tenth Street.

Walnut Street, north side, ten (10) spaces between Ninth Street and Tenth Street.

Sec. 14-316. Reserving parking spaces in metered mobile food vendor zones.

(a) To use a metered mobile food vending zone, a mobile food vendor shall be required to lease a meter bag(s) from the public works department using the fee schedule below. Public works may request documentation to verify a mobile food vendor's legal status to engage in business within the city limits of Columbia.

Daily Single Meter Bag: ..... \$10.00

Daily Double Meter Bag: ..... \$20.00

Monthly Single Meter Bag: ..... \$150.00

Monthly Double Meter Bag: ..... \$200.00

(b) A mobile food vendor will be required to place a meter bag over a designated parking meter at least four (4) hours before the mobile food vendor intends to use the parking space.

(c) Parking spaces in mobile vending zones may not be occupied by a mobile food vendor between the hours of 3:00 a.m. and 6:00 a.m.

(d) The meter bag must be removed when a mobile food vendor leaves the parking space.

(e) Parking spaces in a mobile food vending zone are available on a first come, first served basis.

(f) When a meter bag is placed over a parking meter in a mobile food vendor zone, no vehicle shall park in the reserved space except for the mobile food vendor in possession of the meter bag.

Secs. 14-315~~7~~—14-320. Reserved.

...

Sec. 14-416. Two-hour zones.

No person shall, during the hours set forth in this division, park a vehicle in any parking space on the following designated streets or off-street parking lots, alongside of, next to, in front of, or behind which a parking meter is installed, for a longer period of time than two (2) hours at the rate established in section 14-413, except for a mobile food vendor with a meter bag issued by the public works department.

SECTION 2. Chapter 24 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

## ARTICLE IX. MOBILE FOOD VENDORS

Sec. 24-150. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed:

*Mobile food vendor.* A self-contained food service operation, located in a wheeled motor vehicle or trailer, used to store, prepare, display or serve food intended for individual portion service.

*Mobile food vending.* The sale of individually portioned food from a mobile food vendor.

*Mobile food vending zone.* Areas demarcated for mobile food vending as set out in section 14-315 of this Code.

*Wabash Station.* The spaces designated in writing by the director of public works in the Wabash Station parking lot.

*Operation.* The period of time, including setup and closing, in which a mobile food vendor is open and selling individually portioned food.

Sec. 24-151. Mobile food vending allowed with certain restrictions, times and areas.

- (a) All mobile food vending operations shall be subject to the following:
  - (1) Operations, including customer queues, shall not impede or hinder vehicular and pedestrian traffic; and
  - (2) If directed by a police officer, or any other authorized public personnel, operations may be suspended and a mobile food vendor may be ordered to move, even if located in a mobile food vending zone, to avoid congestion or impeding traffic; and
  - (3) Soliciting occupants of vehicles or advertising in any way that impedes traffic is prohibited; and
  - (4) Mobile food vending shall only occur to the side facing the sidewalk and away from the street when in the public right-of-way; and
  - (5) A mobile vending food truck may not be left unattended in a public right-of-way, nor parked overnight in a public right-of-way; and
  - (6) No mobile food vendor shall have any exclusive or perpetual right to any location upon the streets, alleys or public lands of the city; and
  - (7) The size of a mobile food vending vehicle will in no way interfere with the city's or public's use of any public right-of-way; and
  - (8) The use of outdoor sound amplifying equipment, lights, or any other illuminated or noisemaking devices is prohibited, except for the lighting of a menu attached to the side of the mobile food vending truck providing only enough light for customers directly in front of or nearby the menu to read.
  - (9) The use of any equipment (chairs, tables, signs, etc.) outside of the truck, except for one refuse container, is prohibited; and
  - (10) A refuse container must be available for use by customers when mobile food vending occurs and the container shall be placed close to the truck and not impede vehicular or pedestrian traffic; and
  - (11) A mobile food vendor shall contain all refuse generated from vendor's operation within the truck and the refuse container and the vendor shall dispose of grease and trash at sites selected by the city and at a cost following the category assignment of restaurants under section 22-172 of this Code; and

- (12) Any power required for the mobile food vending truck located in public right-of-way shall be self-contained and will not draw its power from the public right-of-way. No power cable or equipment shall be extended at grade or overhead across any public street, alley or sidewalk; and
- (13) Mobile food vendors must comply with all parking restrictions in chapter 14 of this code.
- (b) Times of mobile food vending operations in designated vending zones shall be limited to:
- (1) In metered mobile food vending zones – between the hours of 6:00 a.m. and 3:00 a.m. ; and
- (2) Mobile food vending at the Wabash Station – between the hours of 9:30 p.m. and 3:00 a.m.; and
- (3) Mobile food vending in any other permitted area – between the hours of 6:00 a.m. and 11:00 p.m.
- (c) Mobile food vending prohibited except as follows:
- (1) On properly zoned property as permitted by law; and
- (2) As set forth in this article.
- (d) In the Central Business District, mobile food vending is prohibited except as follows:
- (1) In metered mobile food vending zones as lawfully permitted in this Code – between the hours of 6:00 a.m. and 3:00 a.m.; and
- (2) As permitted by the director of public works at the Wabash Station – between the hours of 9:30 p.m. and 3:00 a.m. There is no fee for mobile food vending at the Wabash Station between the hours of 9:30 p.m. and 3:00 a.m. The director may establish rules and regulations for the use of the Wabash Station or prohibit use for mobile food vending at any time.
- (e) Outside of the Central Business District, and when not prohibited by this Code, mobile food vending is permitted on legal parking areas directly adjacent to and on the same side of the street of property zoned C-1, C-2, C-3, C-P, M-1, M-C, M-P and M-R that allow restaurants, between the hours of 6:00 a.m. and 11:00 p.m.

Sec. 24-152. Operation prohibited.

(a) Mobile food vending operations shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m. except, metered mobile food vending zones shall be prohibited between the hours of 3:00 a.m. and 6:00 a.m. and mobile vending operations at the Wabash Station shall be prohibited between the hours of 3:00 a.m. and 9:30 p.m.

(b) Mobile food vendors must comply with all existing parking restrictions as set forth in chapter 14 of this Code.

(c) Mobile food vending operations shall be prohibited within five hundred (500) feet of any Columbia Public School.

(d) Mobile food vending operations shall be prohibited in an area or time when it would impede or hinder traffic both vehicular and pedestrian, including customer queues.

(e) Except at metered mobile food vending zones and at the Wabash Station, the following is prohibited:

- (1) Mobile food vending operations are prohibited within 300 feet from the front door of a restaurant, unless the vendor is otherwise provided with written consent.
- (2) Mobile food vending operations are prohibited within five hundred (500) feet of any concert, event, festival, or fair, unless the vendor is otherwise provided with written consent.
- (3) Mobile food vending operations are prohibited in spaces adjacent to bus stops, disabled loading zones, or directly in front of a business entryway.

Sec. 24-153. Compliance under the law.

Every mobile food vendor under this division shall comply with all city, state and federal laws.

Secs. 24-154--165. Reserved.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

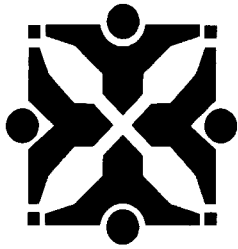
ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor



Source: City Manager

Agenda Item No:

To: **City Council**  
From: **City Manager and Staff**

**Council Meeting Date:** Apr 7, 2014

**Re:** Mobile Food Vendor Ordinance

#### **EXECUTIVE SUMMARY:**

The proposed amendments to City ordinances would allow mobile food vendors (food trucks) to conduct business on certain public streets and downtown in certain areas.

#### **DISCUSSION:**

Food trucks are a growing trend providing unique cuisine and dining experience. Cities across the country are employing various regulations for food trucks to insure public safety and a level playing field for brick and mortar restaurants. Columbia food trucks can only do business in private parking lots with the consent of the property owner or with a special event permit. Staff and Council members have been approached by food truck owners wishing to open up the City's streets to their businesses.

The proposed amendments will enable mobile food vendors to vend in selected mobile food vending areas within the downtown, designated spots at Wabash station outside of transit operation hours, and on streets adjacent to property with zoning that would allow restaurants. There are a number of regulations and restrictions listed to insure the operation of a mobile food vendor does not create any safety hazards, traffic disturbances, or conflicts with existing restaurants.

The mobile food vending zones downtown are anticipated to be the most highly used areas for mobile food vending. These areas are available on a first come first serve basis. To use the parking spots in a zone a mobile food vendor must use a meter bag to cover all the spaces occupied by their vehicle and/or trailer. Mobile vending in these zones is prohibited from 3 a.m. to 6 a.m. Mobile food vending zone locations were recommended by the CID from conversations with downtown restaurants, food truck owners, and city staff. At the request of the CID this bill is being brought forward in conjunction with a bill that would extend operational hours for sidewalk cafes.

#### **Meter Box Rates for Mobile Vendors**

Daily Single Meter Bag:	\$10.00
Daily Double Meter Bag:	\$20.00
Monthly Single Meter Bag:	\$150.00
Monthly Double Meter Bag:	\$200.00

#### **Mobile Food Vending Zones:**

**Cherry Street**, south side, eight (8) spaces between Sixth Street and Seventh Street.

**Locust Street**, south side, eight (8) spaces between Ninth Street and Tenth Street.

**Walnut Street**, north side, ten (10) spaces between Ninth Street and Tenth Street.

#### **FISCAL IMPACT:**

Impact on the parking utility would depend on usage of mobile food vending zones and if additional meter bags would need to be procured.

#### **VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>



**SUGGESTED COUNCIL ACTIONS:**

Approve legislation amending Chapter 14 and Chapter 24 of the City code to enable mobile food vending on public streets in designated areas in the City of Columbia.

<b>FISCAL and VISION NOTES:</b>					
<b>City Fiscal Impact</b> Enter all that apply		<b>Program Impact</b>		<b>Mandates</b>	
City's current net FY cost	\$0.00	New Program/ Agency?		Federal or State mandated?	
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?		<b>Vision Implementation impact</b>	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?		Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		<b>Resources Required</b>		Vision Impact?	
One Time	\$0.00	Requires add'l FTE Personnel?		Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?		Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?		Fiscal year implementation Task #	