

ORDINANCE NO. 6848
EXHIBIT A

Division II. Specific Businesses

Chapter 5.20
INDIVIDUAL LICENSE REGULATIONS

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5.20.260 Mobile Vendors and Food Trucks

A. Definitions

1. “Mobile Vendors” means any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, ground covering, tent, canopy, or other device designed to be portable and not permanently attached to the ground from which food, beverages, and/or goods are peddled, vended, sold, served, displayed, offered for sale, or given away. A display may include a table and cooler.
2. “Food Truck” is a mobile vehicle equipped to prepare, serve, or sell food and/or beverages. Food trucks typically contain onboard power, refrigeration, food preparation facilities and space for up to four employees. This definition also includes any associated seating and tent or canopy.

B. License Application

1. Exemptions. Mobile Vendors or Food Trucks parked on a public or private parcel operating 10 (ten) days or less within a 365-day period and that are not located on the same parcel for more than 3 (three) consecutive days are exempt from the requirement to obtain a city business license or a temporary use permit.
2. City Business License Required. Any Mobile Vendor or Food Truck operating for more than 10 (ten) calendar days in a 365-day period or located on the same parcel for more than 3 (three) consecutive days, is required to obtain a city business license prior to operation. Review of the business license will include, but is not limited to, all applicable regulations in the Auburn City Code, and conditions of approval related to previously approved development approvals on the subject site, with the following exceptions:
 - a. Mobile Vendors and Food Trucks shall not be subject to the temporary use permit requirements of Chapter 18.46A ACC.
 - b. Mobile Vendors and Food Trucks shall not be subject to additional parking requirements of Chapter 18.52 ACC beyond what was established for the underlying site development approvals.
3. Operating in the city right-of-way. Mobile Vendors and Food Trucks that operate in the public right-of-way such as along streets or sidewalks shall first apply for and obtain a right-of-way use permit for a specific single location and not transferable to a new location. This requirement is in addition to a city business license unless exempt from the city business license based on the time limitations provided in ACC 5.2.260(B)(1), above. See Chapter 12.60 ACC for right-of-way use permit regulations and procedures.
4. All Mobile Vendors and Food Trucks, whether they are exempt from a license or not, are required to comply with all applicable Federal, State, and County requirements including all State and County Health Department regulations. Exempt vendors may be relieved a city business license, but the mobile vendor or food truck shall still comply with all other applicable rules and regulations of the Auburn City Code.

C. Specific City Business License Regulations

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1. Zoning Districts.
 - a. Non-Residential Zones: Mobile Vendors and Food Trucks are permitted to operate in all non-residential zones. For purposes of this Chapter, non-residential zones include all commercial, industrial, and special purpose zones and districts.
 - b. Residential Zones: Mobile vendors and food trucks operating in residential zoning districts are permitted for no more than 3 (three) calendar days in the same general location. Mobile vendors and food trucks shall be fully self-contained, require no utility or power connections, and are not allowed to have freestanding appurtenant structures beyond the cart of vehicle, such as, but not limited to, canopies and tents as allowed for other zoning location as provided in ACC 5.2.260(C)(5). For purposes of this Chapter, residential zones shall include all residential zoning designations and planned unit developments.
2. Vending location.
 - a. Non-Residential Zones: Mobile Vendors and Food Trucks on private or public property may be parked in a designated parking spot or other location used for parking that will not negatively impact vehicular and non-motorized circulation or safety, does not block fire lanes or accessible parking stalls, and that does not impede visual site distance for drivers. Mobile Vendors and Food Trucks may be placed in other locations outside developed parking or circulation areas that do not disrupt vehicular or non-motorized circulation or that do not adversely affect site improvements, such as utilities and landscaping. Any Mobile Vendors or Food Trucks operating in the public right-of-way shall operate in a location in accordance with an approved right-of-way use permit.
 - b. Residential Zones: Mobile Vendors and Food Trucks shall not be parked on residential front yards or driveways where they would impede a public sidewalk. Appropriate parking locations include, but are not limited to, private access tracts, private driveways where the public sidewalk is not blocked, private common properties, and within the public right-of-way provided that a right-of-way permit is issued.
 - c. All Zones: Mobile Vendors and Food Trucks shall not be parked in a location that blocks access to a city owned utility or where it will impede garbage collection or mail delivery.
3. Garbage, recycling, and composting. Mobile Vendors and Food Trucks shall provide sufficient garbage, recycling, and composting receptacles nearby to accommodate all refuse generated by the operation. Mobile Vendors and Food Trucks that are sited in the same location for less than a 365-day period must meet the garbage, recycling and composting standards established in ACC Title 15. Mobile Vendors and Food Trucks that are sited in the same location for more than a 365-day period must meet the garbage, recycling and composting provisions established in ACC Title 15 and Title 18. At the cessation of operations, the Applicant shall also be responsible for removal of any litter or debris and restoration of the affected area. Food trucks that connect to city utilities or an onsite plumbing system must also adhere to the Fats, Oil, and Grease (FOG) plan requirements established in Chapter 13.22.
4. Use of liquid petroleum gas (propane) or an open flame (wood or charcoal). A permit from the Valley Regional Fire Authority is required for the use of propane or an open flame.

5. In addition to canopies, awnings or any other attachments that are supported entirely by the cart or vehicle and do not touch the ground, a single canopy or tent with three or fewer flexible sheeting walls are allowed as a freestanding structure (not supported by the cart or vehicle), if located within five feet of the cart or vehicle, are less than 150 square feet in area, are supported on a frame that is manufactured as an integral unit, maintained in original "like new" condition, and are without added flexible sheeting panels, colors, or signage.