

O-29-23

Food Truck Parking and Mobile Food Service in the City of Annapolis

AMENDMENT 1 – ALD. SCHANDELMEIER

Amendment Summary:

This is the sponsor's substitute. It makes technical and clarifying changes throughout the entire text.

- The style for code cross-references is updated to current style;
- The reference to Ward 8 is removed; sections of the City can be restricted only by zones, not by political Wards. The Ward 8 reference was added in 2016;
- Section B(4), Obstructing Access, and B(6), Trash, have been tightened against loopholes.

On Page 2, strike lines 1 through 37 and on page 2, strike lines 1 through 28, and insert the following:

A. Mobile Vendors. A licensee, or person acting for or on behalf of a licensee, shall only engage in the business of a peddler, hawker, itinerant merchant, or transient vendor in the following circumstances:

- ~~A~~1. When a mobile vendor, ~~other than a mobile food service vendor,~~ is selling commodities or services on public property outside the historic district where the sale of those commodities or services is a use permitted without a special exception;
- ~~B~~2. When conducting sales in residential zones, pursuant to ~~chapters~~§ 21.42—21.47, outside the historic district. Mobile vendors operating under this paragraph may not remain in a neighborhood longer than ~~thirty~~30 minutes during a three-hour period;
- ~~C~~3. As part of a special event that is organized by a business association that has a principal place of business within the ~~e~~City of ~~a~~Annapolis and that represents commercial enterprises in the immediate area of the proposed operation;
- ~~D~~4. As part of a special event within the ~~w~~Waterfront ~~m~~Maritime ~~e~~Eastport (WME) and ~~w~~Waterfront ~~m~~Mixed ~~m~~Maritime (WMM) zoning districts.

Explanation:

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Underlining & red - new matter added to the code.

~~E~~5. In the ~~h~~Historic ~~d~~District, as set forth in § 21.56, as part of a special event that is organized by the city when the licensee is a commercial enterprise in the immediate area of the special event;

~~F~~6. When a mobile vendor, ~~other than a mobile food service vendor~~, is engaged in any of the activities described in ~~section~~§ 7.40.020(A);

~~G~~. As to mobile food service vendor licensees:

- ~~1. On public property outside the historic district in zones where standard restaurant is a permitted use without special exception subject to the following limitations:
 - ~~i. Not within one hundred feet of a standard restaurant without written permission of an authorized representative of said restaurant;~~
 - ~~ii. Not within one hundred feet of a residential zoning district except in ward 8;~~~~
- ~~2. On private property outside the historic district in zones where standard restaurant is a permitted use without special exception and with the written permission of the property owner~~
- ~~3. In an industrial zone and with the written permission of the property owner;~~
- ~~4. In a residential area within the boundaries of ward 8;~~
- ~~5. In other residential areas outside the historic district for not more than thirty minutes in a neighborhood during a three-hour period unless in conjunction with an approved special event;~~
- ~~6. In conjunction with [subsection] (C) or (D), above.~~

~~H~~7 On those days of the year and at those places and times ~~as are~~ designated from time to time by resolution or ordinance of the City Council.

B. Mobile Food Service Vendors.

1. **Historic District.** Mobile food service vendors are allowed in the City's Historic District, as defined in § 21.56, only as part of a special event organized by the city per §14.18.
2. **Outside the Historic District.** In areas outside the Historic District, mobile food service vendor licensees may operate as follows:
 - a. On private, nonresidential property only with the express written permission of the property owner, which permission shall include a starting and ending date; or
 - b. On public property pursuant to a validly issued permit or with the equivalent express written permission issued by the responsible City Department.
4. **Obstructing Access.** Mobile food service vendor vehicles shall in no way block, obstruct, or impede any public right of way or access to it, including vehicular, bicycle or pedestrian flow on the public right of way, nor obstruct or

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interfere with access to any public or private fire hydrant or any building's fire department connection.

5. **Noise.** Mobile food service vendor generators and music shall not exceed 65 decibels as measured from 50 feet away.

6. **Trash.** A licensee shall collect and properly dispose of all trash and debris generated by mobile food service activities of the licensee.

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