



City of Annapolis

160 Duke of Gloucester Street
Annapolis, Maryland 21401



Signature Copy

O-29-23

..Title

Food Truck Parking and Mobile Food Service in the City of Annapolis - For the purpose of allowing mobile food service vendors, also called "food trucks," to park for food service outside the historic district on private, non-residential property and public property if they have the property owner's permission; requiring food trucks to limit noise, pick up trash and not block public access ways; general copyediting of the code section; and generally related to mobile food service vendor requirements.

..Body

CITY COUNCIL OF THE

City of Annapolis

Ordinance 29-23

Introduced by: Alderman Schandelmeier

Co-sponsored by: Ald. Gay

Referred to:

Economic Matters Committee

AN ORDINANCE concerning

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

FOR the purpose of allowing mobile food service vendors, also called "food trucks," to park for food service outside the historic district on private, non-residential property and public property if they have the property owner's permission; requiring food trucks to limit noise, pick up trash and not block public access ways; general copyediting of the code section; and generally related to mobile food service vendor requirements.

BY repealing the following portions of the Code of the City of Annapolis, 2023

Edition:

7.40.090

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Title 7 – BUSINESS LICENSES, TAXES AND REGULATIONS
Chapter 7.40 – PEDDLERS, HAWKERS AND ITINERANT MERCHANTS
Section 7.40.090 - Areas of operation and operating restrictions.

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:

- ~~A1.~~ 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;
- ~~B2.~~ When conducting sales in residential zones, pursuant to ~~e~~ Chapters 21.42–21.47 of the City Code, 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 except within the boundaries of ward eight the Eighth Ward;
- ~~C3.~~ 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 that represents commercial enterprises in the immediate area of the proposed operation;
- ~~D4.~~ 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.
- ~~E5.~~ In the ~~h~~Historic ~~d~~District, defined in Chapter 21.56 of the City Code, 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;
- ~~F6.~~ When a mobile vendor, other than a mobile food service vendor, is engaged in any of the activities described in Subsection 7.40.020(A) of this chapter;

~~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;

Explanation: Strikethrough indicates matter stricken from existing law.
Underlining indicates a new addition to the City Code.

Amendments Underlining & black - copyediting or reformatting of existing law
Underlining & red - new matter added to the code (original change in bill)
Underlining & blue - amendment

- ~~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.~~

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:

1. When a mobile 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;
 2. When conducting sales in residential zones, pursuant to § 21.42—21.47, outside the historic district. Mobile vendors operating under this paragraph may not remain in a neighborhood longer than 30 minutes during a three-hour period;
 3. As part of a special event that is organized by a business association that has a principal place of business within the City of Annapolis and that represents commercial enterprises in the immediate area of the proposed operation;
 4. As part of a special event within the Waterfront Maritime Eastport (WME) and Waterfront Mixed Maritime (WMM) zoning districts.
 5. In the Historic 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;
 6. When a mobile vendor is engaged in any of the activities described in § 7.40.020(A);
- ~~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.

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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 property only with the express written permission of the:
 - i. Property owner, which permission shall include a starting and ending date;
 - ii. Authorized representative of any restaurant within 100 feet of the proposed food truck location; 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 interfere with access to any public or private fire hydrant or any building's fire department connection.
5. **Noise and Air Pollution.**
 1. Mobile food service vendor music or other noise shall not exceed 65 decibels as measured from 50 feet away.
 2. Mobile food service vendors shall not use gas, diesel or other fossil fuel-powered generators as their primary energy source. They shall only be used as emergency backup systems.
6. **Trash.** A licensee shall collect and properly dispose of all trash and debris generated by mobile food service activities of the licensee.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect upon passage.

SECTION III: AND BE IT FURTHER ESTABLISHED that the Department of Planning and Zoning, within 90 days of enactment, shall promulgate such regulations as are necessary and proper for the full implementation of this Ordinance.

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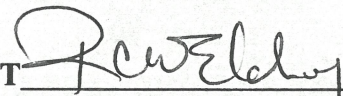
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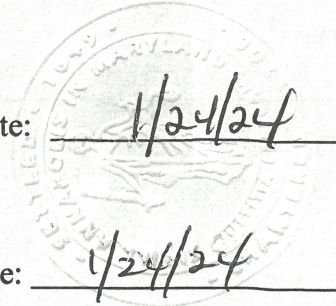
ADOPTED this 22nd day of January 2024.

Aye: 9 Mayor Buckley, Alderwoman Tierney, Alderwoman O'Neill,
Alderwoman Pindell Charles, Alderwoman Finlayson,
Alderman Schandelmeier, Alderman Gay, Alderman Savidge and
Alderman Arnett

**THE ANNAPOLIS CITY
COUNCIL**

 Date: 1/24/24
Gavin Buckley, Mayor

ATTEST  Date: 1/24/24
Regina Watkins-Eldridge, MMC,
City Clerk



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