



Legislation Details (With Text)

File #: O-29-23 **Version:** 1 **Name:**

Type: Ordinance **Status:** Second Reader

File created: 8/25/2023 **In control:** Economic Matters Committee

On agenda: 10/23/2023 **Final action:** 1/22/2024

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 accessways; general copyediting of the code section; and generally related to mobile food service vendor requirements.

Sponsors: Brooks Schandelmeier, Dajuan K. Gay

Indexes: Economic Matters Committee

Code sections:

Attachments: 1. O-29-23 First Reader, 2. O-29-23 Legislative Summary, 3. O-29-23 Fiscal Impact Note, 4. O-29-23 Staff Report, 5. O-29-23 Amendment 1 - Schandelmeier (Sponsor's Substitute Amendment), 6. O-29-23 Amendment 2 - Savidge, 7. O-29-23 Amendment 3 - Savidge, 8. O-29-23 Signed (b&w), 9. O-29-23 Signed (color)

Date	Ver.	Action By	Action	Result
1/17/2024	1	Economic Matters Committee	recommend favorably	Pass
10/9/2023	1	City Council	declare the public hearing closed	
10/9/2023	1	City Council	Cosponsor added	
9/26/2023	1	City Council	adopt on first reader	Pass
9/26/2023	1	City Council	refer	

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 accessways; general copyediting of the code section; and generally related to mobile food service vendor requirements.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 29-23

Introduced by: Alderman Schandelmeier

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 accessways; 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 aAnnapolis that represents commercial enterprises in the immediate area of the proposed operation;
 - D4.** As part of a special event within the ~~w~~Waterfront mMaritime ~~e~~Eastport (WME) and wWaterfront ~~m~~Mixed mMaritime (WMM) zoning districts.
 - E5.** In the ~~h~~Historic 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;~~

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, defined in Chapter 21.56 of the City Code, only as part of a special event organized by the city per Chapter 14.18 of the City Code.
2. **Outside the Historic District.** In areas outside the Historic District, mobile food service vendor licensees may operate per Subsections a and b (below) and shall park on:
 - a. Private, nonresidential property only with the written permission of the property owner, and where property owner permission to operate includes a starting and ending date; and
 - b. Public property only with a permit or equivalent written permission issued by the oversight department or agency.
3. **Obstructing access.** The mobile food service vendor vehicle shall not block, obstruct, or interfere with public right of way, including vehicular, bicycle or pedestrian flow, nor obstruct or interfere with the access of any public or private fire hydrant or any building's fire department connection.
4. **Noise.** Mobile food service vendor generators and music shall not exceed 65 decibels as measured from 50 feet away.
5. **Trash.** A licensee shall collect all trash and debris from their mobile food service.

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.