

LEGISLATIVE DIGEST

[Public Works Code - Mobile Food Truck Facilities Locational Requirements]

Ordinance amending Public Works Code, Article 5.8, to address various locational and noticing requirements concerning mobile food facilities; and making environmental findings.

Existing Law

Public Works Code Article 5.8 (Sections 184.80 et seq.) establishes the Department of Public Works' regulatory program for mobile food facilities, which covers both food trucks and pushcarts. This regulatory scheme involves fees, permit processing, public notice for new permits, public hearings to protest an application, locational requirements, penalties for violations, and other elements.

Amendments to Current Law

The Ordinance would clarify that a mobile food facility shall sell only food and drink related items. This legislation would limit the term of new permits to 7 years at a particular location, require certain noticing for renewal, and address renewal when there is a need to relocate the facility. The Ordinance also adopts new restrictions on: 1) the time periods that a mobile food facility can serve a particular location, 2) proximity to restaurants, property under the jurisdiction of the Recreation and Park Department, and certain public schools, 3) facilities that are affiliated with certain formula retail uses in certain zoning districts, and 4) signage associated with the facility. Existing permittees would be grandfathered from the permit renewal and new locational requirements so long as they are permittees in good standing. The legislation would modify noticing requirements and the factors that an administrative hearing officer would consider as part of a protest of an applicant's proposed location. The Ordinance would explicitly recognize the Public Works Department's ability to suspend or revoke permits based on identified public purposes and would urge the Director to find a comparable location for the facility to operate. The legislation also would increase administrative penalties for violations of Article 5.8. The Ordinance would adopt environmental findings.