



City Council Report

Date: December 1, 2021
To: City Council
Through: Michael Kennington, Deputy City Manager/Chief Financial Officer
From: Edward Quedens, Business Services Director
Tim Meyer, Business Licensing and Revenue Collections Administrator
Subject: Amendments to the Mobile Food Vendor Code **(Citywide)**

Recommendation

The purpose of this report is to request City Council approval of the proposed ordinance changes to modify Title 5, Chapter 4 of the Mesa City Code entitled Mobile Food Vendors.

Background / Discussion

Concerns have been raised from citizens in residential areas where mobile food vendors have been operating on a consistent basis.

Currently, mobile food vendors may operate within 25 feet of a lot or parcel with a residence on it. Staff is proposing to increase the minimum distance to 250 feet, which would more closely mirror the State statute.

A few exceptions would be permitted in the proposed changes. In an area zoned for residential use, the 250' separation requirement would not apply if the Mobile Food Unit is:

- operating on private property and either:
 - Operation is pursuant to a Council-approved ordinance or resolution with a site plan or development agreement, or
 - 3 or less Mobile Food Units are operating at one time and the Mobile Food Units do not operate on the property more than 4 times per year
- operating at a licensed/permitted special event
- primarily selling ice cream novelties
- parked in right-of-way adjacent to private property and does not operate there more than 4 days per year

Staff is also recommending a modification to the code that would allow a mobile food vendor to participate in a licensed special event or a Parks-approved event without acquiring a license, provided the mobile food vendor has a valid fire inspection or successfully passes a fire inspection, prior to the event taking place. If approved, the mobile food vendor could attend no more than 4 events per calendar year without acquiring a mobile food vendor license.

As proposed, and after adoption, the ordinance would be effective March 1, 2022.