

## Division 2. Permits, Prohibitions, and Exceptions

### Sec. 30.05.032 Permit required

- (a) It is an offense for a person to operate a mobile food establishment in the city limits without a mobile food vendor permit.
- (b) It is an offense for a person to conduct sales at a mobile food establishment in the city limits without a mobile food vendor permit.
- (c) It is an offense for a person to erect, install or park a mobile food establishment in the city limits without a mobile food vendor permit.
- (d) (1) It is an offense for a person to erect, install, or park a mobile food establishment within the boundaries of the Mercer Street ~~or Hays Street~~ historic districts, as defined in section 24.07.032 [[chapter 30, exhibit A, section 4.3.2](#)] of the Code of Ordinances, unless ~~(1)†~~

(A)-the location or operation of the mobile food establishment is for a special event or city-sponsored event, for which the mobile food vendor is included in the permit application for which the event organizer must obtain a permit (see Code of Ordinances [section 6.02.071](#)).; ~~or~~

(2) The mobile food vendor is a complementary extension, or outlet, of a brick-and-mortar restaurant or business and the applicant of a mobile food vendor applies for and is granted a certificate of appropriateness under the requirements of chapter, 24, article 24.07 [[chapter 30, exhibit A, section 4, division 2](#)] of the city code and applies for and is granted a conditional use permit under the requirements of [chapter 30, exhibit A: zoning, section 3.17](#) of the city code. A mobile food vendor under this subsection may not be located within 100 feet of Mercer Street measured from the center line of Mercer Street within the historic district. A conditional use permit shall not be granted prior to a certificate of appropriateness being granted. The mobile food vendor shall only operate during the operating business hours of the brick-and-mortar business of which the mobile food vendor is an extension or outlet.

(2) It is an offense for a person to erect, install, or park a mobile food establishment within the boundaries of the Hays Street historic district, as defined in section 24.07.032 [chapter 30, exhibit A, section 4.3.2] of the Code of Ordinances, unless:

(A)The location or operation of the mobile food establishment is for a special event or city-sponsored event, for which the mobile food vendor is included in the permit application for which the event organizer must obtain a permit (see Code of Ordinances section 6.02.071).; or

(B) The mobile food vendor is a complementary extension, or outlet, of a brick-and-mortar restaurant or business and the applicant of a mobile food vendor applies for and is granted a certificate of appropriateness under the requirements of chapter, 24, article 24.07

**Staff Report - (c) MFV Ordinance Prohibiting Food Trucks on Mercer Street-100 ft**

[chapter 30, exhibit A, section 4, division 2] of the city code and applies for and is granted a conditional use permit under the requirements of chapter 30, exhibit A: zoning, section 3.17 of the city code. A conditional use permit shall not be granted prior to a certificate of appropriateness being granted. The mobile food vendor shall only operate during the operating business hours of the brick-and-mortar business of which the mobile food vendor is an extension or outlet.

(e) Applicants of mobile food vendors (longer than 10 days) or mobile food courts wishing to locate in the Old Fitzhugh historic district as defined in section 24.07.032 [[chapter 30, exhibit A, section 4.3.2](#)] of the Code of Ordinances must apply for and be granted a certificate of appropriateness under the requirements of chapter 24, article 24.07 [[chapter 30, exhibit A, section 4, division 2](#)] of the city code and apply for and be granted a conditional use permit under the requirements of [chapter 30, exhibit A: zoning, section 3.17](#) of the city code. A conditional use permit shall not be granted prior to a certificate of appropriateness being granted.