



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
For the Meeting of January 26, 2026

**Title/Subject**

Discussion of potential code amendments regulating temporary food vendors

**Summary and Background**

The city council has received public testimony at several meetings requesting assistance in regulating temporary food vendors which are periodically operating in the city and surrounding area. Although the city does not have authority to regulate food vendors outside the city limits, there are a number of regulatory actions which can be taken within the city. Multiple city departments, including police, planning, code, administration, and legal have met with county health and planning officials to discuss the regional issues surrounding temporary vending.

The summer and fall of 2025 saw a proliferation of food vendors setting up tents on private property between 5 and 7 pm and vending food until late into the evening. These vendors had no city licenses, no health inspections, and in some cases were set up on private property with no authorization from the land owner. The selling of uninspected food poses an immediate public health risk. Without inspection it is not possible to know if the food has been at the proper temperature prior to cooking, if meat is sourced from an inspected vendor, if food is held at proper temperature after cooking, and if the employees are practicing proper sanitation techniques.

Based on potential immediate dangers to the public health, staff has prepared potential code amendments to allow any food vendor lacking proper documentation of all inspections and licenses to be cited or shut down by city authorities. Vendors shall also provide written consent from the land owner allowing access to private property. A private property owner who knowingly allows an unlicensed vendor to operate on their property may also be cited. These amendments are proposed for the nuisance code in Chapter 92. The nuisance code has prescribed processes in place for citing and abatement procedures. Additionally, the code allows field staff to exercise discretion and provide warning or education to violators rather than requiring a citation in every instance.

As with other mobile vending code requirements, these restrictions apply only to vendors preparing food in the field. Vendors selling pre-packaged food, such as girl scout cookies, are exempt and do not require food handling inspections under Oregon state law. Vending of

other goods, such as flowers, sunglasses, etc. remain unaffected provided the vendor obtains a city business license and does not vend from a public right of way.

### **Tie-In to Council Goals**

N/A. This code language is presented to the city council in response to public comments presented to the city council at prior meetings.

### **Fiscal Information**

There is no financial impact from this proposal. Should the city adopt additional regulations, current staffing can accommodate the enforcement need.

### **Alternatives and Recommendation**

#### **Alternatives**

This item is present for discussion purposes. The city council may choose to direct staff to amend the draft language, reject any new code, or direct staff to prepare the ordinance for adoption at a future meeting.

#### **Recommended Action/Motion**

Staff recommends the city council direct staff to prepare an ordinance for adoption at a future meeting, subject to any additional code language required by the council.

### **Submitted By:**

Clinton Spencer, Planning Director

Rich Tovey, City Attorney