



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
For the Meeting of February 23, 2026

Title/Subject

Ordinance No. 2380 Regulating Unlicensed Food Vendors

Summary and Background

At the January 26 city council meeting, the council received draft code language prohibiting unlicensed food vending in the city and adding unlicensed food vending to the nuisance code. The draft language was prepared in response to multiple public requests for city assistance in addressing this regional issue.

Following the council review of the code language, the council requested some minor amendments and directed staff to proceed with preparing an ordinance for inclusion in the city code. Ordinance No. 2380 now comes before the city council for consideration.

As background, the summer and fall of 2025 saw a proliferation of food vendors setting up tents on private property in the evening 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 landowner. It is the city's finding that 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 drafted Ordinance No. 2380 requiring 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

The city council may choose to adopt or reject Ordinance No. 2380

Recommended Action/Motion

Staff recommend that the city council adopt Ordinance No. 2380.

Submitted By:

Clinton Spencer, Planning Director

Rich Tovey, City Attorney