

**TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2025-4**

**AN ORDINANCE OF THE TOWN OF NEW CASTLE TOWN COUNCIL AMENDING
PROVISIONS OF TITLE 17 OF THE TOWN MUNICIPAL CODE CONCERNING FOOD
TRUCKS**

WHEREAS, Chapter 17.36 of the Town of New Castle Municipal Code (“Code”) establishes the use, dimensional, and other zoning regulations for the C-1 commercial zone district; and

WHEREAS, “mobile vending carts or stands,” commonly known as food trucks, are among the listed conditional uses in the C-1 district; and

WHEREAS, interest in both temporary and semi-permanent “food trucks” within the Town has increased, and the Colorado General Assembly has enacted new legislation concerning food truck permitting; and

WHEREAS, the Code does not currently differentiate between food trucks that will be used on a temporary vs. semi-permanent basis, and Town Council has recommended that the Code be updated to clarify what permitting process applies to temporary vs. semi-permanent food trucks; and

WHEREAS, in accordance with Section 17.92.030(B) of the Code, the Planning & Zoning Commission held a public hearing on December 10, 2025, to consider whether the Code should be amended to address recent state law changes concerning food trucks and to clarify the land use procedures applicable to food trucks and recommend that such Changes be made; and

WHEREAS, Town Council now desires to amend Chapters 17.04 and 17.36 of the Code as set forth in this Ordinance, finding that doing so would promote the health, safety, and welfare of the citizens of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals. The foregoing recitals are incorporated by reference herein as findings and determinations of Town Council.

2. Amendments. Chapters 17.04 and 17.36 of the Code are hereby amended as set forth below, with added language in **bold** and *italics*. Except as expressly amended hereby, the Code shall remain unchanged and in full force and effect.

17.04.050 – Definitions

“Mobile food establishment” means a retail food establishment that (a) is operated from a movable, motor-driven, or propelled vehicle, portable structure, or watercraft; (b) can change location; and (c) is intended to physically report to and operate from a commissary kitchen for servicing, restocking, and maintenance.

17.36.050 – Conditional Uses

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B.

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16. Mobile vending carts or stands ***and mobile food establishments that will remain on and operate from the same lot or parcel for more than fourteen (14) days in any three hundred sixty-five day period.***

D. Mobile vending carts or stands and mobile food establishments that will operate from one or more locations for fourteen (14) days or less at any one time shall not be required to obtain a conditional use permit but must obtain a special event license as set forth in Section 5.04.050 for each operating event. Any mobile food establishment, whether operating under a conditional use permit or special event permit, shall be subject to the requirements of C.R.S. §§ 29-11.6-101, et seq., and any mobile food establishment guidelines that may be adopted by the Town, as either may be in effect from time to time.

3. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

4. Effective Date. This Ordinance shall be effective fourteen days after final publication pursuant to section 4.3 of the Town Charter.

INTRODUCED on December 16, 2025, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on January 6, 2026, read by title and number, passed, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO,
TOWN COUNCIL

By: _____
Art Riddile, Mayor

ATTEST:

Mindy Andis, Town Clerk