

VENDOR ORDINANCE UPDATE

SUMMARY OF CHANGES

| No. | Section | Current Ordinance | Proposed Change | Reason for Change |
|-----|--|---|---|--|
| 1 | Throughout | Uses the term "Catering Vehicle" | Use "Food Trucks" instead of "Catering Vehicle" | Catering vehicles is a term used for a specific use of food trucks not regulated by the ordinance. |
| 2 | 20-203; 20-206 | Not in current ordinance | Establish "Designated Locations" for Food Trucks | Allows for a fixed location for a Food Truck during the hours 10am to 3am without the need to "reserve" the location with another vehicle. |
| 3 | 20-205 | Not in current ordinance | Add "Ice Cream Truck" as a vendor type | Establish specific regulations and fees for Ice Cream Trucks |
| 4 | 20-206(v) | Not in current ordinance | Allow Food Trucks on "Private Property" with a Conditional Use Permit | Expand the opportunities for vending with a Food Truck |
| 5 | 20-206(e); 20-206(f)(2); 20-206(i) | Not in current ordinance | Allow Food Trucks adjacent to Public Parks | Expand the opportunities for vending with a Food Truck. Expand the use of parks and bring more "eyes on the street" for safety. |
| 6 | Throughout | Allows for "services" to be allowed through a vendor permit. | Remove "services" from allowable items for sale by a Food Truck, Nonmotorized Pushcart or Street Vendor | More clearly defines sale item to indicate the purchase of an item or food or beverage. |
| 7 | Throughout | Uses the term "deputy city manager/city engineer" | Remove the term and replace with "city engineer" | Updates the position to the current job title. |
| 8 | Throughout | Uses the term "his" | Change the term to replace with "their" | Update to use gender neutral terminology. |
| 9 | 20-199(c)(4) | Not in current ordinance | Requires background check for anyone selling products marketed for children. | Brings greater scrutiny and security to anyone selling to children. |
| 10 | 20-203 | Limits the total number of catering vehicle permits to those established as of November 1, 2005 (32). | Limit the total number of Food Truck permits at a <u>"Designated Location"</u> to 52. | Creating a "Designated Location" is estimated to cost approximately \$1250 per location excluding staff time. Establishing a limited number of "Designated Locations" provides a clear estimate of the impacts the provision will impact the General Fund. |
| 11 | 20-204(a)(6) | Not in current ordinance | Restricts Nonmotorized Pushcarts from operating within 200-ft of a "High Collision Intersections" as defined in the Vision Zero Action Plan | Align with city plans to reduce collisions and increase safety on public streets. Restriction would eliminate added distractions near the 10 "High Collision Intersections" identified in the Vision Zero Action Plan. |

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| 12 | 20-204(a)(7) | Not in current ordinance | Restricts the use of more than 24-sf of space by a Nonmotorized Pushcart. | Controls the area used by a Nonmotorized Pushcart to minimize the impact of public sidewalks. |
| 13 | 20-204(a)(7) | Not in current ordinance | Establishes 3-ft setbacks from utility boxes, fire hydrants, tree wells and bus stops. | Reduce the obstruction and restrict use of city utilities and street features due to vendors. |
| 14 | 20-204(a)(7) | Not in current ordinance | Maintain a 3-ft distance between Nonmotorized Pushcarts | Reduce conflicts between vendors and provide access between vendors. |
| 15 | 20-204(e) | Restricts sale of food items or beverages from Nonmotorized Pushcarts. | Allow sale of food items or beverages from Nonmotorized Pushcarts | Aligns with state law (SB 946). |
| 16 | 20-204(f) | Not in current ordinance | Prohibit attaching rope, banners, merchandise to a street tree, streetlight, pole or utility box. | Reduce the obstruction and restrict use of city utilities and street features by vendors. |
| 17 | 20-204(g) | Not in current ordinance | Restrict use of furniture other than allow a stool and umbrella for Nonmotorized Pushcarts | Reduce the obstructions in the right of way. |
| 18 | 20-204(h) | Not in current ordinance | Require a minimum clearance of 18-in clearance from adjacent street curb. | Align with city standard clearance for structures in the right of way from the curb. |
| 19 | 20-205 (current ordinance) | Requires a bathroom and handwashing facility within 200-ft of vendor. | Remove requirement to regulated handwashing facility within 200-ft of vendor. | This is a requirement of the Monterey County Health Department for a Mobile Food Facility health permit. |
| 20 | 20-205 | Not in current ordinance | Add operating restrictions for Ice Cream Trucks. | Establish regulations and fees specific to Ice Cream Trucks. |
| 21 | 20-206(c) | Hours of operation from 3:00 am to 6:00 pm and 3:00 pm to 3:00 am for stationary vendors. | Change hours of operation to 10:00 am to 3:00 am for Food Trucks in "Designated Locations" | The proposed hours of operation were proposed by the current vendors and discussed during a meeting. |
| 22 | 20-206(c) | Not in current ordinance | Require unhitching of trailers and stands operating on "Designated Locations" | Allows for better use of the right of way without the added obstruction of the hauling vehicle. |
| 23 | 20-206(d) | Not in current ordinance | Allows an unlimited number of Food Trucks to operate in non-Designated Locations and establishes hours of operation of 8:00 am to 7:00 pm. Requires relocation every 4 hours. | Opens vending opportunities and reduces the waitlist. |
| 24 | 20-206(e) | Not in current ordinance | Establishes hours of operation for Food Trucks adjacent a public park to sunrise to sunset. | Aligns with hours of operation for public parks. |

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| 25 | 20-206(f) | Hours of operation for Food Trucks vending fresh fruits and vegetables are 6:00 am to 8:00pm | Change hours of operation for Food Trucks vending fresh fruits and vegetables to sunrise to sunset. | Allows for Food Trucks that sell fresh fruits and vegetables to align with public park hours of operation. |
| 26 | 20-206(f)(2) | Not in current ordinance | Give preference to Food Trucks who sell fresh fruits and vegetables to operate at public parks with restrooms. | Health permits require property owner signatures for the use of a restroom for a food vendor. Given fresh fruit and vegetable vendors preference at public parks with restrooms would incentivize the sale of healthy food options at parks along with increasing access to healthy food options for residents. |
| 27 | 20-206(f)(3) | Not in current ordinance | Establish permit fees specific to Food Trucks who sell fresh fruits and vegetables. | Incentivizes the sale of healthy food options and increases residents' access to healthy food options for residents. |
| 28 | 20-204(a)(3) 20-205(e) current ordinance | Requires a 300-ft setback from any catering vehicle to a church, synagogue, or other house of worship. | Removes restriction. | Increases vending opportunities and reduces the waitlist. |
| 29 | 20-206(g) | Requires a 300-ft setback from a school to a catering vehicle. | Requires a 200-ft setback from a Food Truck to a K-12 school. | Increases vending opportunities and reduces the waitlist. |
| 30 | 20-206(i) | Not in current ordinance | Establishes regulations for Food Trucks at public parks | Sets more stringent regulations for Food Trucks at public parks |
| 31 | 20-206(j) | Not in current ordinance | Restricts Food trucks from operating along "High Collision Corridors" as defined in the Vision Zero Action Plan | Align with city plans to reduce collisions and increase safety on public streets. Restriction would eliminate added distractions at the 10 "High Collision Corridors" identified in the Vision Zero Action Plan. |
| 32 | 20-206(k) | Restricts Food Trucks adjacent all residential zoning. | Allow Food Trucks adjacent mixed-use zoning. | Increase vending opportunities and reduces the waitlist. |
| 33 | 20-206(m) | Not in current ordinance | Restricts Food Trucks from operating adjacent green curb markings or adjacent to time-restricted parking stalls. | Aligns Food Truck operations with existing parking restrictions. |
| 34 | 20-206(r) | Not in current ordinance | Restricts Food Trucks from preventing or disrupting routine street sweeping operations. | Aligns with city street sweep goals and requirements as required by the Regional Water Control Board. |

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| 35 | 20-206(s) | Not in current ordinance | Encourage the use of biodegradable cutlery and straws and avoid use of polystyrene food containers. | Align with more environmentally sensitive goals and existing Monterey County regulations. |
| 36 | 20-206(w) | Not in current ordinance | Restricts overnight parking of Food Trucks on a public street, public park, or public property. | Requires food trucks to be stored at storage locations as permitted by the Health Department and City. |
| 37 | 20-206(x) | Not in current ordinance | Restricts owners or operators of Food Trucks from leaving vending vehicles unattended for more than 30 minutes. | Reduces the use of the right of way by Food Trucks not in operation. |
| 38 | 20-206(y) | Not in current ordinance | Add “agricultural fields” to provision allowing industrial zoning vending of Food Trucks. | Expands vending opportunities and reduces the waitlist. |
| 39 | 20-208 | Not in current ordinance | Adds appearance requirements for Food Trucks, Ice Cream Trucks and Nonmotorized Pushcarts | Creates regulations for more visually appealing and maintained vending units consistent with other jurisdictions. |
| 40 | 20-209(e) | Not in current ordinance | Restricts issuance of a vendor permit to any vendor for 5 years for vending without a permit. | Strengthens enforcement to reduce illegal vending. |
| 41 | 20-210 | Not in current ordinance | Defines a 3-year ineligibility term for any vendor whose permit was revoked. | Strengthens enforcement to reduce permit violations. |