

ORDINANCE NO. 726  
2<sup>ND</sup> SERIES

AN ORDINANCE AMENDING CITY CODE CHAPTER 4 FOR THE PURPOSES OF  
REGULATING THE USE OF MOBILE FOOD TRUCKS/VENDORS WITHIN THE CITY  
OF ALEXANDRIA

The City Council of the City of Alexandria does **ORDAIN**:

**SECTION I.** That Chapter 4 of the Alexandria City Code is hereby amended by the creation of a Section 4.35.1 **Mobile Food Trucks/Vendors** which shall read as follows:

Subd. 1. **Purpose.** The purpose of this Section is to protect the public health, safety, and general welfare of the community through the establishment of standards to ensure that mobile food trucks/vendors as defined herein are appropriately located, licensed and inspected, do not impede vehicular access, traffic flow or circulation, or create public safety hazards.

Subd. 2. **General Regulations:**

**A. Definitions.** For the purposes of this Section, the following definitions shall apply:

1. Mobile food truck and mobile food truck/vendor shall be defined as any self-propelled vehicle or fully contained trailer, licensed by the State of Minnesota to operate on public streets and roadways, which vends food (either prepackaged, prepared in the unit, or at a commissary) at retail for immediate consumption by the customer. Said vehicle and/or trailer may also be referred to herein as "unit".
2. Commissary shall be defined as a permanent, State-licensed location which services food trucks, including but not limited to the provision of food storage, paper goods and supplies, waste and grease disposal and food preparation.
3. Vend or vending shall be defined as the process of the transfer of a food product from the unit operator to a customer. Vending begins when the unit initially stops in a location at which customers can access the unit and continues until the unit leaves that location.

**B. Applicability.** Notwithstanding any contrary provision of any City ordinance, regulation, or rule, mobile food trucks/vendors shall be licensed and located as provided in this ordinance:

1. Licenses required. Within the City of Alexandria, no person shall vend from a mobile food truck without first having obtained a license to do so from the City, subject to the following exceptions:
  - a. Mobile food trucks which are vending under a Special Event Permit issued by the City are allowed to operate under that Special Event Permit as authorized by the organizers/managers of the event, at the location of, and for the duration of the event.

- b. Appropriately licensed caterers are exempted from this Section for catered events.
  - c. Food vendors on the Douglas County Fairgrounds while participating in the Douglas County Fair do not need to be licensed pursuant to this Section.
2. Fees. The fee for an annual license shall be established from time-to-time by the City Council and shall entitle the operator to vend from one such unit from the date on which the license is issued through December 31st of that year. Each unit must obtain a separate license which shall be displayed on or within the unit, visible from the outside of the unit, whenever the unit is vending.
3. Inspections. Applicants must provide evidence of current licensing of the unit by the Minnesota Department of Agriculture, by the Minnesota Department of Health, and/or by Horizon Public Health, (or their successor agencies) as appropriate.
4. Insurance. Applicants must provide evidence of liability insurance in which the City is named coinsured which shall provide a limit of coverage as established from time-to-time by the City Council for both bodily injury and for property damage. Written notice of cancellation of such insurance must be given to the City not less than thirty (30) days prior to actual cancellation.
5. Restrictions on Vending Activity:
- a. Mobile food trucks/vendors are prohibited from vending activity on Broadway Street in the area bounded by Third Avenue to the north and 22<sup>nd</sup> Avenue to the south, from vending activity on any portion of State Trunk Highway 29 lying within the City, (unless authorized by the State of Minnesota and while operating under a Special Event Permit as described in part B.1.a of this Subdivision), from vending activity in any municipal parking lot, and from vending activity on any public street or private property within 150' of the nearest property line of any restaurant within the City, and from vending activity on private property used or zoned for other than commercial or industrial purposes.
  - b. Mobile food trucks/vendors are prohibited from vending activities within 300' of a community event for which the City has issued a Special Event Permit, unless they are specifically authorized by the event sponsor to participate in the event. The terms of the Special Event Permit shall apply.
  - c. Mobile food trucks/vendors are allowed to operate as an accessory use on private property as expressly authorized by the owner/manager/agent of the private property, and only for the length of time authorized by the Minnesota Department of Agriculture and/or Horizon Public Health.
  - d. Mobile food trucks/vendors are allowed to vend on public streets between the hours of 8:00 a.m. to 10:00 p.m. inclusive, and on private property

between the hours of 7:00 a.m. to 10:00 p.m. inclusive, on all days of the week.

6. Location or placement:

- a. On public streets and in City public parks no unit shall occupy more than two (2) parking spaces.
- b. In no case shall a unit vend while occupying a traffic lane, parked on a sidewalk, or in any location which obstructs or impedes traffic.
- c. The unit shall vend only from the side of the vehicle away from moving traffic and as near as possible to the curb or side of the street.
- d. The unit shall not vend to any person standing in the traveled portion of any public roadway.
- e. On public streets, no unit shall vend within sixty (60) feet of the intersection of two or more public streets, nor within thirty (30) feet of a driveway which enters onto a public street.
- f. No unit shall vend while the unit is in motion.
- g. Connection of the unit to public utilities is not permitted.
- h. There shall be no overnight parking of food trucks on the public right of way.

7. Dimensions. No mobile food truck shall exceed 32' feet in length (overall length for a self-propelled vehicle; trailer length including the towing vehicle for self-contained trailers) or ten (10) feet in height.

8. Signs and Appurtenances:

- a. Mobile food trucks/vendors shall not employ or utilize any signs that are not attached directly to the vehicle/trailer. Signs may not project above the unit, nor more than six (6) inches from the side of the unit. No flashing, strobing or intermittent lighting is allowed.
- b. No external seating shall be provided or utilized except as may be provided by the owner, manager, or agent of any private property on which the unit may be properly located.
- c. Any generator used by the unit must be self-contained within or on the unit, screened from view, and operate at no more than 70 decibels.
- d. While vending, operator may not call attention to the unit by crying out, blowing a horn, ringing a bell, or playing music or other sounds discernible beyond the unit. Amplified sound is not permitted outside of the unit.
- e. Waste receptacle(s) must be provided by the unit operator and the vending site must be cleaned of all

litter and garbage generated by the unit and customers before the unit leaves the location.

Subd. 3. **Enforcement.** Any violation of this Section, including but not limited to the vending operation of a mobile food truck within the City without a license issued pursuant to this Section, shall be a misdemeanor punishable by up to a \$1000.00 fine and/or ninety (90) days in jail.


**SECTION II.** This Ordinance shall be in full force and effect from and after its passage and publication.

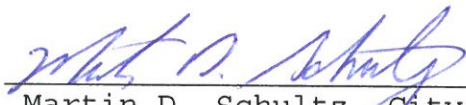
**ADOPTED** by the City Council of the City of Alexandria this 22<sup>nd</sup> day of June, 2015, by the following vote:

YES: BATESOLE, KUHLMAN, OSTERBERG, BENSON, JENSEN

NO: NONE

ABSENT: NONE

  
Sara Carlson, Mayor

ATTEST:   
Martin D. Schultz, City Administrator