



# REGULATION OPTIONS FOR MOBILE FOOD TRUCKS

Community & Economic Development

Land Use, Sustainability and Resilience  
Committee

May 27, 2021

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1

## BACKGROUND

- Within the public right-of-way, mobile food vending is protected by California Vehicle Code Section 22455.
- The City is able to adopt requirements to regulate the time, place, and manner of mobile food truck operations as needed in the interest of public health and safety.



2

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2

## BACKGROUND

- The California Retail Food Code in the Health & Safety Code (H&S) regulates all retail food facilities statewide. While it has general rules applicable to all food sellers, it also contains food-truck specific rules.
- The California Retail Food Code is extensive and contains detailed regulations on the training and certification of food handlers; the physical layout of food trucks including materials that can be used; cleaning, storage and resupply procedures; temperatures and handling instructions for various foods; and even where the spare tires must be kept.



3

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3

## BACKGROUND

- Food trucks inspected that pass all the requirements are issued a numbered Environmental Health Decal, which must be displayed on the outside of the Mobile Food Facility (MFF).



4

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4

## BACKGROUND

- Riverside Municipal Code 5.36.070:

“[n]o mobile food merchant shall sell, display, solicit, barter, gift, or exchange or otherwise, any item, other than pre-packaged food from a vending vehicle within the corporate limits of the City of Riverside as set forth in this Code.”



5

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5

## BACKGROUND

### Reasons Commonly Given for Support

- Opportunity to increase jobs and businesses;
- Food choices where zoning precludes restaurants;
- Can increase activity in struggling business districts;
- Signal adapting to the evolving economy and supporting entrepreneurship; and
- Restaurateurs can test the local market for future brick-and-mortar facilities.



6

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6

## BACKGROUND

### Reasons Commonly Given for Opposition

- Public Safety Concerns;
- Community Impact Concerns; and
- Potential Economic Impact Concerns



7

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7

## BACKGROUND

### Community Feedback

To ascertain community interests, staff conducted two virtual community round-table meetings to provide a background of the project to participants as well as solicit their feedback and perspectives.

- Some fully supported legalized food trucks throughout the City;
- Others supported the concept of food trucks, but they thought that they should be restricted/regulated and allowed to operate only in certain parts of the City that are not serviced by restaurants; and
- Others felt that a decision on this matter should be postponed for at least 12 months to allow local restaurants a chance to recover from COVID-19 challenges without also needing to compete with an influx of additional food mobile vending businesses.



8

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8

## DISCUSSION

Staff is recommending four options for Land Use, Sustainability & Resilience Committee / City Council Consideration:

### **1. Continue to restrict mobile food trucks to special events and pre-packaged food.**

- The Committee may review the findings from 2011, as listed in Section 5.36.010, and conclude that those findings – and/or additional findings – justify a citywide prohibition to preserve the peace, safety and welfare of the community.



9

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9

## DISCUSSION

### **2. Prepare an ordinance to amend RMC Chapter 5.36 to allow mobile food trucks to operate in compliance with state and county guidelines.**

- The Committee may recommend that the City Council allow mobile food trucks to sell cooked food without restriction in addition to pre-packaged food. Food trucks would be required to follow the health and sanitation standards in the California Retail Food Code as described above.



10

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10

## DISCUSSION

### **3. Prepare an ordinance to amend to RMC Chapter 5.36 to allow mobile food trucks to operate in compliance with state and county guidelines and in specific locations with operational requirements.**

- The Committee may recommend that the City Council allow mobile food trucks to sell cooked food subject to the health and sanitation standards in the California Retail Food Code as described above.
- In addition, the Committee may adopt proposed regulations narrowly tailored to restrict the time, place, and manner of vending on the designated public streets and sidewalks to the extent necessary to preserve and protect the safety and welfare of the public from the impacts of vendor sales.



11

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11

## DISCUSSION

### **4. Prepare an ordinance to amend RMC Chapter 5.36 to implement a two-year pilot program that is flexible, encourages innovation, and helps uncover and address issues unique to individual communities.**

- To mitigate some of the concerns associated with suddenly creating a burden on an already existing network, a pilot program could be implemented on a small scale. This would also provide insight that can inform the decision-making process before finalizing regulations.



12

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12

## RECOMMENDATIONS

That the Land Use, Sustainability and Resilience Committee direct staff to:

1. Continue to restrict mobile food trucks to special events and pre-packaged food; or
2. Prepare an ordinance to amend RMC Chapter 5.36 to allow mobile food trucks to operate in compliance with state and county guidelines and present to City Council for action; or
3. Prepare an ordinance to amend to RMC Chapter 5.36 to allow mobile food trucks to operate in compliance with state and county guidelines and in specific locations with operational requirements and present to City Council for action; or
4. Prepare an ordinance to amend RMC Chapter 5.36 to implement a two-year pilot program that is flexible, encourages innovation, and helps uncover and address issues unique to individual communities and present to City Council for action.



13

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