

ORDINANCE 20-452

AN ORDINANCE AMENDING TITLE 5 OF THE JULESBURG MUNICIPAL CODE CONCERNING OUTDOOR VENDORS

BE IT ORDAINED BY THE JULESBURG BOARD OF TRUSTEES, THAT:

Section 1. Title 5, Chapter 5 of the Julesburg Municipal Code is hereby amended by the addition of a new Chapter 5.05 and Sections 5.05.010 through 5.05.030 addressing Outdoor Vendors:

5.05.010 Definitions.

Pushcarts are retail food establishments that are non-motorized, non-self propelled units designed so foods are served from the exterior of the unit. They are intended to physically report to and operate from a commissary for servicing, restocking, and maintenance.

Mobile Retail Food Establishments (“Food Trucks”) are retail food establishments that report to and operate from a commissary and are readily moveable. They are motorized wheeled vehicles, or towed wheeled vehicles designed and equipped to serve food.

5.05.020 License required.

It shall be unlawful for any person to operate a pushcart or mobile food truck within the Town limits without first having obtained an Outdoor Vendor license pursuant to this Title.

5.05.030 Operational standards.

Mobile retail food establishments and pushcarts are temporary uses, permitted under the following conditions:

- a. Mobile food sales are only permitted on private property that is commercially or industrially zoned;
- b. Written approval of the property owner is required to be submitted with a business license application. The Julesburg Board of Trustees must release their approval to site location before the mobile vendor begins sales;
- c. Mobile food sales are not permitted in the public right-of-way;
- d. The food sales must be ancillary to an existing primary use. An active construction site is considered a primary use;
- e. Only one food merchant is allowed per primary use;
- f. Sales may include only food and non-alcoholic beverages;
- g. Hours of operation shall be between 7:00 a.m. and 9:00 p.m. for no more than eight (8) total hours per day at any one location;
- h. Food trucks and pushcarts shall be parked only on paved surfaces. In the case of an active construction site where a paved surface may be unavailable or unbuilt, a vendor shall be parked on an approved material that minimizes the tracking of dirt onto the street;

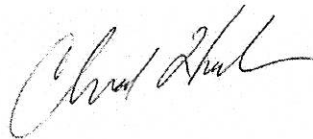
- i. Operation shall not obstruct the visibility of motorists or pedestrians; interfere with the sight distance triangle; impede parking lot circulation; block access to a public street, alley or sidewalk; impede handicap or emergency access; or unreasonably reduce the area required for parking for any other use on the lot;
- j. Signage must be permanently affixed to or painted on pushcarts and food trucks—projecting signs are not permitted. One portable sign per vendor is allowed — up to six (6) square feet per side, A-frame or pedestal style only;
- k. Permanent structures, accessory furniture (canopies, tables, chairs, etc) and amplified music are not permitted;
- l. Any lighting must be indirect;
- m. Operators shall be responsible for the storage and daily disposal of all trash, refuse, and litter. No liquid wastes shall be discharged from the food truck onto the ground (with the exception of clean ice melt);
- n. A business license is required and all health department regulations must be met; and
- o. Permits shall be prominently displayed to the public in the food handling area during operation.

Section 2. Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the validity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance, the intent being the same are severable.

Section 3. The Board of Trustees hereby finds, determines and declares that this Ordinance, is promulgated under the general enforcement power of the Town, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

Passed, adopted, signed and approved this 10th day of February, 2020.

TOWN OF JULESBURG



Mayor

ATTEST:



Town Clerk