

## ZONING PERMIT – MOBILE FOOD VENDOR

### Zoning Code Sec. 410.17

The following restrictions shall apply to all Mobile Food Vendors operating within the City located within Mixed Use, Commercial, Industrial, and Open Space, Public, and Institutional Districts.

- A. No vendors shall conduct any vending operations other than the sales of food items for immediate consumption.
- B. No vendor shall conduct any vending operations from any device or vehicle other than a push cart or mobile truck. All pushcarts and mobile trucks must comply with a Zoning Permit, and the City may, in its discretion, prohibit the use of any pushcart or mobile food truck on any reasonable grounds, including aesthetic or safety reasons.
- C. Pushcarts or mobile food trucks used by vendors shall not:
  - 1. Be left unattended at any time;
  - 2. Be parked or placed within 15 feet of any ROW;
  - 3. Operate within 300 feet of a like business;
  - 4. Leave mobile food vendor equipment on site for overnight storage;
  - 5. Be parked or placed within 25 feet of the entrance or exit to any building; and
  - 6. Operate within 600 feet of a school.
- D. No sales of food items in glass containers shall be permitted.
- E. Mobile Food Vendors shall be responsible for keeping the area clean of any litter or debris.
- F. No vendor shall ring bells, play chimes, play an amplified musical system, or make any other notice to attract attention to its business while operating within city limits.
- G. If a business is subject to a Certificate of Health or sanitary examination, the person applying for zoning approval must produce such certificate or permit from the County Health Department, as required by State law, within 90 days before a permit can be issued.
- H. One A-frame sign shall be allowed within 10 feet of the Mobile Food Vendor. Refer to City sign regulations for size limitations in Article 409.

- I. Mobile Food Vendors shall secure written permission from a sponsoring business owner of the site. The Mobile Food Vendor must be able to use the sanitary facilities of the sponsoring business owner.
- J. Provide written permission from property owner to locate mobile food operation on property in accordance with an approved site plan.
- K. Traffic circulation, public safety, siting of mobile food vendor, and parking will be reviewed and may be subject to conditions of approval.
- L. Permitted Hours and Days of Operation:
  - 1. The hours of operation for all mobile food vendors shall be limited to the hours that the on-site, permanent business is open.
  - 2. Mobile Food Vendors shall be limited to 14 consecutive days maximum at each temporary location and shall remove their push cart or mobile food truck when the on-site business is not open.
- M. Neither the Zoning Administrator, Hearing Officer, nor the Board of Adjustment shall have the jurisdiction to grant a Variance from the provisions of Subsections (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), or (L) above.

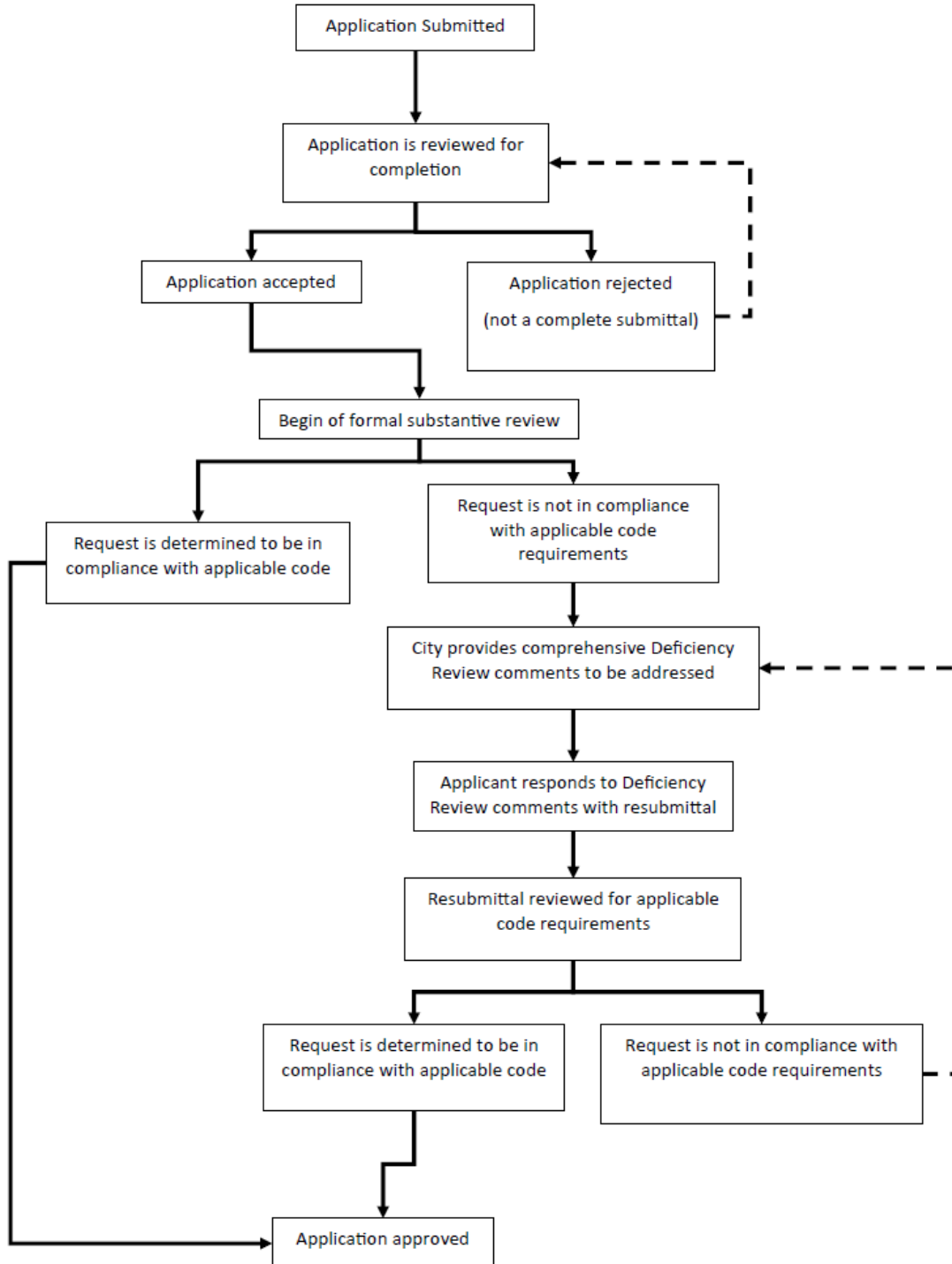
## Over-All Review Time Frames

City will either grant or deny each type of permit (license) that it issues. The time frame includes an administrative completeness review period to accept or reject the application, and a substantive review period to provide a technical review of the request. The City shall approve or deny the request within the overall time frame listed below, however, should the City extend the review period for additional submittal(s), said extension's shall not exceed 25% of the overall time frame.

**Please note: These are projected time frames only and may change due to workload and staffing considerations**

Application Type	Administrative Completeness Review (business days)	Substantive Review (business days)	Total Time Frame (business days)
Zoning Permit (Clearance) Application	10	10	20

## ZONING PERMIT – MOBILE FOOD VENDOR PROCESS FLOW CHART



## MOBILE FOOD VENDOR ZONING PERMIT APPLICATION

### SECTION I: PROPERTY INFORMATION

Address: \_\_\_\_\_

Parcel #: \_\_\_\_\_ Zoning: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Phone: \_\_\_\_\_

### SECTION II: APPLICANT INFORMATION

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### SECTION III: REQUEST

Mobile Food Vendor Name: \_\_\_\_\_

# of Employees: \_\_\_\_\_ Type of Unit (Truck, Trailer, other): \_\_\_\_\_

Any outdoor seating: \_\_\_\_\_: \_\_\_\_\_

### SECTION IV: INITIAL COMPLIANCE:

**Please read Zoning Code Sec. 410.17 (see pages 1 and 2 of the application), and check off the following for initial compliance:**

- Mobile food vendor shall not be left unattended at any time.
- Mobile food vendor shall not be parked in a manner that impedes vehicular and pedestrian traffic flow.  
*(If located in a parking striped area, mobile food vendor unit shall be setback a minimum of 8 feet from parking drive aisle).*
- Mobile food vendor shall not be parked or placed within 15 feet of any public roadway.
- Mobile food vendor shall not operate within 300 feet of a like business.
- Mobile food vendor shall not leave equipment on site for overnight storage.
- Mobile food vendor shall be responsible for keeping the area clean of any litter or debris
- Mobile food vendor shall not ring, bells, play chimes, amplified musical system, or make any other notice to attract attention to its business.

**SECTION V: SUBMITTAL REQUIREMENTS**

- Project narrative describing the proposed business (operation, location, # of employees, etc).
- Site plan depicting driveways, parking spaces, street frontage and general layout of the property.
- Photo of mobile food unit.
- Description of nearest active mobile food vendor or similar business.
- Owner authorization letter.
- Copy of Pinal County Health Certificate license.
- Fee: \$100/hour of review for first hour (\$100) due initially, balance billed at completion of review.

I hereby certify that the above information is correct, and that I am authorized to file an application on said property, being either the owner or authorized agent to file on behalf of the owner. Anyone applying without authorization from the property owner(s) shall be subject to penalty under all applicable laws. I have read this Zoning Permit Application and understand that if my application is not complete in all respects it will not be processed until such time as it is complete.

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Signature of Applicant Print Name Date

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Signature of Property Owner Print Name Date

**\*If more than one owner, attach additional sheet with names, addresses and signatures**

OFFICE USE ONLY		
Case #:	Fees:	Receipt #:
Date of Submittal:	Accepted by:	

## REGULATORY BILL OF RIGHTS

This past legislative session (Fiftieth Legislature, First Regular Session), the Arizona Legislature passed **Senate Bill 1598**. This “Regulatory Bill of Rights” went into effect on **July 20, 2011 (with full implementation on December 31, 2012)**. The rights afforded private regulated parties under the new law are provided below.

### **A.R.S. § 9-832: REGULATORY BILL OF RIGHTS**

TO ENSURE FAIR AND OPEN REGULATION BY CITIES, A PERSON:

- IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST A CITY IN A COURT PROCEEDING REGARDING A CITY DECISION AS PROVIDED IN A.R.S. § 12-348.
- IS ENTITLED TO RECEIVE INFORMATION AND NOTICE REGARDING INSPECTIONS AS PROVIDED IN A.R.S. § 9-833 (EFFECTIVE JUNE 30, 2012).
- IS ENTITLED TO HAVE A CITY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED AS PROVIDED IN A.R.S. § 9-834.
- MAY HAVE A CITY APPROVE OR DENY **THE PERSON’S LICENSE APPLICATION WITHIN A** PREDETERMINED PERIOD OF TIME AS PROVIDED IN A.R.S. § 9-835 (EFFECTIVE DECEMBER 31, 2012).
- IS ENTITLED TO RECEIVE WRITTEN OR ELECTRONIC NOTICE FROM A CITY ON DENIAL OF A LICENSE APPLICATION (EFFECTIVE DECEMBER 31, 2012).
  - THAT JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTE, ORDINANCE, REGULATION, DELEGATION AGREEMENT OR AUTHORIZED SUBSTANTIVE POLICY STATEMENT ON WHICH THE DENIAL IS BASED AS PROVIDED IN A.R.S. § 9-835.
  - **THAT EXPLAINS THE APPLICANT’S** RIGHT TO APPEAL THE DENIAL AS PROVIDED IN A.R.S. § 9-835.
- IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN A.R.S. § 9-836.
- MAY INSPECT ALL ORDINANCES, REGULATIONS, AND SUBSTANTIVE POLICY STATEMENTS OF A CITY, INCLUDING A DIRECTORY OF DOCUMENTS, AT THE OFFICES OF THE CITY AS PROVIDED IN A.R.S. § 9-837.
- UNLESS SPECIFICALLY AUTHORIZED, MAY EXPECT CITIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE AS PROVIDED IN A.R.S. § 9-834.
- MAY FILE A COMPLAINT WITH THE CITY COUNCIL CONCERNING AN ORDINANCE, REGULATION OR SUBSTANTIVE POLICY STATEMENT THAT FAILS TO COMPLY WITH A.R.S. § 9-832.

## **PERMIT & LICENSE APPLICATION PROCESS**

Customer receives application, Bill of Rights, Time Frames & Checklists online or at City Hall

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Customer submits complete Application and Fees to Front Counter Representative

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Front Counter Rep. reviews for initial completeness prior to receiving, then emails reviewing staff of Administrative Review expiration.

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City accepts application & provides Substantive Review within overall time frame

**or**

City rejects incomplete application w/in Administrative Review time frame - notice of deficiencies issued to applicant

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City approves application and issues electronic or written approval to applicant

**or**

City denies application OR mutually agree to subsequent re-submittal(s). All subsequent reviews occur w/in 25% of the overall time frame

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City issues a written or electronic notice granting or denying a license to applicant. If denied, written notice shall include justifications for denial with specific references and an explanation of applicants right to appeal the denial including deadline to submit protest and contact information for questions on appeal process.