



# Council Communication

Office of the City Manager

Date

April 23, 2007

Agenda Item No. 52

Roll Call No. 07-

Communication No. 07-235

Submitted by: **Richard A. Clark, City Manager**

## AGENDA HEADING:

Informal hearing regarding mobile vending on city streets and property.

## SYNOPSIS:

Recommend City Council conduct an informal hearing to determine allowing mobile vending, such as ice cream trucks, on city streets and property.

## FISCAL IMPACT: NONE

## ADDITIONAL INFORMATION:

On April 10, 2006, Mr. Lawrence Williams of Kansas City, MO requested to speak to the City Council regarding amending Section 102-458 of the City Ordinance to allow mobile vending on city streets and property. The City Council, by Roll Call Number 06-684, referred this matter to City staff for a recommendation and review of how other cities regulate ice cream trucks.

Attached to the roll call are sample ordinances regarding mobile vending from the cities of Thornton, CO; Tucson, AZ; and Mississauga, Canada.

In August 2006, staff conducted an on-line survey that presented several questions related to permitting ice cream trucks on city streets. Approximately 300 people completed the survey and the results are also attached to the roll call.

On March 13, 2007, staff conducted a public hearing to receive input from affected businesses and other citizens on this ordinance. A summary of the issues is included in the attached Traffic Safety Committee Report; in general, the comments and questions can be classified into seven areas:

1. Traffic safety
2. Child safety
3. Product safety
4. Service is not needed
5. Service is needed
6. Other
7. General questions

In the event that Council does not approve this ordinance change, staff will continue to review safety and other regulations regarding ice cream trucks and make Council aware of any changes or new techniques established in this industry.

**PREVIOUS COUNCIL ACTION(S):**

Date: April 10, 2006

Roll Call Number: 06-684

Action: Moved by Vlassis to refer to the City Manager, Legal, Traffic and Police Departments for review and recommendation. Recommendation will include information regarding how other cities regulate ice cream trucks. Motion Carried 6-1.

Date: June 17, 1996

Roll Call Number: 96-2206

Action: Moved by Vlassis that the ordinance be considered and given first vote for passage. Motion failed 3-3-1

Date: May 6, 1996

Roll Call Number: 96-1727

Action: Moved by Vlassis to receive, file and discuss and refer to staff for presentation at a public meeting which would include members of affected businesses. Motion carried 4-2-1

**BOARD/COMMISSION ACTION(S):**

Date: April 10, 2007

Roll Call Number: NA

Action: The Traffic Safety Committee voted 4-3 to continue the existing prohibition on mobile vending on city streets.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

If directed by Council, staff would draft an ordinance amending Section 102-458. Three readings of this ordinance would then be required.