

“Exhibit A”
Resolution R23-10-28

CHAPTER 92: PARKS

Rules and Regulations

§ 92.22 DRUG AND TOBACCO FREE ZONE.

(A) Definitions. For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Electronic Smoking Device. Any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized during the use of the device, whether or not the substance contains nicotine.

(A)(B) All areas on or within 300 feet of a city park, recreation area, or accompanying grounds are declared drug, ~~and~~ tobacco, and electronic smoking device free zones.

(Prior Code, § 12-2-8)

CHAPTER 154. ZONING CODE

§ 154.093 TEMPORARY USES AND STRUCTURES.

(A) *Purpose.* This Section allows...

(B) *Temporary Use Approval.* All allowed temporary uses ...

(C) *Allowed temporary uses and structures.*

(5) Mobile food vendors, subject to the following conditions:

(a) A mobile food vendor shall not be required to obtain a temporary use permit, however, shall be required to obtain a license to operate a mobile food vending unit from the Development Services Department as well as maintain all other required licenses in compliance with the provisions of A.R.S. § 36-1761 and Maricopa County Environmental Health Code Chapter 8, Section 3.

(b) Notwithstanding subsection (a), a mobile food vendor shall register in advance with the proper City authority for any event that is directly sponsored or hosted by the City.

(~~cb~~) Vending operations shall only be limited to sale of food items for immediate consumption.

(~~de~~) Vending operations shall only be conducted from a mobile food vending unit that is in good working order, both aesthetically and operationally, and has been inspected and approved by the county health department.

(~~ed~~) Vending operations are subject to all city noise regulations.

(~~fe~~) Vending operations shall be taken down when not in use.

(~~gf~~) All licenses/permits shall be displayed in a visible and conspicuous location at all times during the operation of vending.

(~~hg~~) Mobile food vending units shall not be left unattended.

(~~ih~~) Mobile food vending units shall not be parked on property owned by the city, excluding rights-of-ways, but including parks and parking lots or other areas designated by the Planning Director or Zoning Administrator, except if in accordance with a city approved and permitted event.

(~~ji~~) If a mobile food vending unit operates within public rights-of-ways the mobile food vendor must obtain insurance naming the city as an additional insured in amounts required by the city and in compliance with A.R.S. Title 9, Chapter 4, Article 7.2. The policy must designate, by manufacturer's serial or identification number, all mobile food units for which coverage is granted.

(~~kj~~) Mobile food vending units shall not be parked or placed in any area that might impede or inconvenience the public.

(~~lk~~) Mobile food vending units shall not be parked within a roadway sight visibility triangle.

(~~ml~~) One A-frame or sandwich sign shall be allowed per mobile food vending unit.

(~~nm~~) A mobile food vending unit operating within the public right-of-way is further subject to the following:

1. A mobile food vending unit shall only operate in a legal parking space within the public right-of-way.

2. A mobile food vending unit, including any semi-permanent structure used or associated with the mobile food vending unit, may use no more than one legal parking space.

3. A mobile food vending unit must abide by all parking regulations, including posted time limits. If there are no time restrictions on the use of a marked legal parking space, a mobile food vending unit must not occupy a legal parking space for more than six hours in a 24-hour period. OCCUPY within this division means within 1,000 feet of the place in which the mobile food vending unit was initially parked.

4. A mobile food vending unit is restricted from operating within any portion of a zoning district that is principally dedicated to residential uses, except operators of ice cream trucks or human powered food vending vehicles that sell ice cream products or similar frozen food novelties may operate on public rights-of-way within zoning district areas that are principally dedicated to residential uses.

(~~OR~~) A mobile food vending unit operating on private property is further subject to the following:

1. A mobile food vending unit may only operate on private property with the written permission of the property owner and shall provide proof of such written permission on demand by city officials or law enforcement officers.

2. A mobile food vending unit must not occupy a legal parking space at a site with insufficient parking capacity as prescribed by applicable law and in compliance with A.R.S. Title 9, Chapter 4, Article 7.2 and includes that a mobile food vending unit must not occupy a legal parking space at a site when the occupation reduces the number of available parking spaces required for the principal use or uses of the site.

3. A mobile food vending unit shall not operate at the same site or center for more than six consecutive hours within a 24-hour period for a maximum of four consecutive days. This period includes time needed for setup, operation and takedown. ONE LOCATION within this division means a location within a parcel of land and includes movements from different parked positions within the same parcel.

4. No more than one mobile food vending unit shall operate at the same time at the same site or center, unless a special event permit has been obtained.