



CITY OF CONCORD

New Hampshire's Main Street™

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Ad Hoc Outdoor Dining and Food Truck Committee
Carlos P. Baía, Deputy City Manager for Development

DATE: March 30, 2022

SUBJECT: Revised Peddler Ordinance & New Food Truck Program

Recommendation:

Accept this report and set the public hearing to amend the CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, Article 15-8, Peddlers. This amendment includes provisions to allow food truck operations in the City of Concord.

Background:

The ad hoc Outdoor Dining and Food Truck Committee reviewed the current peddler's ordinance with staff and identified the need to re-write this ordinance to better reflect contemporary practice and expectations for activities such as food trucks.

Discussion:

The attached ordinance has been significantly re-written. As such, the committee and City staff are recommending that the entire existing Peddler's section be deleted and replaced with the proposed. Two versions have been attached for your review: 1) the "redlined" version with the numerous cross-outs for your comparative reference and (2) the recommended clean version.

The ordinance changes are largely "housekeeping" in nature. There is, however, a new section dealing with food trucks which allows for this activity subject to rules promulgated by the Community Development Department's Code Administration Division. Those proposed rules have also been attached for your reference.

Under the rules, food truck operators would be subject to Food Code and licensing requirements. They could request to operate from any public street in a non-residentially zoned neighborhood as long as they were located in a legal, parallel parking space (to ensure that they could serve to the sidewalk). Operators would be expected to sign up for a specific date and location, at least, one week in advance. If the location requested were a metered or time-limited parking space, the operator would be responsible to secure a parking encumbrance permit for the location. Hours of operation would be limited to 8 a.m. to 9 p.m. although the Health and Licensing Officer could make exceptions if appropriate. The City could

also limit the number of food trucks operating on any given day or location if needed. The Health and Licensing Officer may limit the use of certain parking spaces to the extent that they are not deemed appropriate for a food truck due to congestion or other concerns.

The ordinance also includes language relative to food truck operations on private property. The salient points are summarized as follows: Food truck *operations* on private property (as opposed to a specific food truck) would be allowed up to 5 consecutive days or 12 days in a calendar year. If a property owner wishes to have food truck operations that exceed these limits, the request would need to be reviewed and approved by the Code Administrator and City Planner to ensure that there aren't impacts to the neighborhood from traffic, aesthetics, safety, etc. If the City Planner were to determine the impacts significant, she can require site plan review before the Planning Board.

w/att: 1) "Redlined" version of current Peddler's ordinance
2) Clean version of amended ordinance
3) Suggested rules for food trucks