

City may relax rules on vending and food carts

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Dave and Susanne Gearhart recently purchased a food trailer with plans to sell gourmet hotdogs. So, the Crescent City couple listened closely to City Council discussions Nov. 4 regarding expansion of the municipal mobile vending ordinance.

"It takes a lot of work getting a mobile food business in this county and city," Dave Gearhart told the City Council during that meeting.

"We're real excited about this. We're almost ready to come to the city with our business license. We've done a lot of legwork. If you want to use someone as a reference, come talk to me."

In August, the council directed city staff to work with the Planning Commission to update Crescent City's mobile, or temporary, vending operations ordinance. Jon Olson, the director of public works, presented to the council Planning Commission recommendations developed in August and September.

Olson said mobile vending is allowed under current city ordinances, but is very limited to Beachfront Park - including needing a mobile vending permit tied to a specific location within the park.

"If you want to be a mobile vendor anywhere else in the city limits, it requires a use permit. You not only have to apply for a business license, you have to go through the Planning Commission and get special

permission,” Olson explained.

He said the current ordinance even limits mobile vending to what can be sold - such as flowers, kites and balloons - with strict time limits during the day.

The Planning Commission’s first recommendation, Olson said, would be to have mobile vending more broadly defined and be allowed in all zones, including public places, parking lots and streets, both residential and commercial.

A use permit should be required if someone wanted to be a mobile vendor and sell from private property in a residential zone, the Planning Commission recommended.

However, the commission did not recommend additional fees and permits. “They wanted to make it as simple as possible,” Olson said. “Get a business license, check a box, ‘Hey, I want to be a mobile vendor. Let’s get going.’

“They wanted to remove as many barriers as possible to new people getting into this type of work.”

He added that the new ordinance should allow vendors to drive and park anywhere motorists currently are allowed to park on any city street, including in front of residences, and also enable vendors to park in public parking lots, such as Safeway. “But you can’t stay all night,” Olson said.

The Planning Commission developed a list of recommended restrictions, as well:

- Limited to about 400 square feet for a mobile vendor, or about two parking spaces.
- Protect existing brick-and-mortar businesses, with a 300-foot buffer if selling similar goods.
- A time restriction, similar to noise ordinances, from 7 a.m.-10 p.m.
- No tobacco, drugs or drug paraphernalia sold, nothing otherwise prohibited by law, and no used goods.

Olson said another key point the City Council will need to decide is how much insurance to require of mobile vendors. The Golden State Risk Management Authority recommends \$2 million in coverage.

“Checking with a local insurance company, I learned it’s \$500 to \$700 per year for up to \$25,000 in gross sales, for \$2 million in coverage, which adds about 3% sales costs,” Olson said.

“By comparison, Eureka has no insurance requirement other than Eureka’s understanding that if you’re a mobile vendor with a vehicle license, you don’t need additional insurance,” he added.

Another issue concerns signage. For example, under the current municipal code, sandwich boards are allowed only for grand openings, and only then with a permit.

Council member Alex Fallman found the humor in that ordinance. “That seems like it was written by a council member in the ‘50s who was mad at another council member and they owned restaurants across from each other: ‘Well, I’ll just ban sandwich boards and he can’t advertise.’”

Finally, through public input to the process, it was suggested instituting a “lemonade exemption” that didn’t place onerous regulations on youth stands. “We could develop something, a carve-out or exemption, for those under 18 or who are a part of charitable organization like 4-H or the Girl Scouts,” Olson said.

Council member Isaiah Wright was enthusiastic about an ordinance change that promoted an expansion to Crescent City’s mobile vending scene, especially food. “Some of the best food I’ve had is from food trucks in Portland. So, I’d like to see this opened up sooner rather than later,” he said.

Dave Gearhart agreed that amending the city’s mobile vending ordinance could lead only to good things. “It will bring more business to town, bring excitement. I have half the businesses in town on the main roads that see my trailer, they want me there today. I have to tell them there’s rules I’ve got to follow.”

His wife agreed that this could lead to a growing cottage industry. “I think if people can see food trucks together in a central location, maybe people might notice, and say, ‘Hey, this might be something I can get into,’” Susanne Gearhart said.

Olson said the city staff would bring back a suggested ordinance for consideration in about a month.