

## 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)
<b>Zoning Permit (Clearance) Application</b>	<b>10</b>	<b>10</b>	<b>20</b>

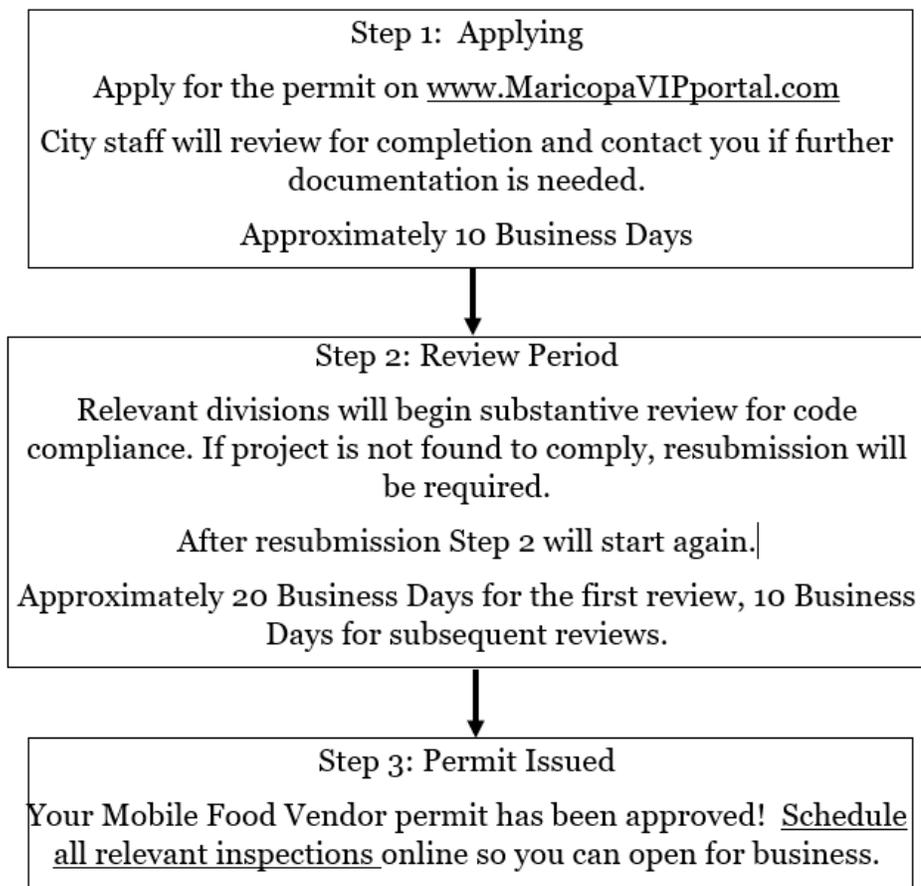


**BUSINESS LICENSE REQUIREMENTS:**

As of January 1st, 2019 business licenses are no longer required or issued by the City of Maricopa, with the exception of Regulated Businesses. This does not eliminate any other city/county/state/permitting requirements. If you are a Regulated Business you are still required to apply for a Business License.

Regulated businesses include: Auctioneers, Pawnbrokers, Scrap Dealers and Second Hand Dealers, Tobacco Retail Establishments, Massage Establishments, Tattoo and/or Body Piercing Establishments, After Hours Establishments For definitions and additional details, click here to read City Code Chapter 8.

**ZONING PERMIT – MOBILE FOOD VENDOR  
PROCESS FLOW CHART**





## 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.