

ORDINANCE NO: _____

AN ORDINANCE AMENDING CHAPTER 18 (LICENSES), ARTICLE XVII (MOBILE FOOD VEHICLES) OF THE CODE OF THE CITY OF PEORIA TO ELIMINATE THE RESTRICTIONS ON DOWNTOWN BUSINESS DISTRICT OPERATING LOCATIONS FOR MOBILE FOOD VEHICLES

WHEREAS, the City of Peoria is a home rule unit of government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois 1970, and may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City of Peoria issues various licenses to food vendors, including those for Street and Sidewalk Vendors and Mobile Food Vehicles; and

WHEREAS, in May of 2022, the City eliminated its licensing fees for Street and Sidewalk Food Vendors and Mobile Food Vehicles in an effort to attract these vendors back to the Downtown Business District; and

WHEREAS, even though the City eliminated the fees there has not been a return Street and Sidewalk Vendors or of Mobile Food Vehicles to the Downtown; and

WHEREAS, the restrictions on where Mobile Food Vehicles could operate was instituted when the Downtown Business District had many Street and Sidewalk Vendors; and

WHEREAS, with no Street and Sidewalk Vendors in the Downtown Business District, no need exists to restrict the location of Mobile Food Vehicles; and

WHEREAS, the City Council has determined that it will serve and be in the best interests of the City and its residents to amend Chapter 18, Article XVII of the “Code of the City of Peoria,” to eliminate the restriction on the locations of Mobile Food Vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, as follows:

SECTION 1. The foregoing recitals are incorporated into, and made a part of, this Ordinance as findings of the City Council.

SECTION 2. Section 18-655, titled “Location(s), Review and Restrictions is hereby amended by the deletion of the stricken portions:

Sec. 18-655. Location(s) review and restrictions.

Proposed operating locations shall be reviewed as follows:

- ~~(a) Within the Downtown Business District, mobile food vehicles may only operate from locations shown in green on Exhibit A.~~

~~**Exhibit A.
Downtown Business District Operating Locations**~~

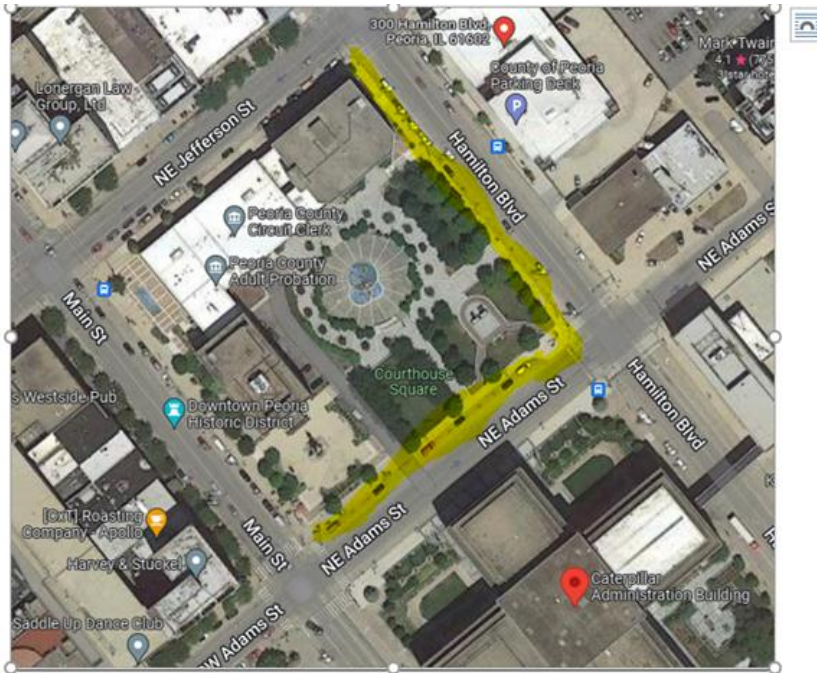
300 block of Hamilton Boulevard



West side of 200 block of SW Jefferson Street



~~100 block of N.E. Adams~~



- (~~a~~) Upon receipt of a complete application for a license for operations outside of the Downtown Business District, the license shall be referred to the director of public works for approval or disapproval of locations within the public right-of-way. The use of the licensed operating location for mobile food vending must be compatible with the public interest in use of the public right-of-way. In making such determination, the director of public works shall consider the width of the public way, parking issues and traffic congestion, the weight that can be supported by the paving or street surface at the proposed location, the proximity and location of existing street furniture, including, but not limited to, utility poles, parking meters, bus shelters, benches, street trees, news racks, as well as the presence of bus stops, truck loading zones, taxi stands, valet parking zones, or other businesses or approved mobile food vehicles to determine whether the requested location would result in pedestrian or street congestion.
- (~~b~~) The director of public works shall not approve a location where a mobile food vehicle would substantially obstruct a public way, impair the movement of pedestrians or vehicles, or pose a hazard to public safety. The director of public works shall not approve any location which is adjacent to a bus stop, taxi stand, or handicap loading zone, within 30 feet of an intersection, or directly in front of a property entryway. Pedestrian walkways of no less than four feet must be maintained on public sidewalks near where the mobile food vehicle is operating.
- (~~c~~) The director of public works shall not approve any location within the right-of-way that is within or bordering a residentially zoned area.
- (~~d~~) Except for within the Downtown Business District, it shall be unlawful for a mobile food vehicle vendor to park, stand, or operate in a location which is adjacent to or within 300 feet of a licensed food establishment, other than another mobile food vehicle or street and sidewalk vendor. Distance is measured from the edge of the parking space to any portion of the establishment's building. Where the establishment is located in a building with other tenants, distance is measured to the closest portion of the establishment's occupied space. This requirement may be waived if the application is submitted with the written consent of the proprietor of the adjacent licensed food establishment. No person or corporation shall either pay or accept payment for the written consent provided herein. This

requirement shall not apply to the licensed food establishment affiliated with the mobile food vehicle vendor.

- (ef) The approved operating location(s) shall be indicated on the license. The license must be prominently displayed on the vehicle.
- (fg) If a license for the requested operating location(s) is denied, the applicant may select an alternate location(s), which shall also be referred to the director of public works for review.
- (gh) Vendor shall not operate a mobile food vehicle within 500 feet of any fair, carnival, circus, festival, special event, or civic event that is licensed or sanctioned by the city except when vendor has obtained the written permission of the holder of the event to operate within the event's boundaries. This prohibition shall not apply to indoor events at the Peoria Civic Center.
- (hi) No location shall be approved that is within 500 feet of a primary, middle or secondary school or school playground when school is in session or during any time school activities are taking place.
- (ij) Operator must follow all traffic and parking laws set forth in Chapter 28 of this Code. In the Downtown Business District, the city shall restrict parking in the designated operating location(s) for mobile food vehicles only. Government use of any parking spaces takes precedence over mobile food vehicles.

SECTION 3. This Ordinance will be in full force and effect upon passage for the remainder of 2022 will expire on December 31, 2022, at which point the language of the ordinance will revert to the Downtown Business District Operating Locations restrictions that existed prior to the adoption of this Ordinance.

SECTION 4. This Ordinance will be in full force and effect after its passage, approval, and publication in the manner provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this ___day of _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel