CITY OF LOGAN, UTAH
ORDINANCE NO. 18-12

AN ORDINANCE AMENDING SECTIONS OF LOGAN MUNICIPAL CODE REGARDING MOBILE FOOD VENDORS

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City of Logan to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city; and

WHEREAS, pursuant to Utah Code § 10-1-203, a municipality may license for the purpose of regulation and revenue any business within the limits of the municipality and may regulate that business by ordinance;

WHEREAS, the state legislature passed S.B. 167 limiting a municipality from requiring written authorization from a private landowner granting consent allowing a mobile food vendor to operate on their property; and

WHEREAS, the City Council has determined that the following ordinance is in the City’s best interest;

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1:

Chapter 5.20
MOBILE FOOD VENDORS

5.20.060: SALES ON PRIVATE PROPERTY:

Each mobile food vendor conducting business on private property, in addition to the other requirements of this Chapter, shall comply with the following:

A. Shall provide written permission from the private property owner upon request demonstrating proof of access and availability to restroom facilities within 300 feet of the operating location.

BA. All aspects of the business shall be temporary in nature and must be able to be removed from the premises each day. No outdoor storage of tables, chairs, umbrella or signs associated with the mobile food vendor operation, shall be allowed and no overnight parking of the mobile food vendor is permitted. The mobile food vendor shall return on a nightly basis to a specified location for cleaning, restocking, dumping of waste, storage, etc. The specific location shall be identified in the business license application.
Be fully self-contained with respect to gas, water, and waste. All waste and waste water shall be disposed of according to Logan City requirements and shall not be dumped on the ground or in the stormwater system.

Food Trucks and food trailers shall only be permitted in the Airport, Commercial, Commercial Services, Gateway, Industrial, Mixed Use or Town Center zoning districts as per the Logan Land Development Code.

1. A mobile food vendor shall not be located on vacant or undeveloped property.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 7th DAY OF AUGUST, 2018 BY THE FOLLOWING VOTE:

AYES: Bright, Dungan, Olsen, Brandfield, Anderson
NAYS: None
ABSENT: None

Thomas C. Jensen, Chair

ATTEST:
Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval this 7th day of August, 2018.

Thomas C. Jensen, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 7th day of August, 2018.

Holly H. Daines, Mayor
DATE: July 12, 2018
TO: Logan Municipal Council
FROM: Mike DeSimone, Director
RE: Ordinance 18-12 (Amendment to Logan Municipal Code)
Mobile Food Vendors

Attached is a proposed ordinance amending LMC Chapters 5.20 dealing with mobile food vendors. The State Legislature adopted new rules during the 2018 Session regarding how local municipalities may regulate and license mobile food vendors (food trucks) through S.B. 167.

S.B. 167 states that a local municipality may not require that a food truck operate provide, or keep on file in the food truck, the private property owner's written consent that they are able to operate in a given location. The attached Ordinance 18-12 highlights the language we are proposing to eliminate from LMC 5.20.

If you have any questions regarding this matter, please let me know at (435) 716-9022 or mike.desimone@loganutah.org.

Attachments:
Ordinance 17-09
S.B. 250
LEGAL NOTICE

LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on August 7, 2018.

ORD. 18-07 - An ordinance to rezone multiple parcels on approximately 173 acres from Town Center (TC), Neighborhood Residential (NR-6) and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), Public (PUB) and Recreation (REC).

ORD. 18-08 - An ordinance to amend and update the Logan Land Development Code as follows: Delete Chapters 17.07-17.11; re-number and update 17.12-17.61; consolidate 17.12 & 17.15; consolidate 17.16 & 17.19; divide Town Center Zone into TC-1 & TC-2 and add TC-1/TC-2 language into 17.10-17.12; amend 17.09 & 17.12 to add building orientation, massing, length and articulation standards; update 17.36 Home Occupations; amendment includes minor grammatical corrections throughout the entire document; update 17.60 Administrative Enforcement to increase civil fee for over occupancy.

ORD. 18-11 - An ordinance to rezone approximately 16.69 acres located at 1100 West 1800 South from Neighborhood Residential (NR-6) to Mixed Residential (MR-9).

ORD. 18-12 - An ordinance amending Sections of the Logan Municipal Code regarding Mobile Food Vendors.

ORD. 18-13 - An ordinance to amend the Land Development Code to change the maximum building height in the Commercial (COM) zone from 39' to 55' for construction of a new 60,000 SF office building on 3.43 acres located at 86 West 1200 South in the Commercial (COM) zone.

These ordinances are effective immediately upon publication. Full text of the ordinances can be reviewed at the office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris, City Recorder

Published August 12, 2018
Ref. No. 1798329

STATE OF UTAH
COUNTY OF CACHE

PROOF OF PUBLICATION

On this 7th day of August, 2018, personally appeared before me Jennifer Birch, the Principal Legal Clerk of the Logan City Recorder, who being first being duly sworn, deposes and says that she is the Principal Legal Clerk of the Logan City Recorder, and that the a daily newspaper, The Herald Journal, was published on the above date at Logan, Utah. That a copy of the Notice of Publication, a copy of which is hereto attached, was published in said newspaper for 1 issue(s) and that said notice also was published on unallegals.com.

08/12/2018

Commemorating on the following days: