

ORDINANCE NO. 2019- ____

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 146-1254 OF THE AURORA CITY CODE, AS IT PERTAINS TO MOBILE FOOD TRUCKS IN THE CITY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. That Subsections (D) and (F) of Section 146-1254 of the City Code of Aurora, Colorado, are hereby amended to read as follows:

Sec. 146-1254 Mobile Food Truck.

(D) *Hours of Operation.* Mobile food trucks may operate only between the hours of 7:00 a.m. and ~~9:00 p.m.~~ **10:00 p.m.** ~~The mobile food truck must be removed from the location described in subsections (G) and (H) when not in operation.~~

(F) *Separation Distance Requirements.* Mobile food trucks may operate only in locations that meet the following criteria:

1. Minimum of 175 feet distance from a restaurant, while the restaurant is open for business, as measured from the ~~property line~~ **public entrance** of the operating restaurant to the closest point of the mobile food truck; **The setback distance shall not apply:**

a. If the mobile food truck has written permission from either the impacted restaurant; or

b. The mobile food truck is on a property with common ownership of the impacted restaurant(s)'s property and the mobile food truck has written permission from the common property owner.

2. Minimum of 50 feet from ~~any residential zone district~~ **the property line of any single family home.** ~~within the City of Aurora, as measured from the closest point of the mobile food truck to the nearest property line within the residential zone district.~~ **The setback distance shall not apply:**

a. If the food truck is operating as an accessory to a business in a permanent structure with written permission from the business operating within the permanent structure; and

b. The food truck primarily serves patrons of the business in (a); and

c. The food truck does not operate a generator or create other noise that violates the noise provisions of the zoning code.

Section 2. All ordinances or parts of ordinances of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 3. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ, AND ORDERED PUBLISHED this ____ day of _____, 2019.

PASSED AND ORDERED PUBLISHED BY REFERENCE this ____ day of _____, 2019.

BOB LEGARE, Mayor

ATTEST:

STEPHEN RUGER, City Clerk

APPROVED AS TO FORM:



DANIEL L. MONEY, Assistant City Attorney