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191591

Emergency Ordinance

*Waive Conducting Business on City Property or Public Rights of Way Code to allow for a food truck pilot project in the Central City Plan District (waive Code Section 14A.50.040)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. That the downtown restaurant presence has not recovered to pre-pandemic levels and that returning workers are underserved in certain locations.
2. That during the pandemic, certain downtown property owners had requested food truck services for their employees and tenants under emergency declaration through the Portland Bureau of Transportation's ("PBOT") Healthy Business program and that they wish to continue with those services.
3. That PBOT desires to launch a pilot program that would allow PBOT-permitted food trucks to vend from the public rights of way within the Central City Plan District through the end of calendar year 2025.
4. That PBOT's pilot program would allow permitted food trucks to vend onto the sidewalk from parking lanes immediately adjacent to the sidewalk, and that written consent of the property owners immediately adjacent to the permit operating area will be required.
5. That Portland City Code 14A.50.040 "Conducting Business on City Property or Public Rights of Way" currently makes such vending activity unlawful within the Central City Plan District, and that portions of said code need to be waived during the duration of the pilot project.
6. That mobile food vending in the Central City Plan District provides new permitting opportunities and will require the establishment of program fees.
7. That during the pandemic, Suburban Events worked with downtown property owners to arrange for food truck services under PBOT's Healthy Business program. Suburban Events coordinated with the property owners to program permit areas with mobile vendors during the

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Requested Agenda Type

Time Certain

Date and Time Information

Requested Council Date

January 17, 2024

Requested Start Time

9:45 am

Time Requested

30 minutes

requested days and hours.

8. That PBOT desires to make Suburban Events the coordinating permittee for the pilot program. The coordinating permittee will be issued the permits for all approved sites and will be responsible for managing the programming of food truck vendors at approved sites, property owner relationships, website advertising, coordination with PBOT, and other program aspects.

NOW, THEREFORE, the Council directs:

- A. That Section 14A.50.040 of Portland City Code is waived for PBOT-permitted food trucks within the Central City Plan District through the end of 2025.
- B. That the program fees will be in accordance with the Street Seats Seasonal Installations fees from PBOT's Outdoor Dining program, as described in TRN-3.450 which was approved by City Council on September 9, 2023.
- C. That PBOT may use Suburban Events as the coordinating permittee during the term of the pilot project.
- D. PBOT, through its Director or designee, is authorized to execute on behalf of the City all documents required for a food truck pilot project. All documents shall be subject to approval as to form by the City Attorney.

Section 2. The Council declares that an emergency exists because a delay in activation of the food truck pilot project creates a hardship for workers returning downtown; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
January 17, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this ordinance is to waive sections of City Code to allow for a food truck pilot project in the Central City Plan District. Portland City Code 14A.50.040 "Conducting Business on City Property or Public Rights of Way" currently makes such vending activity unlawful within the Central City Plan District, and that portions of said code need to be waived during the duration of the pilot project.

Financial and Budgetary Impacts

- Program fees will be in accordance with the Street Seats Seasonal Installations fees from PBOT's Outdoor Dining program, as described in Exhibit C of TRN-3.450 which was approved by City Council on September 9, 2023.
- Metered parking may be minimally impacted in some locations for limited time periods.

Community Impacts and Community Involvement

- This program is intended to provide additional dining options in the Central City Plan District for people returning to downtown.
- Food trucks will be permitted to locate adjacent to properties that request their services, provided that the site meets PBOT criteria.
- Outreach was made to the Oregon Mobile Food Association and the Oregon Restaurant & Lodging Association, both of which were supportive of this pilot project.

100% Renewable Goal

- This pilot project will contribute to vibrant commercial areas, increasing the walkability of neighborhoods and decreasing the need for auto-oriented transportation.

Agenda Items

41 Time Certain in [January 17, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/1/17)
(<https://www.portland.gov/council/agenda/2024/1/17>)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea