

## **RESOLUTION NO. 3869-2015**

### **RESOLUTION OF THE FORT BRAGG CITY COUNCIL ESTABLISHING: 1) MOBILE VENDING LOCATIONS IN THE CENTRAL BUSINESS DISTRICT; 2) A ONE-TIME APPLICATION FEE FOR MOBILE VENDING UNITS, 3) AN ANNUAL MOBILE VENDING RENEWAL PERMIT FEE; AND 4) A MAXIMUM OF THREE MOBILE VENDING PERMITS FOR CARTS AND THREE MOBILE VENDING PERMITS FOR VEHICLES AT ANY ONE TIME IN FORT BRAGG**

**WHEREAS**, the revisions to the City's mobile vending regulations were discussed by the Community Development Committee on January 27, April 28, and May 26, 2015; and

**WHEREAS**, revisions to the City's mobile vending regulations were also discussed by the Planning Commission on July 8, 2015 and a recommendation was made to City Council; and

**WHEREAS**, the City Council discussed this item on July 13, August 24, September 14, and September 28; and

**WHEREAS**, on September 28, 2015, the City Council introduced Ordinance 920-2015 modifying Fort Bragg Municipal Code, Chapter 10.20, sections 10.20.150 and 10.20.155, which regulates the operation of mobile vending units in Fort Bragg; and

**WHEREAS**, on October 13, 2015, said Ordinance was adopted at a regular meeting of the City Council of the City of Fort Bragg; and

**WHEREAS**, on October 26, 2015 the City Council directed staff to draft a resolution establishing: 1) two mobile vending locations in the Central Business District; 2) the one-time Mobile Vending Permit Fees; 3) the annual Mobile Vending Permit Fees; and 4) the number of mobile vending permits that can be issued at any one time; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. Only two locations in the Central Business District meet the established criteria for a Mobile Vending vehicle (e.g. relatively visible; not likely to result in traffic visibility issues; not likely to result in removal of critical parking spaces; and likely to bring customers into downtown, rather than luring them away from downtown). The locations are the 200 block of East Alder Street adjacent to the Purity parking lot and the 400 block of North Franklin Street on the street frontage adjacent to the Fort building.
2. The New Mobile Vending Permit Fee shall be \$550, which includes the cost of a Business License (\$75), an Encroachment Permit (\$175), and Design Review (\$300); and
3. The Annual Renewal of the Mobile Vending Permit Fee shall be \$500 per year to fund: 1) encroachment permit and business license renewal; 2) annual review of mobile vending locations to ensure that they do not violate the Code; and 3) City costs associated with the regulation of and clean up after Mobile Vending Units; and
4. Both the New Mobile Vending Permit Fee and the Renewal shall be updated on an annual basis as part of the City Fee update process; and

5. The number of Mobile Vending Permits shall be limited to six total permits (3 carts and 3 vehicles) at any given time within City Limits.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby determine that: 1) the 200 block of East Alder adjacent to the Purity parking lot and the 400 block of North Franklin on the street frontage adjacent to the Fort building meet the selection criteria and are the only locations within the Central Business District wherein Mobile Vending Vehicles can locate; 2) the New Mobile Vending Permit Fee shall be \$550; 3) the Annual Renewal of the Mobile Vending Permit Fee shall be \$500 per year; both fees shall be updated on an annual basis as part of the City Fee update process; and 4) the number of Mobile Vending Permits shall be limited to six total permits (3 carts and 3 vehicles) at any given time within City Limits.

**The above and foregoing Resolution was introduced by Councilmember Hammerstrom, seconded by Councilmember Peters, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 9<sup>th</sup> day of November, 2015, by the following vote:**

<b>AYES:</b>	<b>Councilmembers Peters, Cimolino, Deitz, Hammerstrom, and Mayor Turner.</b>
<b>NOES:</b>	<b>None.</b>
<b>ABSENT:</b>	<b>None.</b>
<b>ABSTAIN:</b>	<b>None.</b>

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**DAVE TURNER,**  
**Mayor**

**ATTEST:**

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**June Lemos**  
**City Clerk**