

**MODIFYING** the provisions of Chapter 723, “Streets and Sidewalks, Use Regulations,” of the Cincinnati Municipal Code by **AMENDING** Section 723-42, “Mobile Food Vending,” to clarify and better align the Cincinnati Municipal Code with best practices for regulating mobile food vending in the public right-of-way to protect the health, safety, and welfare in the City.

WHEREAS, a revocable street privilege (“RSP”) is the primary tool by which the City of Cincinnati provides permission for a person to make special use of the public right-of-way or to place a structure or other object in the public right-of-way; and

WHEREAS, Cincinnati Municipal Code Chapter 723, “Street and Sidewalks, Use Regulations,” authorizes and governs certain uses of the City’s streets and sidewalks for which RSPs are made available, and these uses currently include mobile food vendors on the City’s streets; and

WHEREAS, in Ordinance No. 288-2023, passed on August 2, 2023, Council authorized and opened City streets to mobile food vendors to encourage economic vitality and the multi-dimensional use of City streets; and

WHEREAS, since 2023, mobile food vendors have congregated in parts of the City during late night hours which have created concerns and issues related to the health, safety, and welfare of the City; and

WHEREAS, Council wishes to clearly authorize the City Manager to manage mobile food vending, including by prohibiting mobile food vending in certain areas and during certain times which promotes public health and safety throughout the City of Cincinnati; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That existing Section 723-42, “Mobile Food Vending,” of Chapter 723, “Streets and Sidewalks, Use Regulations,” of the Cincinnati Municipal Code is hereby amended to read as follows:

**Sec. 723-42. - Mobile Food Vending.**

- (a) For purposes of this chapter, the following words shall have the meanings respectively ascribed to them, unless a different meaning is clearly indicated by the context.

1. “Mobile Food-Vending Unit” shall be defined as a commercially manufactured, motorized, or otherwise mobile unit, truck, or cart that is readily movable, and from which non-alcoholic beverages and/or ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale, or distribution.
  2. “Mobile Food Vendor” shall be defined as any person who sells or offers for sale food or beverages from a Mobile Food-Vending Unit in any public, private, or restricted space.
- (b) Mobile food vending is permitted on street and other public rights-of-way in the City, subject to the following requirements:
- (1) The mobile food-vending unit must be parked within a designated parking space, provided that a mobile food vendor may not park within the following areas:
    1. A residential zoning district;
    2. A parking zone that requires a parking permit;
    3. Parking spaces designated for motorcycle or bicycle parking;
    4. Parking spaces designated for disabled persons;
    5. No parking zones, loading zones, valet zones, bus lanes, bicycle lanes, or other restricted use zones;
    6. Within 100 feet of a restaurant, food service business, school, or outdoor dining area or parklet space, unless the mobile food vendor first obtains the prior written consent of all operators of restaurants, food service businesses, schools, and outdoor dining areas, and parklet spaces located within 100 feet of the subject parking space;
    7. Within 100 feet of a sidewalk vendor authorized under Section 723-16, “Sidewalk Vending”;
    8. Within 10 feet of a fire hydrant, bus stop, mailbox, building entrance, sidewalk elevator, fire exit or escape, or a police or fire call box; or
    9. Within 750 feet of a special event, community event, parade, or assembly, unless authorized to participate in such event.
    10. A parking zone or parking spaces during a time when parking or mobile food-vending operations are prohibited.

(2) A mobile food vendor must:

1. Be actively engaged in providing mobile food-vending at all times while occupying a parking space.
2. Keep the area within a 5-foot radius of the mobile food-vending unit clear of all litter and debris arising from their operations.
3. Collect and dispose of all litter, waste, and debris generated by their mobile food vending, including litter, waste, and debris generated by their customers. Such litter, waste, and debris shall not be placed in city trash receptacles.
4. Pay all parking and meter fees for the parking spot occupied by its mobile food-vending unit and shall comply with all applicable parking restrictions and requirements.
5. Promptly vacate its parking spot and cease providing mobile food vending if directed to do so by a parking enforcement agent or law enforcement officer in the interest of public health or safety or when the parking spot is required for municipal purposes.
6. Comply with all applicable food-service laws, rules, regulations, including, but not limited to, obtain a food-service permit and related certifications.

(3) A mobile food vendor may not:

1. Utilize the city's electrical outlets, unless specifically authorized by the city.
2. Park in a manner that prevents other vehicles from parking in otherwise available spaces.
3. Block, obstruct, or restrict the free passage of vehicles or persons in the lawful use of street, sidewalks, and public rights-of-way or ingress or egress to an abutting property.

(c) The city manager or the manager's designee is authorized to establish rules and regulations to provide for the safe, efficient, and orderly administration and enforcement of this section.

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to identify and restrict parking in areas of the City which see a congregation of mobile food vendors and reduce the risk to the public health, safety, and welfare of the Cincinnati neighborhoods.

Passed: \_\_\_\_\_, 2025

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
Additions indicated by underline; Deletions indicated by strikethrough.