



# City of Chicago



O2019-8535

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	11/13/2019
<b>Sponsor(s):</b>	Burnett (27)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Titles 4 and 7 concerning delivery-only meal production and mobile food vehicle operations
<b>Committee(s) Assignment:</b>	Committee on Pedestrian and Traffic Safety

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## ORDINANCE

**SECTION 1.** Section 4-8-010 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

### **4-8-010 Definitions.**

*(Omitted text is unaffected by this ordinance)*

"Delivery-only meal production" means the preparation of food at a shared kitchen or mobile food truck operating on private property, where such food is prepared solely for the purpose of selling such food for delivery from a mobile food vehicle operating on private property to the end consumer via a courier or other means of delivery, and where the end consumer cannot order, pick up, or consume food on the premises containing the mobile food vehicle.

*(Omitted text is unaffected by this ordinance)*

"Mobile food truck" means (1) a motorized vehicle used to conduct a mobile food preparer business and (2) a non-motorized vehicle used solely for the purpose of conducting delivery-only meal production.

"Mobile food vehicle" means (1) a motorized vehicle used to conduct a mobile food dispenser, mobile food preparer or mobile frozen desserts vendor business and (2) a non-motorized vehicle used solely for the purpose of conducting delivery-only meal production.

*(Omitted text is unaffected by this ordinance)*

**SECTION 2.** Section 7-38-075 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

### **7-38-075 Mobile food vendor vehicles.**

*(Omitted text is unaffected by this ordinance)*

(c) Except as otherwise provided in Section 7-38-139 of this Code, each ~~Each~~ mobile food vehicle shall be registered as a commercial vehicle and any person who operates such vehicle must have a valid driver's license issued by the state of Illinois or another state, district or territory of the United States.

*(Omitted text is unaffected by this ordinance)*

**SECTION 3.** Section 7-38-115 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

### **7-38-115 Operational requirements.**

(a) Mobile food vehicles shall move from place to place upon the public ways and shall not be operated at a fixed location except as otherwise provided herein.

(b) Except as otherwise provided in Section 7-38-139 of this Code, mobile ~~Mobile~~ food vehicle stops shall be made only to service customers and shall not exceed (i) a total of two hours or (ii) the maximum permitted period for parking, whichever is lesser, in any one block.

*(Omitted text is unaffected by this ordinance)*

(k) (1) No operation of a mobile food vehicle is allowed on any private property unless all of the following requirements are met:

(i) The mobile food vendor has obtained the express written consent of the owner or lessee of such property and such written consent is kept in the mobile food vehicle at all times when the vehicle is on the property;

(ii) The mobile food vendor is in compliance with all applicable requirements of the Chicago Zoning Ordinance; and

(iii) Except as provided in Section 7-38-139 of this Code, the ~~The~~ mobile food vendor is in compliance with subsection (b)(i) and, except for the private property that allows the operation of the mobile food vehicle, subsection (f) of this section.

*(Omitted text is unaffected by this ordinance)*

**SECTION 4.** Section 7-38-138 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

**7-38-138 Servicing a mobile food truck.**

*(Omitted text is unaffected by this ordinance)*

(f) Except as otherwise provided in Section 7-38-139 of this Code, mobile ~~Mobile~~ food trucks must report to a commissary at least once per day for servicing.

**SECTION 5.** Chapter 7-38 of the Municipal Code of Chicago is hereby amended by inserting a new Section 7-38-139, as follows:

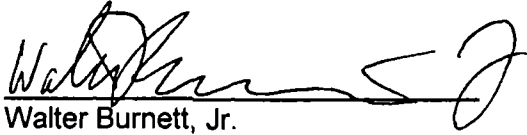
(a) If a mobile food vehicle is a non-motorized vehicle operating on private property for purposes of delivery-only meal production, it shall be exempt from the provisions of Sections 7-38-075 (c), 7-38-115 (b), and 7-38-138 (f), provided that:

- (1) the operator of the mobile food truck arranges for daily servicing of the mobile food truck to a level equal to or greater than the servicing levels provided to a mobile food truck at a commissary as determined by the Commissioner of Health, including supplying potable water, removing grey water, and emptying and cleaning the grease trap;

- (2) at no time the mobile food truck operates without potable water;
- (3) the operator of the mobile food truck keeps a log of all service visits to the mobile food truck conducted pursuant to this subsection (b), including the date and time the mobile food truck was serviced and the name of the individual servicing the mobile food truck; and
- (4) the mobile food truck complies with all applicable health, safety, equipment and sanitation requirements of the Code and applicable Department of Health Food Code Rules.

(b) Any mobile food vehicle operating pursuant to subsection (a) of this Section must report to a commissary at least once per month for servicing.

**SECTION 6.** This ordinance shall take effect following due passage and approval.

  
Walter Burnett, Jr.  
Alderman, 27th Ward  
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