



Office of the City Clerk

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Legislation Details (With Text)

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Title: Amendment of Municipal Code Sections 4-8-010, 7-38-075, 7-38-115 and 7-38-138 regarding mobile food vehicle operation and servicing
Sponsors: Burnett, Jr., Walter
Indexes: Ch. 8 Food Establishments, Ch. 38 Food Establishments-Sanitary Operating Requirements
Attachments: 1. O2019-8403.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
11/12/2019	1	Committee on Pedestrian and Traffic Safety	Direct Introduction	

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 for use at a mobile food vehicle or the preparation of food at a mobile food truck, where such food is prepared only for delivery 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 of a mobile food vehicle or mobile food truck.

(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) Subject to Section 7-38-139, each laeh 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 ofthe 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) Subject to 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) Subject to Section 7-38-139 ofthis Code, the The mobile food vendor is in compliance with subsection (b)(i) and, except for the private property that allows the operation ofthe 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) Mobile food trucks must report to a commissary at least once per day for servicing_A subject to Section 7-38-139 ofthis Code.

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) For the purposes ofthis Section, the following terms are defined as follows:

"FDA Food Code" shall have the meaning ascribed to that term by Section 4-8-010 of the Municipal

Code of Chicago.

"Food-contact surfaces" shall have the meaning ascribed to that term by Section 4-8-010 of the Municipal Code of Chicago.

"Time/temperature control safety foods" shall have the meaning ascribed to that term by Section 4-8-010 of the Municipal Code of Chicago.

(b) 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, 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;
- 4) all food handled and prepared in the mobile food truck shall be transported from a commissary to the mobile food truck in a refrigerated truck or other vehicle in a manner that comports with all requirements of the FDA Food Code, including those for time/temperature control safety foods; and
- 5) the mobile food truck is cleaned daily such that all food-contact surfaces meet the requirements of the FDA Food Code.

(c) Any mobile food vehicle operating pursuant to subsection (b) 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