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CITY OF NORTH LITTLE ROCK, ARKANSAS
OFFICE OF THE CITY ATTORNEY

300 MAIN STREET—P.O. BOX 5757
NORTH LITTLE ROCK, ARKANSAS 72119
(501) 975-3755—FAX (501) 340-5341

C. JASON CARTER
CITY ATTORNEY
WILLIAM M. BROWN
ASSISTANT CITY ATTORNEY
DANIEL L. MCFADDEN
ASSISTANT CITY ATTORNEY

TJUANA C. BYRD
ASSISTANT CITY
ATTORNEY
PAULA JUELS JONES
ASSISTANT CITY
ATTORNEY

April 22, 2015

To: Mayor Joe Smith and Members of the City Council

Re: **Mobile Food Trucks**

Dear Mayor Smith and Aldermen:

The purpose of this communication is to share research conducted by my office concerning possible amendments to O-15-28. Our research has revealed that the mobile food truck industry is a fast-growing business. Regulators, in most cases, are struggling to keep pace with this growth. Larger cities have developed very detailed regulations and procedures. Other cities have little or no regulation. This communication specifically discusses four concerns that were raised during our last meeting: (1) fire inspections; (2) liability insurance; (3) dining areas (e.g. chairs, tables, and eating counters); and (4) location restrictions (e.g. minimum distances from restaurants in operation and schools). Each concern is addressed below.

1. Fire Inspections. In general, there is a trend among cities to require fire inspections of mobile food trucks. Since many mobile food trucks operate on gas or propane, there is a potential fire hazard. In recent years, there have been fires and explosions on food trucks across the country (e.g. Washington, D.C and Philadelphia). Fire inspections appear to be a reasonable response to fire hazards and public safety concerns.


2. Liability Insurance. Liability insurance appears to be a common requirement for mobile food trucks. Cities justify this requirement as necessary to protect people and property that may be harmed by the mobile food truck operators.

3. Dining Areas. Many cities place restrictions on mobile food truck operators so they will work in harmony with other nearby businesses and the surrounding community. These restrictions normally regulate sound and space – such as restricting dining areas.

4. Location Restrictions. Cities are divided in where they allow mobile food trucks to locate. Some regulate by zoning. Others regulate by establishing minimum distances from specified activities. The latter is generally intended to balance the competing interests of traditional restaurants and mobile food trucks (“bricks vs. wheels”). Some cities arrived at the appropriate distance through negotiations between the competing groups.

Hopefully, this research will assist in the discussion of O-15-28 during our next meeting.

Sincerely,


C. Jason Carter
City Attorney

FILED 10:27 A.M. _____ P.M.

BY Jason Carter

DATE 4-22-15
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED by Thomas