

CITY OF LOWELL, OREGON

ORDINANCE 314

AN ORDINANCE AMENDING LOWELL DEVELOPMENT CODE TO ADOPT ZONING REGULATIONS AND STANDARDS FOR MOBILE FOOD VENDING WITHIN THE CITY OF LOWELL.

WHEREAS, the City of Lowell City Council, through enactment of Ordinance 314 (Exhibit B), has adopted text amendments to the Development Code; and

WHEREAS, the City of Lowell Planning Commission reviewed the proposal on September 3, 2025, at a Public Hearing, and recommended approval of the proposed text amendments to the Lowell Development Code

WHEREAS, evidence exists within the record (Exhibit A) indicating that the proposal meets the requirements of the City of Lowell Comprehensive Plan, Land Development Code and the requirements of applicable state and local law, including consistency with Oregon's Statewide Planning Goals; and

WHEREAS, the City of Lowell City Council has conducted public hearings and is now ready to take action;

THE CITY OF LOWELL ORDAINS AS FOLLOWS:

Section 1. The City of Lowell City Council adopts the City of Lowell Mobile Food Vendor Ordinance, as set forth in Exhibit B

Section 2. The City of Lowell City Council adopts the Findings of Fact, attached as Exhibit A, which include findings addressing the consistency of the proposed amendments with the City of Lowell Comprehensive Plan, Land Development Code, and Oregon's Statewide Planning Goals.

Section 3. Severability. If any phrase, clause, or part of this Ordinance is found to be invalid by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

Adopted by the City Council of the City of Lowell, this 21 day of October, 2025.

YEA: 4

NAY: 0

Approved:

Maureen M. Weathers
Maureen M. Weathers, Mayor

Attest:

Max Baker
Max Baker, City Administrator

First Reading:
Second Reading:
Adopted:
Signed:
Effective Date:

9/16/25
10/21/25
10/21/25

City of Lowell Mobile Food Vendor Ordinance 314

Section 1: Purpose and Intent

The purpose of this ordinance is to allow mobile food vending operations, also known as “food trucks” within the City of Lowell. Further, the ordinance is intended to ensure that these operations comply with city, county, and state laws and regulations to protect public health, safety, and welfare, promote responsible business practices, and ensure the peaceful enjoyment of public spaces.

Section 2: Definitions

- **Mobile Food Vendor:** Any person or business that sells or serves food from a vehicle, cart, trailer, or other mobile unit.
- **Mobile Food Unit (MFU):** The vehicle or equipment used for mobile food vending.
- **Public Property:** Includes streets, sidewalks, parks, and other land zoned as Public Lands.

Section 3: Permit Requirements

- Applicants must fill out a City of Lowell mobile food vendor permit application form and provide a site plan of the vending location showing the following:
 - a. All existing buildings and their setbacks from the sidewalk or public right of way.
 - b. Driveway(s) and sidewalks(s).
 - c. Areas for adequate parking, not occupying an established business’ private parking, and allow for vehicles to park off the roadway so that hazardous traffic conditions are not created.
- Mobile food vendors must provide written proof that establishes the operator has obtained the required state permits, county health permits, and Fire Marshal clearance.
- Mobile food vendor must show written consent from the property owner if vending site is located on private property.
- A Certificate of Insurance for liability coverage in the amount of at least \$1,000,000, naming the City of Lowell as an additional insured, is required.
- Permits are valid for twelve months, not transferable, must be renewed before expiration, and must be clearly displayed on the MFU.
- Mobile Food Vendor permit fee is \$50 with each application or renewal.

- Permits cover the fiscal year, July 1 through June 30. All permits expire June 30th each year. Fees are not prorated. The City of Lowell reserves the right to approve or deny any permit application.

Section 4: Operational Requirements

- Vending hours are limited to 6:00 a.m. – 9:00 p.m. unless otherwise authorized.
- MFUs may not operate within 100 feet of a brick-and-mortar restaurant without written consent from the restaurant owner.
- MFUs must maintain a clean area within 20 feet of their unit.
- MFUs must have self-contained water and sewer. No discharge of any liquids into storm drains or onto ground is allowed. MFUs are prohibited from connecting to public or private water and/or sewer.
- Proper trash disposal and on-site trash receptacles are required. It shall be the Mobile Food Vendor's responsibility for disposal of trash and general site clean-up each day.

Section 5: Location Restrictions

- Mobile food vending is allowed within the following zones: Commercial, Downtown, Industrial, and Public Lands.
- MFUs and all accessory items may not block motor vehicle access or pedestrian walkways.
- Pedestrian (walk-up) traffic only is allowed (no drive-through service is allowed).
- All signage must conform to City of Lowell sign code requirements of LRC 9.530.

Section 6: Health and Safety Regulations

- Compliance with all **local and state health codes** is mandatory.
- Compliance with all Fire safety measures (e.g., fire extinguishers, propane regulations) is mandatory.

Section 7: Noise and Nuisance Control

- No use of amplified sound or generators exceeding 65 dB at 50 feet.

- Vendors must minimize odor, smoke, and other nuisances.
- Lighting must be oriented and/or shielded to prevent glare on abutting properties.

Section 8: Enforcement and Penalties

- Failure of any Mobile Food Vendor to comply with any of the above listed regulations may have their MFU permit revoked or suspended by the City Administrator or designee at any time after notification to the Mobile Food Vendor.
- Violations may result in fines or suspension/revocation of permit.
- Repeated violations (three or more within a permit period) may result in a ban for one year.

Section 9: Appeals Process

- Vendors may appeal permit denials or enforcement actions to City Council within 15 days from date of notice.

Section 10: Severability

If any part of this ordinance is found to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.