



# *City of New Bedford*

IN COMMITTEE

November 12, 2020

The Honorable City Council  
133 William Street  
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Ordinances at a Meeting held on Monday, October 26, 2020, considered a WRITTEN MOTION, Council President Lopes, requesting that the Committee on Ordinances amend the existing Food Truck Ordinance Sec. 15-72 Section B, 1E, to allow for the placement and location of food trucks on Commercially Zoned Private Property. (To be Referred to the Committee on Ordinances.) (Ref'd 08/20/2020) (09/30/2020 – tabled for drafting)

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To add the times of 9 AM to 8 PM in Section 2 D. This motion passed on a voice vote.

On motion by Councillor Lopes and seconded by Councillor Gomes, the Committee VOTED: To recommend to the City Council APPROVAL of the Ordinance Amending Food Truck Locations. This motion passed on a Roll Call Vote of Yeas 8, Nays 2, with Councillors Giesta and Morad opposed.

IN COMMITTEE ON ORDINANCES

Councillor Hugh Dunn, Chairman

HD: dmb



# CITY OF NEW BEDFORD

In the Year Two Thousand and Twenty

## AN ORDINANCE

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### RELATIVE TO FOOD TRUCK LOCATIONS

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31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

#### SECTION 1.

Subsection (d) of section 15-72 of Chapter 15 of the Code of Ordinances is hereby amended by striking said section in its' entirety and inserting, in place thereof, the following new subsection: -

(d) *Locations.*

(1) *Specifically designated locations.* Food trucks that have acquired the proper permits pursuant to this ordinance may operate on public property or, where applicable, on private property with permission of owner or person having control of said private property in the following areas only during the times designated for each area and 300 feet from food establishments:

Location A: Parks (paved areas of parks only, not to be established on grass covered areas), or city-owned ball fields (food trucks not operate within 300 feet of an "open" league run concession as if it were a restaurant) and in the industrial park or business park on private property with the permission of the owner or person in control of the private property so long as permitted truck is not obstructing traffic or endangering public safety.  
Permitted hours: 9:00 a.m. to 8:00 p.m.

Location B: Working Waterfront District bordered by Route 18 (except that no such trucks shall stop on Route 18) as the furthest point westerly; from Interstate 195 south to Cove Road with the shoreline as the furthest point easterly.  
Permitted hours: 6:00 a.m. to 3:00 p.m.

Location C: Historic Downtown on Barker's Lane only or anywhere in the downtown on private property with the permission of the owner or person in control of the private property so long as permitted truck is not obstructing traffic or endangering public safety.

Permitted hours: 10:00 a.m. to 3:00 p.m.

Location D: Beaches. East Beach public lots except that said lots shall be limited to the first 3 permitted trucks to arrive on a given day and then each truck may be replaced on a first come first served basis as one or more of the three (3) trucks exits the public lot. One truck permitted on West Rodney French Boulevard on a first come first served basis.

Permitted hours: 9:00 a.m. to 8:00 p.m.

(2) *Locations outside of specifically designated locations.* Food trucks that have acquired the proper permits pursuant to this ordinance may operate on any private property located outside of Locations A, B, C and D as described in subsection (d)(1) that is properly zoned for business use and the private property is held in common ownership with the owner of the licensed food truck operating on said private property. Food trucks, while operating under such a circumstance, shall not be required to keep any particular distance from a food establishment.

Permitted hours: 9:00 a.m. to 8:00 p.m.

SECTION 2. Paragraph (1) of subsection (e) of section 15-72 of Chapter 15 of the Code of Ordinances is hereby amended by striking said paragraph (1) in its' entirety and inserting, in place thereof, the following new paragraph: -

- (1) Except when operating as described in section (d)(2) of this ordinance, food trucks shall not provide or allow any dining area, including but not limited to tables, chairs, booths, stools, benches and standup counters.

Section 3.

This ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.