

# City of Portland

## Food Truck Rules and Regulations

These Rules and Regulations are promulgated pursuant to Section 19-23 of the City Code:

1. An application must be submitted on a form provided by Business Licensing with colored pictures from at least two angles of the unit and a description that includes its maximum length and width.

2. Food trucks may operate from 6:00 a.m. to 10:00 p.m. Food trucks may operate on private property in all zones where food trucks are permitted with the permission of the property owner. Food trucks may operate in the following public locations:

a. On the following city streets on the Peninsula:

- West Commercial Street from Park Street to Danforth Street;
- Bayside along Marginal Way from Forest Avenue to East End Beach Trail, along Washington Avenue from I295 to Cumberland Avenue, along Cumberland Avenue from Washington to Forest Avenue and along Forest Avenue from Cumberland to Marginal Way;
- On the north side of Park Avenue between High Street and I295, except when there is a game or event at Hadlock Field, in which case food trucks are limited to Park Avenue along Deering Oaks Park until two (2) hours before a game or event and starting again two (2) hours after the game or event;
- Spring Street between Temple and Center Street;
- Commercial Street from Franklin Arterial to India Street and then along Thames Street;
- Eastern Promenade from Washington Avenue to Cutter Street;
- St. John Street from A Street to Valley Street and along Valley Street back to A Street and along A Street between Valley and St. John Street.
- In the metered parking spaces on the southeasterly side of Congress Street directly adjacent to Lincoln Park between Pearl Street and Franklin Street.

b. On city streets or in city-owned parking lots off the Peninsula:

- In the B-3, B-4, B-5, B-6, B-7 and Industrial Zones.

c. City Parks:

Food Trucks shall be allowed in City Parks according to the following rules and restrictions. For Parks not specifically listed here, operation of a food truck is limited to any legal parking space within that Park, or on city streets as outlined in Section 2A.

Food Trucks are explicitly prohibited from City Parks with no motor vehicle access, without express written consent from the Parks Division.

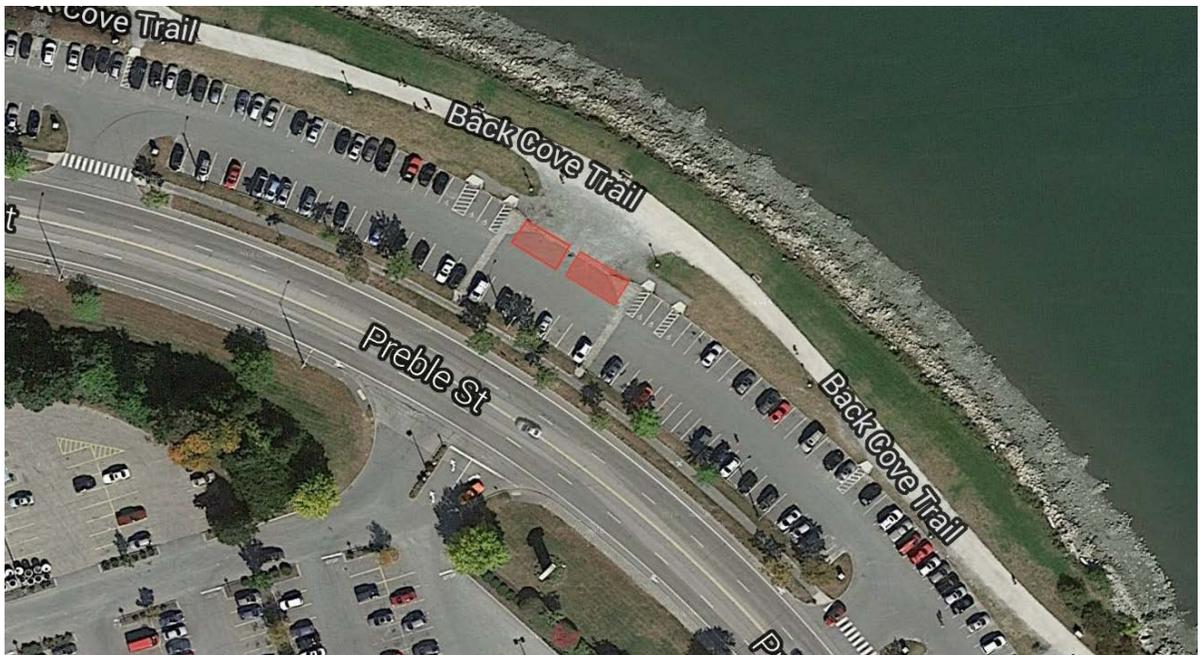
Customer lineup areas may not extend into walkways or roads at any location.

Parks Division Staff, Police, and City Code Inspectors shall have the authority to request a food truck to relocate if, in their opinion, the food truck is causing or contributing to an imminent public safety hazard.

During Special Events in Parks, the rules for the Park in question are temporarily suspended for permitted area and Food Trucks must abide by the locations and any additional fees set forth by the Event organizer.

**Back Cove**

Two food trucks may operate along the curb ramp of the stonedust area between the handicap parking spaces noted in image below. Trucks must be parked parallel to the Back Cove Trail and must not block access to the ADA handicap ramps to the path. Trucks must park so that two trucks can fit in the provided space. Customer serving windows must face the Back Cove, not the parking lot.



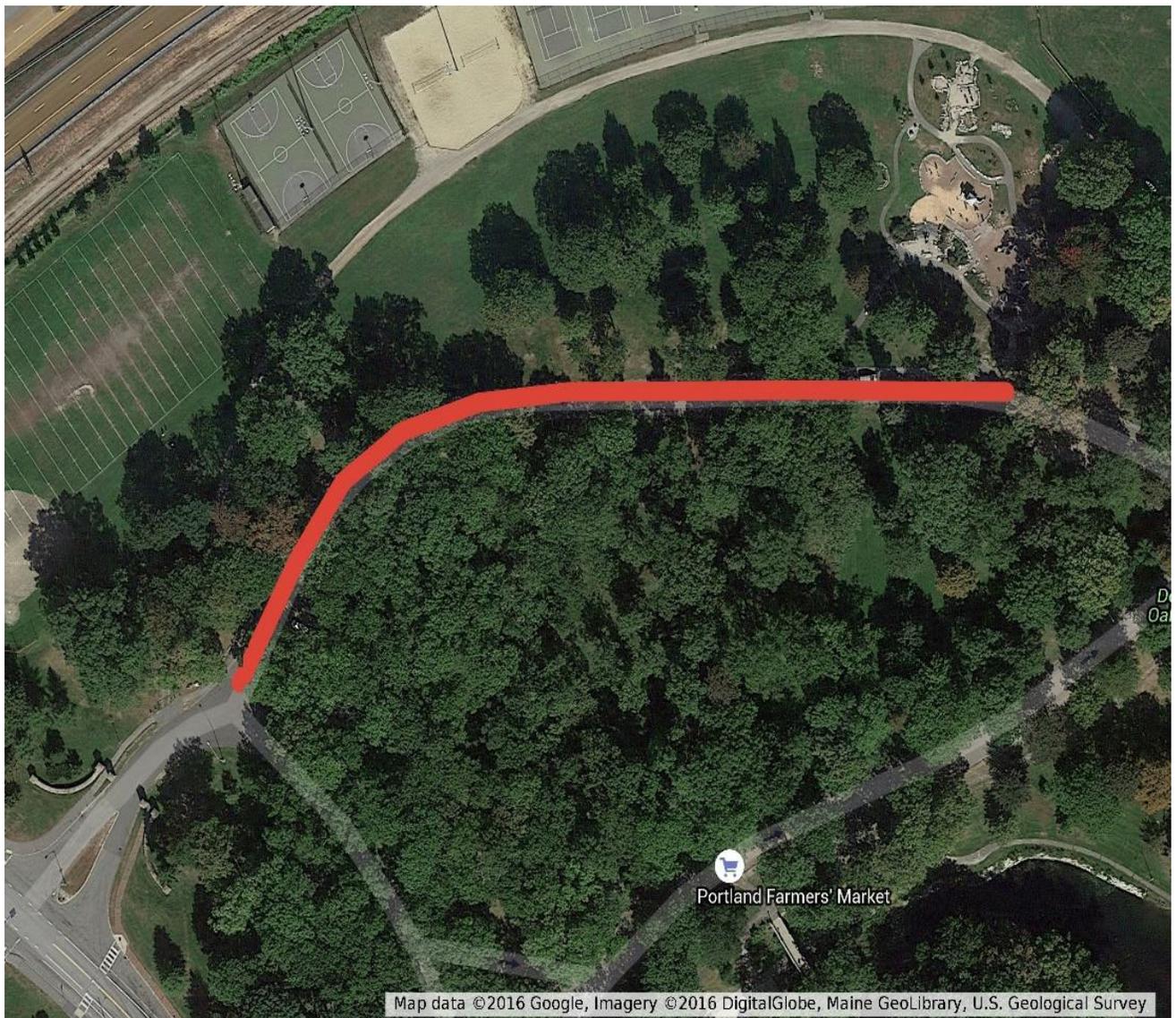
## Congress Square Park

Due to space limitations, no food trucks are permitted at Congress Square Park. Pushcarts are welcome per the guidelines in the Pushcart rules:

<http://www.portlandmaine.gov/DocumentCenter/Home/View/46>

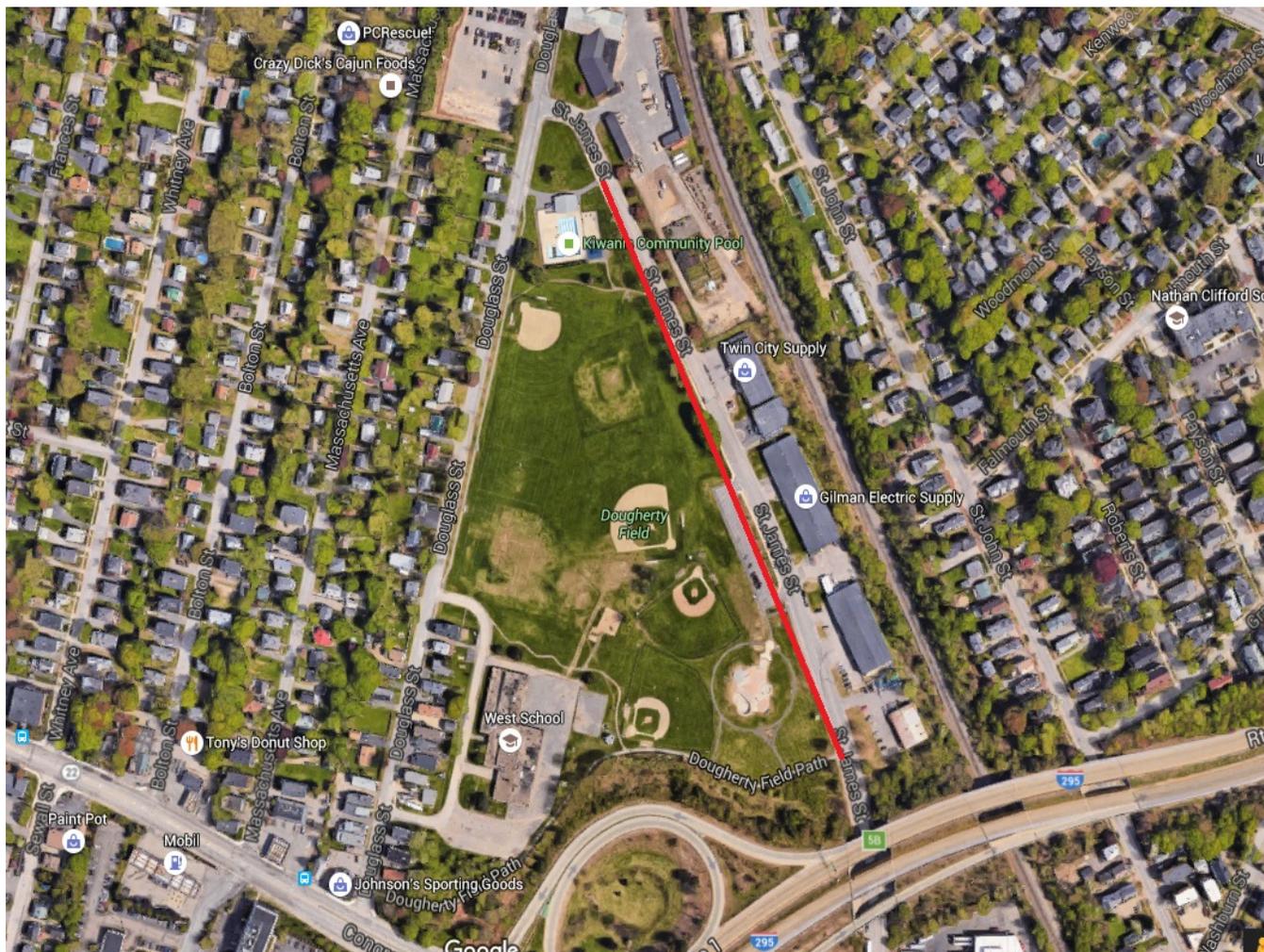
## Deering Oaks Park

Two food trucks may operate along Tennis Court Road (the one-way park road running West to East from Deering Ave to State St. extension) in the zone from the Deering Avenue gateway to the playground entrance.



### Dougherty Field/Kiwanis Pool/Skate Park

Three food trucks may park and operate in any available legal parking spot on St James Street from I-295 to Douglass St, adjacent to Skate Park and Athletic Fields.



### Eastern Promenade

Two food trucks total may operate within the Eastern Promenade Park in either of the following locations listed below. In addition to the two locations listed below, Food Trucks are also permitted along the Eastern Promenade from Washington Ave to Cutter Street, per the guidelines in section 2a.

- Cutter St: One food truck may take any legal parking space along Cutter Street between the Eastern Promenade and the upper parking lot (the first parking lot on the right as you descend Cutter Street from the Eastern Promenade).
- Upper Parking Lot: One food truck may take any legal parking space in the upper parking lot on Cutter Street (the first parking lot on the right as you descend Cutter Street from the Eastern Promenade). Food trucks may use any legal parking space along the curb and must not take up any boat or trailer parking spaces.



### Lincoln Park

No vehicular access in park. Food trucks already permitted along Congress Street (adjacent to Lincoln Park) per guidelines in section 2a.

## Payson Park

Food trucks may park in any available legal parking spot within any parking lot, with no more than one food truck per parking lot. Food trucks may take one additional parking spot to accommodate lineup area.

Due to increased parking demand in May and June and public safety concerns, Food Trucks are not allowed during the months of May and June.



3. Night Vending: Food Trucks may operate in all non-residential zones where food trucks are permitted between the hours of 10:00 p.m. and 6:00 a.m., subject to the Separation Requirements in paragraph seven (7) of these rules. Additionally, the food truck shall obtain a Night Vendor's License from Business Licensing.

The Portland Police Department has the right to close down or request a food truck to relocate after 10 p.m. when in the opinion of the Department, the food truck vending is causing or contributing to an imminent public safety hazard.

4. Food trucks are not allowed on school grounds unless as part of a school authorized function.

5. Food trucks are not allowed in cemeteries.

6. Except as provided in Paragraph 2(a) above, food trucks are not allowed in residential (R) zones.

7. Separation Requirement:

a. On Peninsula: Except when operating in connection with a festival or special event approved pursuant to Section 19-22 of the City Code, food trucks must be located at least sixty-five (65) feet from:

i. Any fixed-base food service establishment with an operating kitchen measured from the front door; and

ii. Any hotel, bed and breakfast, motel, hostel, or inn measured from the nearest edge of the property.

b. Off Peninsula: Except when operating in connection with a festival or special event approved pursuant to Section 19-22 of the City Code, food trucks must be located at least two-hundred (200) feet from:

i. Any fixed-based food service establishment with an operating kitchen measured from the front door; and

ii. Any hotel, bed and breakfast, motel, hostel, or inn measured from the nearest edge of the property.

8. In addition to complying with the City's ordinances related to food trucks and these regulations, the owner and operator of a food truck is responsible for applying and obtaining all other necessary city licenses required for the service of food and beverages. The food truck itself must be in compliance with the motor vehicle laws of the State of Maine, and the owner is responsible for verifying that a specific location, other than those identified in paragraph 3(a), does not violate a City zoning ordinance.

9. Food truck locations, other than those on private property or those permitted through the City's competitive bid process, are based on a "first come, first served" basis. There will be no designated parking spots for food truck vendors.

10. On public property, where food trucks are permitted to operate, food trucks shall comply with all parking rules, except that food trucks otherwise operating lawfully and actively offering food for sale on city-owned property may, in any twenty-four (24) hour period, “feed” a parking meter once to extend the maximum parking time by two times (2x).
11. Food trucks may not be parked overnight on city streets or in city parking lots.
12. Size limitations: Food trucks must not exceed ten (10) feet in width, including any side extensions or awnings. Food trucks parking in metered parking spaces on city-owned property must not exceed twenty (20) feet in length, including the length of the trailer hitch, trailer, or other extension. Food trucks parking in non-metered parking spaces on city-owned property must not exceed twenty-four (24) feet in length, including the length of the trailer hitch, trailer, or other extension. If the food truck is parked on private property, then the food truck with attached trailer, or other extension, must not exceed forty (40) feet in length.
13. Food trucks must be self-contained when operating, except for the required trash and/or recycling receptacles, which shall be in contact with the food truck and shall not impede the free movement of automobiles or pedestrians.
14. Food trucks must serve to the sidewalk or esplanade next to a sidewalk when parked in spaces parallel to City sidewalks.
15. Only food and/or non-alcoholic beverages are allowed to be sold on City property.
16. Each food truck vendor must provide the City of Portland with a certificate of insurance to cover public liability in the amount of at least \$400,000.00.
17. The food truck base station must be inspected, and if food is prepared, then it must also be licensed.
18. Food trucks shall comply with the City’s noise requirements pursuant to Section 17-20 of the Portland City Code.
19. Failure to adhere to the regulations for food truck is cause for revocation or suspension of your license by Business Licensing pursuant to Chapter 15 of the City Code.

Dated: \_\_\_\_8-24-2016\_\_\_\_

Signed: /s/ \_\_\_\_Jon Jennings\_\_\_\_

Jon Jennings, City Manager

Please call (207)756-8365 about Food Trucks in the City of Portland.