



## Legislation Text

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**File #:** DIS 18-109, **Version:** 2

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Discussion of issues relating to ice cream trucks.

### Summary:

Presently, mobile ice cream trucks are not allowed to operate in Deer Park. Their presence is restricted by Section 22-22 (a) and (b) of City Code, as noted below:

#### Sec. 22-22. - Prohibited acts.

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- (a) No person shall utilize city or state rights-of-way, including highway, streets, alleys, or sidewalks, whether or not improved and open to traffic, to conduct public area solicitations. No solicitor shall impede the free use of sidewalks and streets by pedestrians and vehicles.
- (b) No solicitor shall make any loud noises or use any sound amplifying device to attract customers if the noise is such that it violates sections 38-99 to 39-101.

A Councilmember recently asked staff to explore the possibility to amending this portion of City Code in order to allow mobile ice cream vending. Should Council so desire, certainly ice cream trucks could be permitted to operate here, as they do in other municipalities. The challenge lies in allowing this activity to occur without creating unintended consequences pertaining to both the sustained regulation of other types of mobile food sales, and continuing restrictions on the use of municipal streets and rights-of-way for commercial sales. All of this will be explained in greater detail on Tuesday night by staff and City Attorney Fox.

### Fiscal/Budgetary Impact:

N/A

Discussion only in Workshop.