

**ORDINANCE NO. 13-882**

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE  
CITY OF HUNTSVILLE, ALABAMA

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The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 *Code of Alabama*, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, that the Zoning Ordinance of the City of Huntsville, Alabama, as adopted on the 21st day of March 1963, as amended, is hereby further amended as follows:

*Section 1. Amend ARTICLE 3 - DEFINITIONS, Section 3.1 - Interpretation to add the following new definitions:*

Food Kiosk- A non-motorized pushcart or stand designed to be portable and not permanently attached to the ground from which prepared food or beverages are peddled, vended, sold, displayed, offered for sale, or given away.

Mobile Food Vending Site- A collection of mobile food vending units clustered together on a single lot or parcel of land under common ownership or control.

Mobile Food Vending Unit- A trailer or motorized vehicle designed to be portable and not permanently attached to the ground from which only prepared food or beverages are peddled, vended, sold, displayed, offered for sale, or given away.

*Section 2. Amend ARTICLE 23 - GENERAL BUSINESS C-3 DISTRICT REGULATIONS, Section 23.1 - Uses Permitted; ARTICLE 24 - HIGHWAY BUSINESS C-4 DISTRICT REGULATIONS, Section 24.1 - Uses Permitted; ARTICLE 25 - COMMERCIAL RECREATION C-5 DISTRICT REGULATIONS, Section 25.1 - Uses Permitted; ARTICLE 40 - LIGHT INDUSTRY DISTRICT REGULATIONS, Section 40.1 - Uses Permitted; ARTICLE 44 - COMMERCIAL INDUSTRIAL PARK DISTRICT REGULATIONS, Section 44.1 - Uses Permitted by adding the following as permitted uses:*

Mobile Food Vending Units.

Mobile Food Vending Sites.

*Section 3. Amend ARTICLE 73 - SUPPLEMENTARY REGULATIONS to add the following:*

73.23.1 Mobile Food Vending

Mobile food vending in General Business C-3, Highway Business C-4, Commercial Recreation C-5, Light

Industry, Heavy Industry, and Commercial Industrial Park districts shall conform to the following regulations:

- (1) Mobile food vending units located in applicable districts shall have a minimum buffer of one hundred (100) feet as measured from the primary entrance of existing restaurants, cafes, and other food related establishments.
- (2) Mobile food vending units are permitted to operate between the hours of 6 a.m.- 10 p.m. Sunday through Wednesday and 6 a.m.- 2 a.m. Thursday through Sunday in General Business C-3, Highway Business C-4, Commercial Recreation C-5, Light Industry, Heavy Industry, and Commercial Industrial Park districts.
- (3) Food preparation will be regulated by the Madison County Health Department. The business license application must be accompanied by a food permit issued by the Madison County Health Department and written consent from the property owner (if applicable).
- (4) For any location where the mobile food vending unit is proposed to stay for two (2) or more hours, vendors shall provide toilet facilities for persons operating the unit, including employees, in accordance with the requirements of the Madison County Health Department.
- (5) Mobile food vending sites shall have fixed public toilet facilities including one (1) male and one (1) female restroom available for operators, including employees, and patrons, which meet the requirements of the Madison County Health Department for food establishment toilet rooms.
- (6) Mobile food vending units shall be removed from the premises each night and such operations are not permitted to operate in the required front yard on major arterials.
- (7) Mobile food vending units are not permitted to operate in loading zones, public rights-of-way, or obstruct or impede the flow of traffic for neighboring businesses.
- (8) All mobile food vending units must meet the zoning district setbacks.

- (9) All signage must be attached to the mobile food vending unit.
- (10) Mobile food vending units must provide sufficient artificial lighting during non-daylight hours.
- (11) Mobile food vending units shall not be allowed to consume otherwise necessary parking spaces.
- (12) No outdoor loudspeaker, public address system, music, or other form of entertainment shall be audible from mobile food vending units.
- (13) Any on-site preparation of food shall be performed inside the primary vending unit only. There shall be no grills or other cooking facilities allowed outside the primary vending unit.
- (14) Notwithstanding anything to the contrary contained in this section, mobile food vending units regulated under Section 18-36 of the City Code shall not be subject to the regulation of this section.

*Section 4. This ordinance shall take effect from and after the date of its publication.*

**ADOPTED** this the 19th day of December, 2013.

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President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this the 19th day of December, 2013.

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Mayor of the City of Huntsville,  
Alabama