

ORDINANCE NO. 2026-526

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE, CALIFORNIA, ADDING CHAPTER 18.59 TO THE GUADALUPE MUNICIPAL CODE, REGULATING THE OPERATION OF FOOD TRUCKS

The City Council of the City of Guadalupe, State of California, does ordain as follows:

WHEREAS, food truck sales nationally have achieved remarkable growth due to their popularity, demonstrating the economic impact of the food truck industry within the state and region; and

WHEREAS, the City currently does not have regulations for food trucks; and

WHEREAS, while many members of the public applaud the presence of diverse food trucks representing different cuisines and cultures, the City has been receiving increasing complaints regarding the growing presence of food trucks on private property in commercial zones, implicating health and sanitation concerns and increased traffic and parking issues, particularly in the downtown area; and

WHEREAS, it is necessary to regulate food trucks to protect the health and welfare of the public; and

WHEREAS, the City desires to provide specific guidelines and requirements to ensure these businesses can operate safely and efficiently while minimizing potential risks to public health and safety; and

WHEREAS, by this Ordinance, the City seeks to balance the enthusiasm for mobile food trucks with the need to maintain orderly and safe public spaces, facilitating the growth of the mobile food industry in a manner that benefits both entrepreneurs and the community at large.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GUADALUPE DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are hereby incorporated by reference.

SECTION 2. Chapter 18.59 of the Guadalupe Municipal Code is hereby added to read as follows:

Chapter 18.59 FOOD TRUCKS

- § 18.59.010 Purpose and intent
- § 18.59.020 Definitions
- § 18.59.030 Health and sanitation
- § 18.59.040 Public property
- § 18.59.050 Private property
- § 18.59.060 Operations
- § 18.59.070 Public Right-of-Way
- § 18.59.080 Permit requirements

§ 18.59.090 Supplemental regulations

§ 18.59.100 Violations

18.59.010 Purpose and intent.

A. The purpose of this Chapter is to regulate mobile food vendors to ensure that operations do not conflict with the functional aspects of commercial site and building operations.

B. The City must protect the public by ensuring mobile food facilities are operated in a safe manner and do not create nuisances or hazards. Reasonable regulations are necessary to ensure that mobile food facilities are:

1. Operated in accordance with health, safety, and traffic laws of the state.
2. Operated in accordance with parking ordinances of the city.
3. Do not cause public safety problems by contributing to traffic congestion.
4. Do not create pedestrian and vehicular conflicts.
5. Do not disturb the quiet use and peaceful enjoyment of residential neighborhoods.

C. Regulations in this Chapter are enacted in accordance with the authority granted in Section 22455 of the California Vehicle Code and California Health and Safety Code Section 114315 et seq. (the "California Retail Food Code"), as each may be amended from time to time.

18.59.020 Definitions.

The following words and phrases, whenever used in this Chapter, shall be construed as defined in this Section:

"City" means the City of Guadalupe.

"Code" means the Guadalupe Municipal Code and all codes incorporated therein by reference.

"Food" shall be as defined in Health and Safety Code Section 113781 or any successor provision.

"Food facility" shall be as defined in Health and Safety Code Section 113789 or any successor provision.

"Food truck" means a mobile food facility as defined in Health and Safety Code Section 113831 or any successor provision and any vehicle as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared, prepackaged, or unprepared food or foodstuffs of any kind that parks at one or more locations within the City. A food truck shall also include any type of non-motorized vehicle that is used as described in this definition and is transported by a motorized vehicle.

"Food truck permit" or "permit" means an Administrative Use Permit (AUP) issued to a property owner or lessee with authority allowing food trucks to operate on private property pursuant to

this Chapter, and/or issued to a food truck vendor by the City to allow a food truck to operate on public property.

“Food truck vendor” or “food vendor” or “vendor” means an individual or business responsible for or utilizing a food truck to sell, offer for sale, or distribute food.

“Hand washing facility” means a facility providing either a basin, container, or outlet with an adequate supply of potable water, soap, and single-use towels, as further defined in Health and Safety Code Section 114359.

“Health Officer” shall be as defined in Health and Safety Code Section 111015.

“Special event” means any outdoor event designated for the exclusive use of the event organizer utilizing public areas, including streets and parking lots temporarily closed by the City for which a City-issue permit has been obtained.

“Toilet facility” means a fixture maintained with a toilet room for the purpose of defecation or urination or both, as further defined in Health and Safety Code Section 114359.

“Vend” or “vending” means to offer for sale or distribution.

18.59.030 Health and Sanitation

It is unlawful for any person to operate a food truck on public or private property without a valid health permit from the Santa Barbara County Health Department. The Health Permit shall be displayed conspicuously at all times on the vendor’s vehicle.

18.59.40 Public Property

A. No food truck shall operate on public or City-owned property, or within any City park or recreation facility without an approved Administrative Use Permit (AUP).

B. The City may issue an Administrative Use Permit (AUP) for a single day event in conjunction with a special event that complies with the applicable provisions of this code and for which a permit has been issued.

18.59.50 Private Property

A. No food truck shall operate on private property without written authorization from the property owner or lessee with authority to grant such authorization.

B. Food trucks located on Industrial or Commercial property may operate daily for the sole support of the onsite employees during the hours that employees are present, with a valid Administrative Use Permit

C. Written proof of approval of the property owner or lessee shall be maintained by the vendor on site. The person operating the food truck shall present this proof upon the demand of a peace officer or City employee authorized to enforce this Chapter.

D. The private property owner wishing to authorize food truck vending shall obtain an Administrative Use Permit authorizing operations in compliance with Section 18.59.060.

E. A single event permit in an exclusively residentially zoned district may only be issued for the same location once per quarter.

18.59.060 Operations

A. All food truck vendors are subject to the following conditions:

1. Food trucks shall operate within a level parking area, where it can be demonstrated that any off-street parking spaces located in that area are not otherwise reserved, encumbered, or designated to satisfy the off-street parking requirement of a business or activity that is operating at the same time as the food truck.

2. Vendors shall not use or permit use of parking spaces on the site (e.g., customer queuing, tables, chairs, portable restrooms, signs, and any other ancillary equipment) if doing so will adversely affect the required off-street parking available for the primary use(s) of the site during peak periods as determined by the Planning Director or designee, and/or Director of Public Safety.

3. Vendors shall have adequate lighting to ensure customer safety either on the vehicle or at the location of the vehicle during business hours.

4. No food truck shall display free standing signs, sandwich board, or banners. Any signage shall be attached to the vehicle.

5. No food truck shall be located within fifty feet (50') of any street or roadway intersection, crosswalk, fire hydrant, signal crossing, or bus stop.

6. No food truck shall locate their operation in such a way that would restrict the ingress or egress from the adjoining property.

7. No vendor shall sell food and beverage items not regulated under the California Retail Food Code (California Health and Safety Code Division 104, Part 7, Section 113700 et seq., or as may be amended from time to time).

8. No vendor shall locate their operation in such a way that would restrict accessibility routes and curb cuts.

9. No vendor shall roll up onto the sidewalk or cause traffic to be blocked or delayed.

10. No vendor shall locate their operation in such a way that would restrict access to trash enclosures.

11. No vendor shall locate their operation in such a way that would restrict off-street parking.

12. No vendor shall conduct business with customers in moving cars.

13. Vendors shall provide a visible trash receptacle for use by customers.

14. Vendors shall regularly pick up, remove, and dispose of all trash or refuse from their operation within two hundred feet (200') of the vendor's position. Regularly means not less than every one hour. For vendors that operate less than one hour at a location, the vendor shall pick up, remove and dispose of all trash or refuse prior to leaving the location. Except as may be otherwise authorized by an Administrative Use Permit, the vendor shall remove and transport all trash or refuse from its operation away from the location and shall dispose of it only as allowed by this code.

15. Vendors shall not dump any wastewater; neither fresh or gray into storm drains, water ways or any other unauthorized locations.

16. No vending shall occur between the hours of 10:00 p.m. and 7:00 a.m. and no overnight parking shall be permitted. Through the permit process, the Planning Director or designee at their sole discretion may impose shorter hours of operation or allow longer hours of operation depending on the type of vending and location.

17. Whenever operating for more than a one (1) hour period, no vendor shall operate more than two hundred feet (200') travel distance of an approved and readily available toilet and hand-washing facility to ensure that restroom facilities are available to the food truck permit holder and any of its employees.

18. No vendor shall vend within three hundred feet (300') of a special event for one hour before, during or one hour after the reserved event time, unless the vendor is approved by the event's sponsor to participate in the event, and has a valid Administrative Use Permit.

19. Vendors shall not use City utility connections, including water and electricity, without prior written approval from the City.

20. Vendors shall not leave vehicles or items unattended or stored on public property.

21. All vendors shall comply with the California Vehicle Code and California Health and Safety Code.

22. Food trucks may not operate in an exclusively residentially zoned district in the City, except for private events with an Administrative Use Permit or other City-issued permit. Food trucks may

be parked on the street adjacent to the private property hosting the event, but must be moved once the event is over.

23. Vendors shall not operate in an unsafe manner, including but not limited to, impeding on- or offsite vehicle circulation and obstructing the view of pedestrians by motorists.

24. Food sales (not including set-up and take-down) shall be limited to a maximum of six (6) hours of continuous operation at a single location in a seventy-two (72) hour period, unless otherwise authorized by permit or entitlement issued by the City. For purposes of this Section, "a single location" shall extend to a five hundred (500') foot radius of the original location. When a food truck is operating on private property and exclusively to support onsite employees, it may operate beyond the six-hour time limit as long as employees are present. The City may waive the 500-foot separation at special events to allow a variety of food trucks to serve the guests of the event.

25. All vendors shall have a valid City of Guadalupe business license.

26. No food truck shall operate on Guadalupe Street (Highway 1) or West Main Street (Highway 166).

27. An AUP for food trucks is valid for twelve months and shall be renewed each subsequent year along with proof of a Health Department permit and City Business License.

18.59.070 Public Right-of-Way

A. For an Administrative Use Permit (AUP) authorizing vendor operations on public property per Section 18.59.040, all of the following additional requirements of the vendor shall apply:

1. No food truck shall locate within any public street adjacent to a curb which has been duly designated by the City as a loading or no parking zone.

2. The vehicle shall be legally parked and shall not stop, stand, or park in any clear vision triangle.

3. Vehicles shall not occupy more than two on-street parking spaces in the public right-of-way in commercial zones.

4. When operating within the right-of-way of a street within the City, vendors shall limit food and beverage service to that side of the food truck facing away from the street.

5. As part of the AUP for a food truck permit, Vendors shall be required to indemnify, defend and hold the City, its officials, officers, employees, agents, and volunteers harmless from and against all claims, demands, losses, expenses, and other liabilities (including without limitation reasonable attorney fees and costs of litigation) of every nature arising out of or in connection with operation of the food truck on City right-of-way, regardless of fault, unless the injuries or damages are the result of the City's sole negligence or willful misconduct.

6. As part of the AUP for a food truck permit, Vendors shall be required to provide evidence of (1) liability insurance in the amount of not less than one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) aggregate covering liability associated with operation of the food truck; and (2) automobile insurance in the amount of not less than one million dollars (\$1,000,000) commercial auto liability coverage. The insurance shall be at vendor's sole cost and expense and shall be in full force and effect at any time the vendor is operating in the City. Prior to operations, the vendor shall deliver to the City a certificate of insurance which includes all required coverages, endorsements, and names the City of Guadalupe as additionally insured and as the certificate holder.

18.59.080 Permit Requirements.

Prior to operating within the City of Guadalupe, a food truck shall process an Administrative Use Permit (AUP) per Section 18.72.230 – 18.72.290 (Article IV) or be authorized to operate by an AUP obtained by a private property owner or authorized lessee. Operators shall also obtain a health permit from County Health Department as well as a Guadalupe City business license. On residentially zoned properties, an AUP shall be issued prior to an event. Property owners and business owners may also obtain an AUP for food trucks that they hire for operation on or adjacent to their property or business and are utilized for public or private events.

18.59.090 Supplemental regulations.

The Planning Director and designees are hereby authorized to adopt supplemental rules and regulations, and to develop all related forms and/or other materials for permits and other documents, reasonably necessary to implement this Chapter, and to make such interpretations of this Chapter as they may consider necessary to achieve the purposes of this Chapter. Violations of supplemental rules and regulations shall be considered violations of this Chapter.

18.59.100 Violations.

A. In addition to all other legal actions authorized under local, State or Federal law, violations of this Chapter or the conditions of an Administrative Use Permit (AUP) shall be subject to the penalty and enforcement provisions of the municipal code, including, but not limited to, Article 1.20.020 of Chapter 1.20 of Title 1. For purposes of this Chapter, the private property owner, food truck vendor and owner of the food truck, when applicable, shall be considered responsible parties for purposes of enforcement.

B. The City may suspend for up to thirty (30) days or revoke any food truck permit issued when any one or more of the following grounds are found to exist:

1. Violation of this Chapter or provisions of a food truck permit.
2. Violation of local, State or Federal law in connection with vendor activity.
3. When a vendor's permit was issued under fraudulent circumstances or mistake.

4. When necessary to protect the public health, safety, or welfare.

C. In connection with suspension or revocation of an Administrative Use Permit (AUP) or violations of this Chapter, the City may confiscate property used in connection with vending upon a determination that confiscation of the property is necessary to protect the public health, safety, or welfare.

The following procedures shall apply for suspensions, revocation, and confiscation: Prior to revocation or suspension of a permit and/or confiscation of property, the City shall provide written notice to the vendor and private property owner, as applicable, stating the reasons for the action by personal notice or certified mail.

The notice shall provide information on the appeal process and explain that a suspension may lead to a permanent revocation of the permit.

Unless immediate suspension and/or confiscation is necessary to protect the public health, safety, and welfare, prior to taking final action the City shall afford the vendor, vehicle owner and property owner, when applicable, an opportunity for an appeal hearing pursuant to the procedures set forth in Chapter 18.84 (Enforcement) and Chapter 18.80 (Appeals). For immediate suspensions and/or confiscations, the appeal hearing, if requested, shall be held within ten (10) business days after the filing of the appeal.

If an appeal is filed, the hearing officer may permanently revoke the permit, reinstate the permit, conditionally reinstate the permit, or modify the suspension, based upon findings related to circumstances described in this Section. The hearing officer shall also make appropriate findings regarding any confiscation.

SECTION 3. This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA guidelines, and has been found not to be subject to CEQA because it is not a project as contemplated by 14. C.C.R. § 15378.

SECTION 4. The City Council declares that each section, subsection, paragraph, subparagraph, sentence, clause, and phrase of this Ordinance is severable and independent of every other section, subsection, paragraph, subparagraph, sentence, clause, and phrase of this Ordinance. If any section, subsection, paragraph, subparagraph, sentence, clause, or phrase of this Ordinance is held invalid, the City Council declares it would have adopted the remaining provisions of this Ordinance irrespective of the portion held invalid, and further declares its express intent that the remaining portions of this Ordinance should remain in effect after the invalid portion has been eliminated.

SECTION 5. The City Clerk is hereby authorized to make minor changes herein to address clerical errors, so long as substantial conformance of the intent of this document is maintained. In doing so, the City Clerk shall consult with the City Administrator and City Attorney concerning any changes deemed necessary

INTRODUCED at a regular meeting of the City Council on the 24th day of February 2026 by the following roll call vote:

MOTION: AMELIA M. VILLEGAS / WHITNEY FURNESS

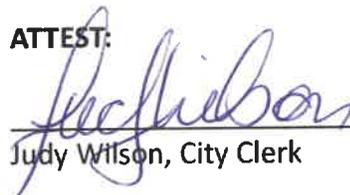
AYES: 5 **Councilmembers:** Costa Jr., Hernandez, Julian, Furness, Villegas
NOES: 0
ABSENT: 0
ABSTAINED: 0

PASSED AND ADOPTED at a regular meeting of the City Council on the 10th day of March 2026 by the following vote:

MOTION: CHRISTINA HERNANDEZ / EUGENE COSTA JR.

AYES: 5 **Councilmembers:** Costa Jr., Hernandez, Julian, Furness, Villegas
NOES: 0
ABSENT: 0
ABSTAINED: 0

ATTEST:

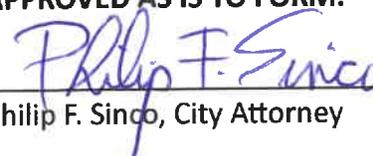


Judy Wilson, City Clerk



Ariston Julian, Mayor

APPROVED AS IS TO FORM:



Philip F. Sinco, City Attorney