

MARANA ORDINANCE NO. 2024.016

RELATING TO BUSINESS REGULATIONS; REVISING MARANA TOWN CODE TITLE 9 (BUSINESS REGULATIONS), CHAPTER 9-13 (MOBILE FOOD VENDORS), SECTION 9-13-7 (OPERATIONAL REQUIREMENTS) TO CLARIFY THAT THE PARKING REQUIREMENTS PROVIDED IN SECTION 9-13-7(G) APPLY ONLY TO MOBILE FOOD VENDORS PARKING IN THE RIGHT-OF-WAY; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Town Council is authorized by A.R.S. § 9-240 to authorize the issuance of licenses and to direct the manner of issuing licenses in the Town; and

WHEREAS, on June 4, 2019, the Town Council adopted Ordinance No. 2019.012 which, among other items, added new Chapter 9-13 (Mobile Food Vendors) to the Marana Town Code; and

WHEREAS the Mayor and Council of the Town of Marana find that revising MTC Chapter 9-13 as set forth in this ordinance is in the best interests of the Town and its residents.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 9 (Business Regulations), chapter 9-13 (Mobile Food Vendors), section 9-13-7 (Operational requirements) is hereby amended as follows (with deletions shown with ~~striketroughs~~ and additions shown with double underlining):

9-13-7 Operational requirements

[No revisions to paragraphs A through F]

G. Parking. When parking in the right-of-way, A a mobile food unit shall comply with this paragraph and any other applicable law as it pertains to governing parking in the right-of-way, ~~unless parking is governed by a separate paragraph in this chapter.~~

1. A mobile food unit shall only park and operate in a legal parking space.
2. A mobile food unit, including any semi-permanent structure used or associated with the mobile food unit, may use no more than one legal parking space, unless the mobile food vendor has a separate agreement with the town to use additional legal parking spaces or parking spaces on town property other than right-of-way.

3. No mobile food unit exceeding 24 feet in length may park diagonally in a diagonal parking space or park in any manner that occupies more than one diagonal parking space.
4. No mobile food unit shall operate with the serving window facing street traffic.
5. A mobile food unit shall abide by all parking regulations, including posted time limits. If there are no other time restrictions on the use of a legal parking space, a mobile food unit shall not occupy a legal parking space for more than six hours in a 24-hour period. "Occupy" within this subparagraph means within 100 feet of the location in which the mobile food unit was initially parked.
6. A mobile food unit shall not occupy a legal parking space with insufficient parking capacity as prescribed by the land development code and applicable law. The behavior prohibited by this subparagraph includes occupying a legal parking space that reduces the number of available parking spaces surrounding the area which is required for the principal use or uses of the property associated with the parking spaces as set forth in A.R.S. title 9, chapter 4, article 7.2.
7. A mobile food vendor shall not claim or attempt to establish any exclusive right to park at a particular street location, unless the parking space is part of a permitted event.

[No revisions to paragraph H]

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance is effective on the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 3rd day of September 2024.



Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney