



ENHANCING OUR VIBRANT COMMUNITY AND IMPROVING OUR QUALITY OF LIFE

MOAB PLANNING COMMISSION

September 24, 2026

REGULAR MEETING - 6:00 PM

City Council Chambers
217 East Center Street
Moab, Utah 84532

1. 6:00 P.M. Call To Order

2. Citizens To Be Heard

To have your comments considered for the Citizens to Be Heard portion of the electronic meeting, please fill out the form found here:

[HTTPS://DOCS.GOOGLE.COM/FORMS/D/E/1FAIPQLSECP3KYU0F_F8J6J5ROFAEUPTNKW938GR8DVGWEOJJH-AQFNGA/VIEWFORM?VC=0&C=0&W=1](https://docs.google.com/forms/d/e/1FAIPQLSECP3KYU0F_F8J6J5ROFAEUPTNKW938GR8DVGWEOJJH-AQFNGA/VIEWFORM?VC=0&C=0&W=1)

You must submit your comments by 5:00 pm on the day of the meeting. Please limit your comments to 400 words

3. Public Hearing And Action Item

- 3.1. Discussion And Possible Action On Proposed Ordinance 2026-19 AN ORDINANCE AMENDING THE TEXT OF THE MOAB MUNICIPAL CODE SECTION 12.08.060 TO UPDATE THE PROCESS BY WHICH THE CITY GRANTS EXEMPTIONS TO ITS REQUIREMENTS GOVERNING THE CONSTRUCTION OF SIDEWALKS, CURBS, AND GUTTERS TO HIGHWAY COMMERCIAL PROPERTIES

Documents:

[SIDEWALK CURB AND GUTTER ORDINANCE AMENDMENT AGENDA SUMMARY.PDF](#)

[EXHIBIT 1_DRAFT ORDINANCE 2026-19.PDF](#)

[EXHIBIT 2_PUBLIC HEARING NOTICE FOR SIDEWALK CODE AMENDMENT.PDF](#)

- 3.2. Discussion And Possible Action Proposed Ordinance 2026-18 An Ordinance Of The Moab City Council To Amend The Text Of Certain Chapters In Titles 5 And 17 Of The Moab Municipal Code (MMC) To Include Additional Land Uses And Standards Controlling Private Properties Hosting Vendors And Amending The Business License Provisions In The MMC Regarding Vendors, Peddlers, Solicitors, And Miscellaneous Merchants

Documents:

[VENDOR CODE REWRITE AGENDA SUMMARY.PDF](#)

[EXHIBIT 1_DRAFT ORDINANCE.PDF](#)

[EXHIBIT 2_PUBLIC HEARING NOTICE FOR VENDOR CODE REWRITE.PDF](#)

4. Future Agenda Items

5. Adjournment

Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

Check our website for updates at: www.moabcity.org



TITLE: Proposed Ordinance 2026-19 AN ORDINANCE AMENDING THE TEXT OF THE MOAB MUNICIPAL CODE SECTION 12.08.060 TO UPDATE THE PROCESS BY WHICH THE CITY GRANTS EXEMPTIONS TO ITS REQUIREMENTS GOVERNING THE CONSTRUCTION OF SIDEWALKS, CURBS, AND GUTTERS TO HIGHWAY COMMERCIAL PROPERTIES

DISPOSITION: Public hearing and Discussion And Possible Action

PRESENTER/S: Johanna Blanco

ATTACHMENT/S:

- Exhibit 1 : Draft Ordinance 2026-19
- Exhibit 2 : Public Hearing Notice
- Exhibit 3: MMC Redline

STAFF RECOMMENDATION: Forward a positive recommendation of approval of Ordinance 2026-19.

OTHER OPTIONS: Continue or table action to a later meeting with specific direction to City Staff and Applicant as additional information needed to make a decision; or forward a negative recommendation to City Council, giving specific findings for decision.

RECOMMENDED MOTION: I Motion to forward a positive recommendation of City of Moab Ordinance 2026-19, An Ordinance Amending The Text Of The Moab Municipal Code Section 12.08.060 To Update The Process By Which The City Grants Exemptions To Its Requirements Governing The Construction Of Sidewalks, Curbs, And Gutters To Highway Commercial Properties.

SUMMARY:

The City of Moab is forwarding this code amendment to create an exception process and criteria for the sidewalk fee-in-lieu option for properties fronting Highway 191 due to UDOT not currently allowing curb and gutter within the right-of-way and the City desiring the sidewalk be built within the right-of-way, also acknowledging the topographic issues that may hinder this construction.

RELEVANT LAWS, STUDIES & PLANS:

Moab Municipal Code, Title 12, Chapter 12.08 Sidewalk and Driveway Construction.

RESPONSIBLE DEPARTMENT:

Community Development.

FINANCIAL IMPACT:



MOAB CITY COUNCIL AGENDA

An additional fee-in-lieu may be collected by the City.

September 24, 2026

CITY OF MOAB ORDINANCE 2026-19

AN ORDINANCE AMENDING THE TEXT OF THE MOAB MUNICIPAL CODE SECTION 12.08.060 TO UPDATE THE PROCESS BY WHICH THE CITY GRANTS EXEMPTIONS TO ITS REQUIREMENTS GOVERNING THE CONSTRUCTION OF SIDEWALKS, CURBS, AND GUTTERS TO HIGHWAY COMMERCIAL PROPERTIES

WHEREAS, Moab City (“City”) is a municipality and has authority to adopt land use regulations pursuant to Utah Code § 10-20-501 accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 20, Utah Code; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to update the City’s procedures under Section 12.08.060 of the Moab Municipal Code, which govern the process by which the City grants exceptions to its requirements governing the construction of sidewalks, curbs, and gutters (collectively, the “**Proposed Action**”); and

WHEREAS, the Moab City Planning Commission held a public hearing on September 24th, 2026 to consider the Proposed Action in accordance with Utah Code §§ 10-20-205 and 10-20-502; and

WHEREAS, the Moab Planning Commission issued a positive recommendation to the City Council regarding the Proposed Action; and

WHEREAS, the City Council desires to enact the Proposed Action.

BE IT ORDAINED BY THE MOAB CITY COUNCIL as follows:

1. Amendment. Section 12.08.060 of the Moab Municipal Code is repealed in its entirety and replaced with the language set forth in **Exhibit A**.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Direction to Staff. City staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance, including but not limited to making non-substantive edits to correct any scrivener’s, formatting, and numbering errors.
4. Effective Date. This Ordinance will take effect immediately pursuant to Utah Code § 10-3-712.

[execution on following page]

PASSED AND ADOPTED this ____ day of _____ October 2026.

MOAB CITY COUNCIL

By: Joette Langanese, Mayor

ATTEST

Sommar Johnson, Recorder

(Complete as Applicable)

Date ordinance summary was posted to the Moab City website, the Utah Public Notice website, and in a public place within Moab City per Utah Code §10-3-711: _____

Effective date of ordinance: _____

EXHIBT A

Section 12.08.060 of the Moab Municipal Code is repealed in its entirety and replaced to read as follows:

12.08.060 Sidewalks, curbs and gutters required at time of construction.

A. Sidewalks, curbs and gutters, and street paving shall be installed along all street frontage of any building lot at the time of construction upon that lot unless the City Manager grants an exception under 12.08.061.

B. The City Engineer shall determine the location and specifications for said sidewalks, curbs and gutters, and streets.

C. The property owner or their agent, servant, contractor, or employee shall complete all construction of streets, sidewalks, curbs and gutters at the time of final inspection by the building inspector unless the City Manager grants an exception under 12.08.061.

12.08.061 Exceptions to Sidewalk, curb, and gutter requirements.

A. Fee-in-Lieu

1. Residential. If the lot frontage meets all the following criteria, the City Manager may grant an exception where the property owner pays a fee in lieu of construction. Those criteria are:

- a. The frontage of the lot exceeds two hundred lineal feet;
- b. The lot is a single-household use;
- c. The construction of the street, curb and gutter, and sidewalks is inconsistent with the street character;
 - i. The fee-in-lieu for a property meeting the above criteria shall be calculated for the frontage length of the property or 200 Linear Feet, whichever is less.

2. Commercial, Residential, Industrial. If the lot frontage meets all the following criteria, the City Manager may grant an exception where the property owner pays a fee in lieu of construction. Those criteria are:

- a. The frontage of the lot exceeds two hundred lineal feet;
- b. Lot is within an Industrial, Residential, or Commercial Zone
- c. The construction of the street, curb and gutter, and sidewalks is inconsistent with the street character

i. The fee-in-lieu for a property meeting the above criteria shall be calculated for the frontage length of the property.

3. Highway Commercial

If the lot meets all the following criteria, the City Manager may grant an exception where the property owner pays a fee in lieu of construction. Those criteria are:

- a. The lot has frontage on a highway;
- b. Site constraints limit placement in line with policy or existing sidewalk based on the judgment of the City Engineer.

i. The fee-in-lieu for a property meeting the above criteria shall be calculated for the frontage length of the property.

B. The City Manager shall determine the fee in lieu of construction, which shall be an amount equal to a percentage, as specified in the Master Fee Schedule, Chapter 3.50, of the estimated cost of constructing the required improvements as specified in the applicable Fee-in-lieu section . Those funds shall be submitted by the property owner to the City for deposit into a street fund for future use to develop and repair sidewalks, curbs and gutters, pedestrian trails, and streets within the City. The City Engineer shall calculate the lineal foot costs for construction of the required construction improvements by consulting licensed contractors in the area.

C. Exemption. Notwithstanding subsection (A) of this section, the City Manager shall grant an exception to the requirements of this section and shall not require a fee in lieu of construction if the following criteria are satisfied:

- 1. The entire street where the lot or property is located is unpaved in its entirety;
- 2. The City has not previously collected a fee in lieu or similar fee from other lot or property owners on the street to pay for the construction of sidewalks, curbs, and gutters on the street; and
- 3. The street where the lot or property is located is not subject to a project the City has approved to pave or otherwise improve the street.

**SUMMARY OF
MOAB CITY
ORDINANCE 2026-19**

On October ___, 2026, the Moab City Council enacted Ordinance 2026-19 amending Moab Municipal Code Section 12.080.060, updating the process by which the City grants exemptions to the City's requirements regarding the construction of sidewalks, curbs, and gutters.

MOAB CITY COUNCIL

By: Joette Langianese, Mayor

ATTEST

Sommar Johnson, Recorder

A complete copy of Ordinance 2026-19 is available in the Moab City offices located at 217 E. Center Street, Moab, UT 84532.

CITY OF MOAB PUBLIC HEARING
PROPOSED ORDINANCE 2026-19

The City of Moab Planning Commission will hold a Public Hearing on September 24, 2026, at approximately 6:00 p.m. in the Council Chambers of the Moab City Offices at 217 East Center Street, Moab, Utah.

The purpose of this hearing is to solicit public input on Proposed Ordinance 2026-19 – An Ordinance Amending Moab Municipal Code, Title 12, Chapter 12.08 Sidewalk and Driveway Construction. The proposed amendments would create an exception process and criteria for the sidewalk, curb, and gutter construction requirement.

The public is invited to review and inspect all information available concerning such proposal(s) at the Moab City Offices during regular office hours, 8:00 a.m. to 5:00 p.m. Monday through Thursday, 8:00 a.m. to 12:00 p.m. Friday. The public or any interested parties may present written or oral testimony to the Moab City Planning Commission concerning the proposed action at the aforementioned time and place.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

Certificate of Posting

Posted in the Moab City Offices at 217 E. Center St., Moab, Utah, on September 14, 2026.

Posted on the Moab City's website - www.moabcity.org on September 14, 2026.

Published on State of Utah's Public Meeting Notice Website - www.utah.gov/pmn on September 14, 2026.

/s/ Johanna Blanco

Associate Planner



TITLE: Discussion and Possible Action Proposed Ordinance 2026-18 An Ordinance Of The Moab City Council To Amend The Text Of Certain Chapters In Titles 5 And 17 Of The Moab Municipal Code (MMC) To Include Additional Land Uses And Standards Controlling Private Properties Hosting Vendors And Amending The Business License Provisions In The MMC Regarding Vendors, Peddlers, Solicitors, And Miscellaneous Merchants

DISPOSITION: Public hearing and discussion and possible action.

PRESENTER/S: Johanna Blanco, Associate Planner

ATTACHMENT/S:

- Exhibit 1 : Draft Ordinance 2025-18
- Exhibit 2 : Public Hearing Notice

STAFF RECOMMENDATION: Forward a positive recommendation of approval of Ordinance 2026-18.

OTHER OPTIONS: Continue or table action to a later meeting with specific direction to City Staff and Applicant as additional information needed to make a decision; or forward a negative motion recommendation to City Council, giving specific findings for decision.

RECOMMENDED MOTION:

I Motion to forward a positive recommendation of City of Moab Proposed Ordinance 2026-18 An Ordinance Of The Moab City Council To Amend The Text Of Certain Chapters In Titles 5 And 17 Of The Moab Municipal Code (MMC) To Include Additional Land Uses And Standards Controlling Private Properties Hosting Vendors And Amending The Business License Provisions In The MMC Regarding Vendors, Peddlers, Solicitors, And Miscellaneous Merchants.

SUMMARY:

After two workshops with the Planning Commission and a community engagement event with vendors and their private property hosts, the Planning Department forwards a code amendment to the vendor code. This amendment splits regulations between property owners and vendors, creating land use categories for the parking of one temporary or multiple more permanent vendors.

MMC [17.04.120](#) sets the Planning Commission as the advisory body and the City Council as the Land Use Authority for Text Amendments.



RELEVANT LAWS, STUDIES & PLANS:

Moab Municipal Code, Title 5, Chapter 5.64 Vendor, Peddler, Solicitor, and Miscellaneous Merchant Business Licenses, Title 17, Chapter 17.06 Definitions, Chapter 17.09 Supplementary Requirements and Procedures Applicable within Zones, Chapter 17.20 C-1 Commercial, Chapter 17.21 C-2 Commercial, Chapter 17.24 C-3 Central Commercial, Chapter 17.27 C-4 General Commercial, Chapter 17.30 C-5 Neighborhood Commercial, Chapter 17.31 RC Resort Commercial, Chapter 17.36 I-1 Industrial, Chapter 17.32 SAR Sensitive Area Resort, and Chapter 17.67 Site Plan Review.

RESPONSIBLE DEPARTMENT:

Community Development.

FINANCIAL IMPACT:

N/A

ORDINANCE 2026-18

Ordinance No. _____

Date: _____

AN ORDINANCE OF THE MOAB CITY COUNCIL TO AMEND THE TEXT OF CERTAIN CHAPTERS IN TITLES 5 AND 17 OF THE MOAB MUNICIPAL CODE (MMC) TO INCLUDE ADDITIONAL LAND USES AND STANDARDS CONTROLLING PRIVATE PROPERTIES HOSTING VENDORS AND AMENDING THE BUSINESS LICENSE PROVISIONS IN THE MMC REGARDING VENDORS, PEDDLERS, SOLICITORS, AND MISCELLANEOUS MERCHANTS

RECITALS

WHEREAS, the City of Moab is a municipality and has authority to adopt additional land use classifications and regulations pursuant to align the Code with state law and contemporary planning concepts in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 20, Utah Code; and

WHEREAS, the City desires to encourage safe and standardized land use for vendors; and

WHEREAS, increasing accessibility to vendors through providing multiple land uses for off-street vending; and

WHEREAS, the Council deems it necessary to amend its land use ordinances to the vendor code, and for the protection and preservation of the public health, safety and general welfare;

WHEREAS, the Moab City Planning Commission held a public hearing on September 24th, 2026 to consider amendments to the code in accordance with Utah Code §§ 10-20-205 and 10-20-502; and

WHEREAS, the Planning Commission issued a favorable recommendation to the Moab City Council regarding the Proposed Action.

BE IT ORDAINED BY THE MOAB CITY COUNCIL as follows:

1. Chapter 5.64, Vendor, Peddler, Solicitor, and Miscellaneous Merchant Business Licenses is hereby repealed and replaced in its entirety with language attached hereto as Exhibit A. and;
2. Chapter 17.06 Definitions is hereby amended as set forth in Exhibit B.
3. Chapter 17.09 Supplementary Requirements and Procedures Applicable within Zones is hereby amended as set forth in Exhibit C.
4. Chapter 17.67 Site Plan is hereby amended as set forth in Exhibit D.
5. Chapters 17.20, 17.21, 17.24, 17.27, 17.30, 17.31, 17.32, and 17.36 the C-1, C-2, C-3, C-4, C-5, RC, SAR, and I-1 Zones is hereby amended as set forth in Exhibit E.

1. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

2. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to revise the MMC to include the ordinance, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.

3. Effective Date. This Ordinance will take effect immediately on October 13, 2026 date.

PASSED AND ADOPTED this ____ day of _____ October 13, 2026.

MOAB CITY COUNCIL

By: Joette Langianese, Mayor

ATTEST

Sommar Johnson, Recorder

Voting:

Council Member _____	voting	_____
Council Member _____	voting	_____
Council Member _____	voting	_____
Council Member _____	voting	_____
Council Member _____	voting	_____

(Complete as Applicable)

Date ordinance summary was posted to the Moab City website, the Utah Public Notice website, and in a public place within Moab City per Utah Code §10-3-711: _____
Effective date of ordinance: _____

EXHIBIT A

Chapter 5.64, Vendor, Peddler, Solicitor, and Miscellaneous Merchant Business Licenses Repeal
and Replace

Chapter 5.64

VENDOR, PEDDLER, SOLICITOR, AND MISCELLANEOUS MERCHANT BUSINESS LICENSES

Sections:

- 5.64.010 Definitions.
- 5.64.020 Licenses – Required.
- 5.64.030 Exemptions.
- 5.64.040 License fees.
- 5.64.050 General operating standards.
- 5.64.060 Specific operating standards.
- 5.64.070 Prohibited practices.
- 5.64.080 Application.
- 5.64.085 License renewal – Criminal convictions.
- 5.64.090 Licenses – Issuance.
- 5.64.100 Modification of display apparatus, vehicle or structure.
- 5.64.110 Grounds for denial.
- 5.64.120 Appeal of denial.
- 5.64.130 License – Display.
- 5.64.140 License – Fees.
- 5.64.150 License – Nontransferable.
- 5.64.160 License revocation – Grounds.
- 5.64.170 License revocation – Notice, right to cure, procedure.
- 5.64.180 License – Term and renewal.
- 5.64.190 Agent for service of process.

5.64.010 Definitions.

For purposes of this chapter:

- B. "Cart" means a small mobile cart or wagon that occupies a temporary location on a sidewalk or private property and is a human-propelled wheeled vehicle that may contain food or other items for sale.
- C. "Display apparatus" means a nonpermanent structure such as a table, stand, wagon, tray, cart, canopy, tents with three sides open, or other displays for the sale of goods, merchandise, food, wares, or services. Teepees shall be allowed if seventy-five percent of the sides are open and the interior is visible, from outside the teepee, to at least seven vertical feet from the ground.
- D. "Farm produce" means fresh fruit, vegetables, herbs, eggs, or grains.
- E. "Miscellaneous merchant" means any licensee conducting business that does not meet the criteria of a peddler, solicitor, or vendor as defined in this chapter.
- F. "Month" means a period of thirty consecutive days regardless of the calendar month.
- G. "Nonmotorized trail system" means a paved or unpaved government-constructed trail or path that is intended solely for pedestrian, bicycle, or equestrian use.
- H. "Peddler" means any person who goes from house to house or business to business, carrying food, goods, wares, or merchandise and selling or offering the same for sale. Peddlers seek out customers and are only stopped while engaged in a business transaction. They are not stopped or parked waiting for customers to come to them.

"Peddler" shall not include persons going door to door requesting contributions or offering goods for sale for fundraising purposes, by volunteer representatives of qualified charitable organizations or schools. A qualified charitable organization is a nonprofit organization that qualifies for tax-exempt status according to the U.S. Treasury under Section 501(c)(3) of the Internal Revenue Code.
- I. "School-sponsored event" means an activity or sale that generates money that is collected or paid to the school district or individual public school. The event must be overseen or

sponsored by the school district, an individual public or private school, or a school group or club.

J. "Solicitor" means any person who goes from house to house or business to business, not carrying goods, wares, or merchandise, but taking orders for future delivery of goods, wares, merchandise, subscriptions, or services. A solicitor may also conduct sales by means of telephone solicitation, direct mail, email, distributing fliers, or internet offers.

"Solicitor" shall not include persons going door to door requesting contributions or offering goods for sale for fundraising purposes, by volunteer representatives of qualified charitable organizations or schools, nor shall it include persons carrying out petitioning activity or serving political candidates or causes. A qualified charitable organization is a nonprofit organization that qualifies for tax-exempt status according to the U.S. Treasury under Section 501(c)(3) of the Internal Revenue Code.L. "Vehicle" means a motorized vehicle used for displaying, storing or transporting of articles offered for sale by a vendor, peddler or solicitor and is currently licensed and registered by the Department of Motor Vehicles.

M. "Vendor" means a Food Truck, Food Cart, or Enclosed Mobile Business as defined by Utah State Code 11-56-102. engaged in the business of selling food, goods, wares, or merchandise from a vehicle, trailer, cart, human-powered cycle, backpack, basket, or other display apparatus within the City, and who, in furtherance of such purpose, leases, uses, or occupies any street, sidewalk, or private property. The term "vendor" includes:

1. Street vendors;

2. Sidewalk vendors;

3. Private property vendors; and

4. Temporary private property vendors

Q. "Vendor, private property" means a person or business engaged in the business of selling food, goods, services, wares, or merchandise from a vehicle, trailer, cart, or other display apparatus on private property within the City, and who, in furtherance of such business,

leases, uses, or occupies any private property designated as a Private Property Vendor Court.

R. "Vendor, sidewalk" means a vendor that sells or offers for sale from temporary locations for limited durations on any public sidewalk (excluding City parks and Mill Creek Parkway) any goods, wares, merchandise, services, food, or beverages from a cart or by foot from a pack, basket or similar container, or handheld display.

S. "Vendor, street" means a vendor that travels by vehicle, human-powered cycle, or other street-legal conveyance on public or private streets and who carries, conveys, or transports food, beverages, goods, wares, or merchandise and offers them for sale. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.020 Licenses – Required.

A. All vendors, peddlers, and solicitors, and anyone using vending display apparatus to engage in business within the City, shall first obtain a business license as required by Chapter 5.04.

B. Each individual peddler or solicitor going door to door, or the company that employs them, must obtain a business license in his, her, or its name. Each individual peddler or solicitor must obtain a background check prior to conducting business in a residential area.

C. Applicant shall apply to the City Treasurer's Office and shall submit all information and fees required by Chapter 5.04 and Sections 5.64.040 and 5.64.080 for the specific type of vendor, peddler, or solicitor license. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.030 Exemptions.

A. This chapter shall not apply to school and City recreation sponsored sales or events, or to City contracted sales or events.

B. Vendors who conduct sales at a special event as defined in Title 4 are exempt from the provisions of this chapter, provided the responsible organization which holds the special

event permit lists the vendor on an approved vendor list and the organization satisfies all City license and sales tax requirements as specified in Title 4.

- C. Vendors who conduct sales at a convention or meeting where products or services are offered to registered members or guests and where the meeting or venue is not open to the general public shall be exempt from the provisions of this chapter.
- D. This chapter shall not apply to sales of farm produce, as defined above, where such sales are conducted by persons who grow such items and sales are conducted on private property.
- E. Temporary displays by a permanent business, as described in Section 5.64.060(E), are exempt from obtaining a separate license for the temporary display; however, they must adhere to the requirements outlined in Section 5.64.060(E). (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.040 License fees.

License fees shall be determined by the Moab City Council. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.050 General operating standards.

- A. The following requirements shall be met by all vendors:
- 1. Code Compliance. Display apparatus, vehicles, and structures must meet all applicable building, health, and fire codes for the intended use. Display apparatus, vehicles, and structures require approval by the City Treasurer, and locations of display apparatus, vehicles, and structures are limited to commercial zones unless otherwise permitted by the subsequent provisions of this chapter.
- 2. Illegal Camping. It is illegal for any vendor to camp on the selling site, in accordance with Chapter 8.20 and Section 10.04.230.

3. *Refuse and Recycling.* Vendors shall provide refuse/recycling containers adequately for the scope. Public refuse containers shall not be used to meet refuse/recycling needs.

a. All refuse and recycling containers shall be securely stored at the close of each business day.

b. Every container shall have a cover.

5. *Signs.* Signs on or attached to a vendor do not need a permit through the City. Signage on private property requires a City permit.

7. *Hours of Operation.* The hours of operation shall be limited to seven a.m. to ten p.m.

9. *Noise Level.* Noise levels shall comply with the requirements of Chapter [8.24](#).

10. *Animals.* No live animals shall be attached to any vending vehicle, cart, stand, or display.

13. *Proximity to Special Event.* Any vending apparatus that sets up within one hundred linear feet in a straight line of a special event shall ask permission from the event and appear on the special event list of vendors.

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16. *Vehicles.* All vehicles must be insured and registered with the Utah Department of Motor Vehicles. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

17. *Health.* Food vending apparatus, structures, and vehicles shall comply with all State of Utah health requirements.

5.64.060 Specific operating standards.

A.

1.

a.

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B. Mobile *Street Vendors*. Street vendors using motorized vehicles shall follow the standards listed below:

1. *Location*. A street vendor may operate on public or private streets. Street vendors shall not conduct business on State highways.

a. Street vending vehicles shall not stop to conduct business in intersections or within crosswalks so that vehicular and pedestrian traffic will remain unhindered.

b. Business shall be conducted in commercial zones. The vehicle, structure, or display apparatus shall not block ingress or egress of any loading, parking, or emergency access areas of any property or reduce required parking.

b. Street vending vehicles selling frozen products from vehicles may operate in residential areas; provided, that the vehicle continues to travel through neighborhoods with stops only to conduct sales. The vehicle must generally remain mobile and in no case shall the vehicle be parked longer than ten minutes in a single location for sales.

c. Street food vending apparatus must be designed as a single, self-contained unit, able to operate without the use of detached tables and counters, or require additional refrigeration facilities at the place of operation.

C. Mobile *Sidewalk Vendors*. Sidewalk vendors using human-propelled carts or cycles, packs, baskets, or handheld displays shall follow the display apparatus standards listed below:

1. *Location*. A sidewalk vendor may operate on the sidewalk in the public right-of-way with written permission from the City.

a. No license shall be approved for locations on City nonmotorized trail systems.

b. Sidewalk vending apparatus shall not locate on corners or at intersections where it may cause line of sight issues for pedestrians or motorists. Carts shall be located so the flow of pedestrians is not impeded and be positioned along the route at the curbside of the sidewalk.

- c. Sidewalk vending apparatus shall not locate within ten feet of any doorway to an existing business.
- d. A minimum five feet of open sidewalk space for the passage of pedestrians shall be maintained at all times.

2. Carts.

- a. Sidewalk vendor carts shall not exceed the dimensions of three feet wide, eight feet long, and eight feet high.
- b. The area occupied by the cart, together with the operator and any trash receptacle, ice cooler or chair, shall not exceed thirty-five square feet of adjacent sidewalk space.
- c. The structures shall be moved on air-filled rubber tires and be of sufficiently lightweight construction that they can be moved from place to place by one adult person without auxiliary power.
- d. The device or cart shall not be motorized so as to move on its own power.
- e. Hard casters for wheels are prohibited.

D. Private Property Vendors.

- 1. Location. All display apparatus shall be located on private property with the applicable land use of Private Property Vendor Court or Private Property Vendor Pad and in commercial zones. The Vendor Court standard matrix can be found at MMC 17.09.710.
- 2. Structures/Vehicles/Display Apparatus.

Mobile Ability. Vendors should be able to vacate the Private Property Vendor Pad or Court at any time with no special knowledge or tools.

Utilities. Vendors should provide self-sufficient utilities or connect to the Private Property Vendor Court using flexible and removable utility connections.

Zoning Compliance. No license shall be granted for a vendor unless allowed as a land use in the underlying zone(s) in which it operates.

h. Private property vendors must meet all applicable zoning, building, health, and fire codes for the intended use.

E. *Temporary Display – Permanent Business.* A structure or display apparatus outside a permanent business shall not exceed twenty percent of the permanent business building's area. Apparatus must meet all applicable zoning, building, health, and fire codes for the intended use. Structures are limited to commercial zones and do not require a separate vendor license if they comply with the following:

1. Existing businesses may place racks, tables, tents, canopies, awnings, or outside displays of merchandise, food, or beverages at their permanent place of business if such displays are less than two hundred square feet in size.
2. Where located along public sidewalks, such displays shall be located as close as possible to the main business building.
3. A minimum clear sidewalk width of five feet shall be maintained for pedestrian traffic to pass.
4. All merchandise displays shall be removed at the end of each business day and stored indoors.
5. Any display or temporary structure shall not reduce the number of parking spaces for the permanent business and shall not obstruct ingress or egress to the business.
6. Temporary displays at a permanent business must be approved by the Zoning Administrator for compliance with zoning, required parking spaces, and sign codes on a form provided by the City Treasurer. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.070 Prohibited practices.

A. It is unlawful for any vendor, transient merchant, peddler or solicitor to conduct business in such a manner as to impede or inconvenience any public use area, including, but not limited to, streets, alleys, sidewalks, and public rights-of-way.

B. It is unlawful for any vendor, transient merchant, peddler or solicitor to:

1. Persist or remain on private property after the owner or occupant has directed the vendor, peddler, or solicitor to leave;
2. Initiate telephone, mail, or in-person contact with a customer or prospective customer after that person has provided notice to the vendor, peddler, or solicitor requesting that all such contact shall cease;
3. Engage in business between ten p.m. and seven a.m.;
4. Engage in a pattern of contacts, whether in person, by telephone, or via mail or computer, which, viewed in terms of their frequency, duration, or content, are likely to be offensive, annoying, or disturbing to the recipient;
5. Yell, sing, call out, or play recorded audio to passersby to interest them in the merchandise of the vendor, peddler or solicitor. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.080 Application.

- A. Only complete applications will be accepted. Applications shall be submitted on a form provided by the City Treasurer and shall require the applicant to furnish the following items and information:
 1. Name, business name, address, email, telephone number, driver's license number, and type of business entity of the vendor, peddler or solicitor.
 2. If applicable, the name, address, email, and telephone number of the company who employs or is represented by the vendor, transient merchant, peddler, or solicitor.
 3. Identification of the site or sites where the vendor, peddler, or solicitor will operate.
 4. Signed agreement with property owner that employees may use adjacent restroom facilities.
 5. All applicable license fees shall be paid in full at the time of application. License fees shall be refundable only under the terms and conditions stated in Section [5.04.030\(E\)](#) or [5.04.040\(B\)](#). (Refer to the City's fee schedule for annual license fees.)

6. A certificate of insurance is required for anyone operating on City property or in the rights-of-way.
7. Include proof of insurance, the license plate number and current registration of motor vehicles, if any. a. Dimensions of the structure, display apparatus, vehicle, cycle, or cart, and all attached signage. Include drawings or photographs of the proposed signage.
8. Identification of the length of time and/or specific dates during which the applicant proposes that such business be conducted, together with the proposed hours of operations.
9. All vendors, peddlers, and solicitors proposing operation in residential zones must provide a complete record of the applicant with respect to any disqualifying criminal conviction, plea of no contest, disqualifying pending criminal charge, or plea currently being held in abeyance, or a statement by the applicant that no such conviction or pending charge exists, attested to by the applicant, in addition to obtaining a comprehensive, criminal background check. See Section [5.64.110\(B\)](#) regarding disqualifying criminal convictions for residential zones.
10. All peddlers and solicitors, whether operating in commercial or residential zones, must provide a complete record of the applicant with respect to any disqualifying criminal conviction, plea of no contest, disqualifying pending criminal charge, or plea currently being held in abeyance, or a statement by the applicant that no such conviction or pending charge exists, attested to by the applicant. See Section [5.64.110\(C\)](#) regarding disqualifying criminal convictions for peddlers and solicitors.
11. Except for food trucks as defined by U.C.A. [11-56-102](#), written evidence of compliance from the Zoning Administrator that the use is allowed in the zone in which the applicant proposes to operate.
12. Proof of a Utah State sales tax identification number in the applicant's name or business name, if applicable, and compliance with all other applicable State and federal requirements for the particular business for which a license is requested.
13. A description of the type of goods, wares, services or merchandise to be sold or offered for sale.

14. Except for food trucks as defined by U.C.A. [11-56-102](#), a written statement of authorization from the property owner(s) of the location(s) where the applicant intends to conduct business.
 15. Payment of the applicable license fee, at the time of submittal of the application.
 16. An inspection report from the Southeastern Utah Health District, dated not more than ten days prior to the date of application, if applicant proposes to handle or offer food or beverages for sale.
- B. By signing the application, the applicant verifies that the condition, location, parking requirements and use of the structure, vehicle, cycle, cart, or display apparatus will comply with all City ordinances and other applicable codes. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.085 License renewal – Criminal convictions.

- A. Before each license renewal, all vendors, peddlers, and solicitors operating in residential zones must provide an updated background check, completed within thirty days of the date of renewal. See Section [5.64.110](#) regarding disqualifying criminal convictions.
- B. If a license subject to the requirements of this chapter expires and is not renewed, that license is automatically cancelled, and the licensee must apply for a new license, including obtaining a current criminal background check, if proposing operation in residential areas. (Ord. 18-15 § 2, 2018)

5.64.090 Licenses – Issuance.

The City Treasurer shall review the application for completeness for licenses under this chapter. If approved, the City Treasurer will issue a vendor, peddler, or solicitor license, showing:

- A. The number of the license;
- B. The date of issuance;
- C. The nature of the business authorized to be conducted;

D. The license fee paid;

E. The location(s) of the business;

F. The license term; and

G. The company name(s) of the person(s) authorized to conduct business. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.110 Grounds for denial.

A. A vendor, peddler, or solicitor license may be denied by the City Treasurer based upon any of the criteria in Section 5.04.040. In addition, the City Treasurer may base denial, in whole or in part, upon the existence of site-specific impacts of the proposed license which render it incompatible with neighboring uses, or a history of past violations or complaints.

B. *Residential Zones.* For applicants proposing operation in residential zones, grounds for denial will include findings from a criminal background check, or from the attestation of a criminal record by the applicant, that include any of the following. The fact that a conviction is being appealed shall have no effect on the disqualification pursuant to this chapter.

1. Listing of the person on the sex offender registry or that the applicant is subject to an extended supervision order under the Serious Sex Offender Monitoring Act, at any time in the past;

2. Offenses against the Sex Offender Registration Act or the Serious Sex Offender Monitoring Act, at any time in the past;

3. An applicant has been convicted of, pled no contest to, has a pending charge, or has a current plea in abeyance for a crime involving:

a. The sale, distribution, or display of material harmful to minors; sexual performance by minors; contributing to the delinquency of a minor; possession of child pornography; lewdness; obscenity; indecent exposure; public indecency; any crime involving sexual abuse or exploitation of a minor; sexual assault or aggravated sexual assault; rape; rape

of a minor; object rape; object rape of a minor; forcible sodomy; sodomy on a minor; forcible sexual abuse; kidnapping; harboring a runaway minor; manslaughter; murder; or any attempt, conspiracy, or solicitation to commit any of the foregoing offenses or offenses involving similar elements from any jurisdiction, regardless of the exact title of the offense, at any time in the past; or

b. Any felony not listed in subsection (B)(3)(a) of this section; arson; assault; robbery; burglary; theft; fraud; conversion; violations of consumer protection statutes; deceit; misrepresentation; false statements; dishonesty; extortion; larceny; forgery; false or bogus checks; prostitution; exploitation of prostitution; promotion of prostitution; solicitation of sex acts; sex acts for hire; compelling prostitution; aiding prostitution; incest; any crime of violence not involving a sex act; driving under the influence of alcohol or drugs; criminal contempt; or any attempt, conspiracy, or solicitation to commit any of the foregoing offenses or offenses involving similar elements from any jurisdiction, regardless of the exact title of the offense, for which:

i. Less than two years have elapsed from the date of conviction, if the conviction is a misdemeanor, or less than five years if the convictions are of two or more misdemeanors within the five years; or

ii. Less than five years have elapsed from the date of conviction if the offense is a felony;

4. Sale and/or delivery of drugs, or any violation under the Utah Controlled Substances Act or substantially similar State or federal statute if the conviction was within the past five years;

5. A history of consumer complaints against the applicant establishing unfair or dishonest trade practices, sales of shoddy, defective, or dangerous goods, or the like; or

6. Any crime that, when considered by the Chief of Police, with the activities of a vendor, peddler, or solicitor, indicates that the best interests of the public are not served by granting the applicant a license.

C. *Peddlers and Solicitors.* For applicants proposing peddling and soliciting in commercial and/or residential zones, grounds for denial will include findings from a criminal

background check, or from the attestation of a criminal record by the applicant, that include any of the following:

1. An applicant has been convicted of, pled no contest to, has a pending charge, or has a current plea in abeyance for a crime involving: fraud; deceit; misrepresentation; false statements; dishonesty; extortion; larceny; forgery; false or bogus checks; kidnapping; perjury; burglary; robbery; theft; conversion; violation of consumer protection statutes; or any attempt, conspiracy, or solicitation to commit any of the foregoing offenses or offenses involving similar elements from any jurisdiction, regardless of the exact title of the offense, for which:
 - a. Less than two years have elapsed from the date of conviction, if the conviction is a misdemeanor, or less than five years if the convictions are of two or more misdemeanors within the five years; or
 - b. Less than five years have elapsed from the date of conviction if the offense is a felony.
2. A history of consumer complaints against the applicant establishing unfair or dishonest trade practices, sales of shoddy, defective, or dangerous goods, or the like.
3. Any crime that, when considered by the Chief of Police, with the activities of a peddler or solicitor, indicates that the best interests of the public are not served by granting the applicant a license.

The fact that a conviction is being appealed shall have no effect on the disqualification pursuant to this chapter. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.120 Appeal of denial.

An applicant denied a vendor, peddler, or solicitor license by the City Treasurer may appeal that decision through the procedures outlined in Section [5.04.050](#). Exhaustion of administrative remedies and timely appeal shall be a jurisdictional prerequisite to judicial review. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.130 License – Display.

- A. Vendors. The vendor license issued under this chapter shall be posted conspicuously in the place or places of business named therein.
- B. Peddlers and Solicitors. Every licensed peddler and solicitor shall possess and display upon demand a copy of their business license. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.140 License – Fees.

Vendor, peddler, and solicitor license fees shall be established pursuant to the procedures and criteria established in Section 5.04.020 and this chapter. The license fees imposed by this chapter shall be in addition to any other fees applicable to the particular business use imposed by the provisions of this code. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.150 License – Nontransferable.

Any license issued pursuant to this chapter is not transferable by the licensee. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.160 License revocation – Grounds.

Licenses under this chapter may be revoked by the City Manager for any of the causes specified in Section 5.04.080, in addition to the following:

- A. Any fraud, misrepresentation, or false statement made in connection with the selling of goods, wares, or merchandise, or made on the application for a license or in the attestation to the licensee's criminal record;
- B. Any violation of the general or specific operating standards;
- C. Operation of the business licensed under this chapter in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public; or

D. Any criminal conviction, plea of no contest, pending charge, or plea in abeyance of any disqualifying crime enumerated in Section 5.64.110. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.170 License revocation – Notice, right to cure, procedure.

Notice of and the procedure for curing a revocation of a license issued under this chapter shall be pursuant to the procedures and requirements specified in Section 5.04.090. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.180 License – Term and renewal.

All licenses issued under this chapter shall expire one year from the date of issuance, unless a prior date is specified. Licensees wishing to renew their license at the end of the specified term shall submit a renewal form and license fee at least thirty days prior to expiration. All renewals shall be reviewed for approval criteria by the City Treasurer. Licenses are renewable under the terms stated in Section 5.04.060. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

5.64.190 Agent for service of process.

- A. A condition upon the issuance of any peddler or solicitor license is the irrevocable consent by the licensee to the nomination of the City Recorder as its agent for service of process for any claims derived from the licensee's business activities within the City. Additionally, the licensee stipulates to venue in the courts of Grand County, Utah, for any action involving its business activities in the City.
- B. Should the City Recorder be served with process for any licensed peddler or solicitor, a complete copy of the summons and complaint shall be mailed by certified mail, return receipt requested, to the licensee's business address, as contained in the City records. The City Recorder shall then notify the City Manager of the impending action and the nature of the complaint. (Ord. 18-15 § 2, 2018)

EXHIBIT B

Chapter 17.06 Definitions Amendment to Add the Following:

“Commissary” means a food service establishment permitted by a local health department according to Rule R392-100 to which a mobile food business operator may return regularly to perform functions necessary for sanitary operations.

“Vendor” means a Food Truck, Food Cart, or Enclosed Mobile Business as defined by Utah State Code 11-56-102.

“Private Property Vendor Court” or Vendor Court means a property where the primary use is to host one (1) or more Vendors, which are not Temporary Private Property Vendors.

“Temporary Private Property Food Vendor Pad” means a designated area on a property where the accessory use has been established to host one Temporary Private Property Vendor.

“Private Property Vendor” means a person or business engaged in the business of selling food, goods, services, wares, or merchandise from a vehicle, trailer, cart, or other display apparatus on private property within the City, and who, in furtherance of such business, leases, uses, or occupies any private property designated as a Private Property Vendor Court.

“Temporary Private Property Vendor” means a person or business engaged in the business of selling food, goods, services, wares, or merchandise from a vehicle, trailer, cart, or other display apparatus within the City, and who, in furtherance of such business, leases, uses, or occupies any private property. Temporary Private Property Vendors must move the vehicle, trailer, cart, or other display apparatus from the private property where they are operating every 12 hours and may not return to the private property space for another 12 hours.

“Food Vendor Court” means a Vendor Court that has one or more Food Vendors.

“Vendor Court Area” means the area delineated by a polygon on an approved site plan that encompasses all vendor spaces, seating areas, supporting structures, decorations, tables, vending apparatus, and other features associated with the Vendor Court.

EXHIBIT C

Chapter 17.09 Supplementary Requirements and Procedures Applicable within Zones Amendment to Add the Following;

17.09.710 Vendor Court Matrix

Zone	C-1	C-2	C-3	C-4	C-5	RC	SAR	I-1	A-1	MH/ RV-1	R-1	R-2	R-3	R-4	RA-1
Permitted	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	No
Employee Parking Space per Vendor	1	1	1	1	1	1	1	1	X	X	X	X	X	X	X
Customer Parking Space per Minimum Vendor Court Area (sq ft)*	1	1	0	1	1	1	1	1	X	X	X	X	X	X	X
Minimum Area / per Vendor	3000	3000	2000	2000	3000	2000	2000	2000	X	X	X	X	X	X	X
Number of Vendors that trigger Standard Buffering if abutting an R zone	4	4	6	6	4	6	4	4	X	X	X	X	X	X	X

Number of Vendors that trigger a 6-foot fence if abutting a residential zone	2	2	4	4	2	4	2	2	X	X	X	X	X	X	X
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*An additional parking spot will be required for every 300 SF of Vendor Court Area utilized over the stated minimum.

*Any Private Property Vendor or Temporary Private Property Vendor that operates beyond the approved Site Plans shall constitute a violation of the approval. Upon notification by the City, the property owner will be required to obtain the appropriate site plan or site plan amendment.

17.09.720 Amortization and Enforcement of Nonconforming Private Property Vendors.

- A. The City shall require all Private Property Vendors on properties without the applicable land use approval to vacate the property within 30 days of Notice that are otherwise not exempted by this chapter, pursuant to the amortization schedule contained in this section.
- B. All permitted Private Property Vendors operating within the bounds of their original approvals prior to August 1st, 2027 shall be considered legal nonconforming. Any existing approved accessory uses and additions to the Private Property Vendor Area, which is being used in a manner or for an otherwise lawful purpose, shall be deemed legal nonconforming, pursuant to Chapter [17.12](#), General Provisions.
- C. All permitted Private Property Vendors, legally existing within the bounds of their original approvals prior to the effective date of this chapter and which are not exempted, shall be considered legal, nonconforming and shall be brought into compliance by the property owner as follows:
 - a. Immediate compliance is required as a condition for approval when applying for a building permit, sign permit, new (nonrenewal) business license, site plan review, or similar City permit.
 - b. No new Private Property Vendors may occupy a property if the appropriate land use is not established. A one-for-one trade of vendors is also unacceptable.
 - c. All properties which host a Private Property Vendor previously scheduled for amortization or otherwise exempted shall be brought into conformance by January 1st, 2028.
 - d. Whenever a nonconforming use, structure, or lot is abandoned for a period greater than one year and then changed to a new use according to the requirements of

Section [17.12.060](#), the lot must gain approval for the applicable land use required for the number of vendors on the property or have the Private Property Vendors vacate the property.

- e. Private Property Vendor Courts and Pads must be brought into compliance if they violate any health or safety codes of the Building, Fire, Health, or Planning Departments, as determined by the Zoning Administrator.
- D. Violation and enforcement shall be processed as outlined in Chapter [17.78](#).

EXHIBIT D

Chapter 17.67 Site Plan Amendment to Add the Following;

17.67.020.A.4

Process for Vendor Use. The establishment of a Vendor Court or Temporary Private Property Food Vendor Pad shall trigger a Level 1 Site Plan. If the proposed vendor area is over 8,000 SF, a level 2 site plan will be required

EXHIBIT E

Chapters 17.20,17.21,17.24,17.27,17.30,17.31,17.32, and17.36 the C-1,C-2,C-3,C-4,C-5, RC,SAR, and I-1 Zones, respectively Amendment to Add the Following Permitted Uses;

Vendor Court

- a. The vendor court area must meet ADA, fire, health, and building requirements.
- b. The Vendor Area must meet the minimum setback of the zone
- c. See Vendor Court Matrix in 17.09.710
- d. Sufficient access, parking and maneuvering space shall be made available. Suitable, safe access by pedestrians shall be provided and no structure shall obstruct access to or from parking areas or sidewalks.
- e. Nothing in the Vendor Court Area shall interfere with required vehicular circulation and parking.
- f. Space heaters, tents, sheds, and other displays or apparatus can be permitted with special approval from Building, Fire, and Health.
- g. Restroom services for employees shall be provided

Food Vendor Court

- a. The Vendor Area must meet the minimum setback of the zone
- b. See Food Vendor Court Matrix in 17.09.710

- c. The vendor court area must meet ADA, fire, health, and building requirements, including but not limited to;
 - i. Providing a grease interceptor
 - ii. Potable water supply systems shall be designed, installed, and operated according to the requirements set forth by:(a) Plumbing Code;(b) the Utah Department of Environmental Quality, Division of Drinking Water; and(c) Local health department regulations
 - iii. Wastewater shall be discharged to a public sanitary sewer system or an approved septic system.
- d. Nothing in the Vendor Court Area shall interfere with required vehicular circulation and parking.
- e. Outdoor cooking may be approved if safety standards are met by Fire, Health, and Building standards
- f. Space heaters, tents, sheds, and other displays or apparatus can be permitted with special approval from Building, Fire, and Health.
- g. Sufficient access, parking and maneuvering space shall be made available. Suitable, safe access by pedestrians shall be provided and no structure shall obstruct access to or from parking areas or sidewalks.
- h. Restroom services for employees shall be provided

Temporary Private Property Vendor Pad- Accessory use

- a. The vendor court area must meet ADA, fire, health, and building requirements.
- b. Vendors must meet the minimum setback of the zone
- c. An area of not less than 2,000 square feet shall be provided and maintained for the Private Property Vendor. Services provided by the Vendor shall not occur outside of the designated 2,000 SF area unless occurring off the property.
- d. One parking space shall be required for every Vendor. In no case shall the vendor occupy parking spaces that reduce the amount of required parking for the host business.
- e. Restroom services for employees shall be provided
- f. One Private Property Vendor is permitted on a parcel
- g. If a TPPV is found to overstay the limit, the property owner must report to the Moab City Planning Department to get Private Property Vendor use approval, or the vendor must vacate the property.

Temporary Private Property Food Vendor Pad- Accessory Use

- a. The vendor court area must meet ADA, fire, health, and building requirements, including but not limited to;
 - i. Providing a grease interceptor

- ii. Potable water supply systems shall be designed, installed, and operated according to the requirements set forth by:(a) Plumbing Code;(b) the Utah Department of Environmental Quality, Division of Drinking Water; and(c) Local health department regulations
- iii. Wastewater shall be discharged to a public sanitary sewer system or an approved septic system.
- iv. A food truck must return to an approved commissary daily unless a current [Mobile Food Establishment Commissary Waiver](#) is on file with the Health Department.
 - b. Vendors must meet the minimum setback of the zone, including any outdoor dining structures
 - c. An area of not less than 2,000 square feet shall be provided and maintained for the Private Property Vendor. Services provided by the Vendor shall not occur outside of the designated 2,000 SF area unless occurring off the property.
 - d. One parking space shall be required for every Vendor. In no case shall the vendor occupy parking spaces that reduce the amount of required parking for the host business.
 - e. Restroom services for employees shall be provided
 - f. One Private Property Vendor is permitted on a parcel
 - g. Not more than one vendor may occupy the Private Property Vendor site within 24 hours.
 - h. Nothing in the Vendor Court Area shall interfere with required vehicular circulation and parking.
 - i. Outdoor cooking may be approved if safety standards are met by Fire, Health, and Building standards
 - j. If a TPPV is found to overstay the limit, the property owner must report to the Moab City Planning Department to get Private Property Vendor use approval, or the vendor must vacate the property.

SUMMARY OF
MOAB CITY
ORDINANCE 2026-18

On October 13, 2026, the Moab City Council enacted Ordinance 2026-18, to amend the text of certain chapters in Titles 5 and 17 of the Moab Municipal Code (MMC) to include additional land uses and standard controlling private properties hosting vendors and amending MMC's business license provisions rearding vendors, peddlers, solicitors, and miscellaneous merchant requirements.

By: Joette Langinese, Mayor

ATTEST

Sommar Johnson, Recorder

Voting:

Council Member _____	voting _____
Council Member _____	voting _____
Council Member _____	voting _____
Council Member _____	voting _____
Council Member _____	voting _____

A complete copy of Ordinance 2026-18 is available in the Moab City offices located at 217 E. Center Street, Moab, UT 84532.

CITY OF MOAB PUBLIC HEARING
PROPOSED ORDINANCE 2026-18

The City of Moab Planning Commission will hold a Public Hearing on September 24, 2026, at approximately 6:00 p.m. in the Council Chambers of the Moab City Offices at 217 East Center Street, Moab, Utah.

The purpose of this hearing is to solicit public input on Proposed Ordinance 2026-18 – An Ordinance Of The Moab City Council To Amend The Text Of Certain Chapters In Titles 5 And 17 Of The Moab Municipal Code (MMC) To Include Additional Land Uses And Standards Controlling Private Properties Hosting Vendors And Amending The Business License Provisions In The MMC Regarding Vendors, Peddlers, Solicitors, And Miscellaneous Merchants.

The public is invited to review and inspect all information available concerning such proposal(s) at the Moab City Offices during regular office hours, 8:00 a.m. to 5:00 p.m. Monday through Thursday, 8:00 a.m. to 12:00 p.m. Friday. The public or any interested parties may present written or oral testimony to the Moab City Planning Commission concerning the proposed action at the aforementioned time and place.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

Certificate of Posting

Posted in the Moab City Offices at 217 E. Center St., Moab, Utah, on September 14, 2026.

Posted on the Moab City's website - www.moabcity.org on September 14, 2026.

Published on State of Utah's Public Meeting Notice Website - www.utah.gov/pmn on September 14, 2026.

/s/ Johanna Blanco

Associate Planner