



Agenda Item: 10.C
Date of Meeting: January 12, 2026
Department: Public Works

STAFF REPORT

To: City Council
From: Nora Gamino
Subject: **ORDINANCE - Second Reading and Adoption of an Ordinance Adding Chapter 5.34 to the Bishop Municipal Code Relating to Mobile Businesses**
Prepared On: January 5, 2026
Attachments: Ordinance No. XXX Update to Title 5 Mobile Businesses Ordinance

Background/History:

The City does not currently have comprehensive standards governing mobile businesses, defined in the ordinance as mobile vending operations, including the sale of food or merchandise from a vehicle, on either private property or within the public right-of-way. In practice, the Public Works Department has issued encroachment permits for all mobile business operators, including mobile food vendors, even when a vendor is not physically encroaching into the public right-of-way. This approach has created unnecessary administrative burden and placed Public Works in the position of managing vendor locations, durations, and operational details on a case-by-case basis.

Mobile business operators often request guidance from the City regarding acceptable locations, operational limitations, and compliance requirements, highlighting the need for clearer and more predictable regulations. At the same time, staff has identified the need to ensure that vending activities occur safely, do not obstruct mobility, and do not create conflicts with driveways, schools, intersections, or pedestrian routes.

The proposed ordinance creates a clear, flexible, and enforceable framework for mobile vending that removes unnecessary permit requirements while retaining common-sense operational restrictions needed to protect the public and adjacent businesses.

Analysis/Discussion:

Following introduction and first reading of the proposed ordinance, City Council provided feedback on several provisions, particularly related to sound regulations and restrictions near business entrances. In response, staff revised the ordinance to more clearly reflect Council's policy direction while maintaining the overall purpose of establishing reasonable, enforceable time, place, and manner standards for mobile businesses.

Sound Regulations

Based on Council discussion, the ordinance was revised to remove the previously proposed sound amplification subsections and replace them with a single, simplified provision. As adopted, the ordinance expressly allows ice cream truck-type musical chimes or tones and sound amplification for verbal order call-outs, including within residentially zoned areas. Council indicated general comfort with this level of operational noise and did not express concern with limited sound associated with normal mobile vending activity.

Rather than creating detailed or prescriptive sound limits within this ordinance, the revised language relies on the City's generally applicable noise and nuisance regulations to address any future noise issues should they arise. This approach avoids unnecessary overregulation, maintains consistency with existing enforcement authority, and preserves flexibility should conditions change over time.

Business Entrance Access

Council also raised questions regarding the restriction on vending near business entrances, including the rationale for a fixed distance standard. In response, staff revised this provision to remove the numeric setback and instead prohibit mobile vending operations that block, obstruct, or interfere with access to a business during operating hours.

The revised language further allows mobile vendors to operate in front of a business when doing so with the permission of the business owner or property owner. This change accommodates common local practices, including situations where a business owner operates a mobile vending vehicle in conjunction with their own fixed-location business, while continuing to protect access, circulation, and safety for neighboring businesses and the public.

Overall Framework

These revisions do not alter the fundamental structure or intent of the ordinance. The ordinance continues to eliminate unnecessary encroachment permitting for vendors who do not physically encroach into the public right-of-way, reduce administrative workload for staff, and provide vendors with clear, predictable operating standards. At the same time, the ordinance retains appropriate safeguards to protect public safety, pedestrian access, business access, and neighborhood compatibility.

Budget Impacts:

There are no significant budget impacts, however the ordinance is expected to reduce administrative workload related to permit processing.

Legal Review:

City Attorney Pucci has reviewed this item and finds that the recommended action complies with the law.

Recommended Action:

Council consideration to approve the second reading and adoption of an ordinance adding Chapter 5.34 to the Bishop Municipal Code to establish time, place, and manner regulations for mobile businesses within the City of Bishop, by title only.

Approved By: Ethan Aukee 1/5/2025

Approved By: Robin Picken 1/5/2025

Approved By: Pam Foster 1/7/2025

Approved By: