



REQUEST FOR ACTION

Ordinance Amendments for Chapter 5-21 Relating to Mobile Food Units

MEETING DATE:

May 18, 2026

ORIGINATING DEPT:

City Attorney's Office

AGENDA SECTION:

Ordinance Second Readings

PRESENTER:

Michael Spindler - Krage

Action Requested:

Adopting Ordinance amendments for Chapter 5-21 of the Rochester Code of Ordinances Relating to Mobile Food Units

Report Narrative:

The proposed ordinance aims to revise Chapter 5-21 of the Rochester Code of Ordinances to clarify regulations surrounding Mobile Food Units, align local standards with current operational practices, and enhance administrative efficiency for both operators and the City.

Firstly, the ordinance updates the definitions to clearly differentiate between two traditional Mobile Food Units types: Those that are readily movable and operate City-wide and those that elect to operate at a single location for an extended period of time. It also adds a definition for Temporary Mobile Food Units, providing a framework for further administrative processing. These revisions create clearer regulatory categories, which will help both operators and city staff ensure that each unit is reviewed according to the appropriate licensing and code framework.

Next, the ordinance changes the annual licensing period from April 1 through March 31 to May 1 through April 30. This adjustment is designed to better align with the actual operating patterns in Rochester. Many operators store their units over the winter and don't retrieve or prepare them until March or later. By moving the expiration date to April 30, it makes renewals more manageable and reduces unnecessary hurdles for licensees trying to complete inspections and licensing requirements while their units are still in storage.

Additionally, the ordinance introduces a licensing process for Temporary Mobile Food Units. This new category is intended to accommodate mobile food units that come to Rochester for short-term operations, including operators traveling from other parts of Minnesota or from outside the state. Under the proposed regulations, these temporary units can operate under a simplified licensing process rather than the full annual licensure process. Importantly, this also protects the interests of local operators holding annual licenses by limiting applicants to no more than two temporary licenses per calendar year, each valid for up to 30 days of operation.

Lastly, the ordinance includes several clarifying amendments regarding inspections, fire safety, and the applicability of building codes. These changes emphasize that licensed units must remain road-legal wherever applicable, mandate annual inspections and permitting by the Rochester Fire Department, and clarify when units, connected utilities, or accessory structures must comply with the Minnesota State Building Code and relevant permitting requirements. Together, these amendments improve clarity,

enhance life-safety enforcement, and ensure that the ordinance reflects how mobile food units currently operate in Rochester.

Priorities & Foundational Principles:

Quality Services

Economic Vibrancy & Growth Management

Policy Considerations & DEI Impact:

The proposed amendments aim to enhance administrative convenience and regulatory accessibility for Mobile Food Unit operators. Feedback from the Office of the City Clerk indicates that many operators do not take their units out of storage until March, which makes the current licensing cycle challenging to manage. By revising the annual license term, we can make the renewal process more practical and better aligned with seasonal operations.

The introduction of a Temporary Mobile Food Unit license will also broaden access for operators from throughout Minnesota and the wider region who wish to conduct limited operations in Rochester without going through the full annual licensing process. This change acknowledges the transient nature of the mobile food industry and may encourage greater business participation, increase consumer choice, and provide more flexibility for events.

Additionally, the proposed ordinance takes a balanced approach by limiting temporary operations to a maximum of 60 days per calendar year, allowing no more than two temporary licenses. This safeguards the interests of local operators with annual licenses while still permitting limited entry for temporary vendors.

No adverse impacts on diversity, equity, and inclusion (DEI) are anticipated. The amendments are expected to enhance clarity, predictability, and access to licensing pathways for a variety of operators.

Prior Legislative Actions & Community Engagement:

March 16, 2026: City Council Meeting - Ordinance content approval

April 4, 2026: City Council Meeting - Ordinance First Reading

Fiscal & Resource Impact:

There is no direct fiscal or resource impact to amending Rochester Code of Ordinances Chapter 5-21

Alternative Action(s):

No alternative actions are recommended at this time.

Prepared By:

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Attachments:

[Cover Page](#)

[Ordinance - Chapter 5-21 Mobile Food Unit Amendments](#)

[Ordinance Summary - Chapter 5-21 Mobile Food Units](#)