

**LEGISLATIVE DRAFT**

**HBMC Section 5.50.170**

**5.50.170 Prohibited Conduct**

- A. No person shall vend from a mobile vending vehicle, except for ice cream trucks, which is stopped, parked or standing on any public street, alley or highway in any of the following situations:
1. Within 300 feet of any public school property, park, playground or recreational facility.
  2. Within 300 feet of any other mobile vending vehicle which is engaged in the operation of vending.
  3. Within 100 feet of an intersection (including public alleys).
  4. When the posted speed limit on the public street, alley or highway is greater than 35 miles per hour.
  5. When the mobile vending vehicle is parked in violation of any other provision of this Code or the California Vehicle Code.
  6. When the mobile vending vehicle is duly registered and licensed by the State of California with an unladen weight exceeding 6,000 pounds.
  7. When any part of the mobile vending vehicle is open to prospective customers other than on the side of the vehicle next to the right side of the street or highway.
  8. When the mobile vending vehicle is not stopped, parked or standing on the right side of the street or highway.
  9. When the prospective customer is standing or sitting in another vehicle.
  10. When the prospective customer is located in that portion of the street, alley or highway which is open to vehicular traffic.
  11. When the mobile vending vehicle is within any parkway, alley, sidewalk or within a no parking area as defined by Huntington Beach Municipal Code Section 10.40.050, or other public property.
- B. Re-stocking of a mobile vending vehicle is prohibited on a public street or alley.
- C. No mobile vending vehicle shall attach to or receive any utilities from private or public property.
- D. No additional lighting other than that required by the California Vehicle Code may be installed or operated on a mobile vending vehicle.
- E. All mobile vending vehicles are prohibited from operating on private property except mobile vending vehicles shall be permitted to provide meals/snacks for employees at the private property for a period of 30 minutes or less (such as construction sites).
- ~~F. All vending from any human powered device is prohibited. (3345-2/97, 3493-5/01, 3622-12/03)~~