

# Council unsure about proposed regulation of mobile vendors

BY CAROLYN STEEVES

**CHARLOTTE** — Some small-business owners could find it very hard to keep operating if a city zoning ordinance is amended.

A proposed rule change would make it so that mobile food-vendors could only be in the same location for 90 days of the year, would only be able to operate from 8 a.m. to 9 p.m., could not be within 400 feet of another vendor or a residential area, would have to provide trash receptacles and in some instances would have to provide parking space.

Potential for confusion in the complicated measure, however, has already led the City Council to return it to committee for clarification.

City officials said the issue arose because mobile food-vendors have become an issue for some residential neighborhoods concerned with safety and appearance.

Not everyone on the council, however, thinks the change would be fair. Some say it would be discriminatory, especially since it is unclear whether or not the same rules would apply to vendors in Uptown Charlotte.

"I think if you start breaking it down into different classes, we will be challenged, we will have a lawsuit on our hands and we will not have served the community," said Nancy Carter, the City Council representative for Charlotte's fifth district.

During a recent meeting, Carter agreed with council member Anthony Foxx's motion to send the ordinance to the Community Relations Committee and not the Public Safety Committee.

"Let's look at the issue around all points of the compass and see what the issue is," she said. "Can we address it evenhandedly? What can we do to make sure the quality of life is respected?"

Mayor Pro Tem and at-large City Council member Susan Burgess agreed

that "Whatever we do, we've got to make it fair to everyone."

Neither Burgess nor Carter had heard the supposed complaints about

SEE VENDORS, PAGE 10

## Vendors

CONTINUED FROM PAGE 1

the food vendors prior to the ordinance being proposed, at which time a Mobile Food Vendor Stakeholder Committee was formed.

Carter said it was possible that her neighbors were going to community officers instead of her. "We need to look at statistics in the area for crime ... we need to look for trash," Carter said, seeking more proof that the situation being addressed was really a problem.

Members of the city's Mobile Food Vendor Stakeholder Committee have said they were responding to specific concerns, including alcohol consumption, loitering, operating after 9 p.m. and other issues.

But Carter also is concerned that a new set of regulations could overburden the police force.

"Is this another thing we want the police to do?" she asked, wondering whether it was as important to the community as speeding, crime, parking on the front lawn and other major issues. "We're asking a lot of our police force, so let's be sure that this is what we want them to do."

Carter noted that there are already health inspections and a noise ordinance. "There are other possibilities of settling our differences and perhaps there is a need for a specific ordinance, but I just want to get at the best one possible," Carter said.

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