

**ANCHORAGE, ALASKA**  
**AO No. 2019-\_\_\_\_\_**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE**  
2 **MUNICIPAL CODE SECTIONS 16.60.050, 16.60.230, AND 23.10.104.4., TO**  
3 **ALLOW MOBILE FOOD UNITS TO CONNECT TO UTILITY SERVICES, BE A**  
4 **MOVEABLE CONTAINER THAT CAN BE LIFTED OR DRAGGED ONTO A**  
5 **VEHICLE OR TRAILER FOR TRANSPORT, AND HAVE MEMBERS OF THE**  
6 **PUBLIC INSIDE TO ORDER FOOD ONLY.**  
7

8  
9 **THE ANCHORAGE ASSEMBLY ORDAINS:**

10  
11 **Section 1.** Anchorage Municipal Code section 16.60.050 is hereby amended to  
12 read as follows (*the remainder of the section is not affected and not set out, other*  
13 *provisions included for context*):  
14

15 **16.60.050 - Definitions.**

16  
17 The definitions from the 2013 FDA Model Food Code paragraph 1-201.10(B)  
18 are adopted and incorporated by reference, except as otherwise modified or  
19 supplemented by this section as follows:  
20

21 *Mobile food unit* means a type of permitted food establishment located in a  
22 vehicle, trailer, moveable container (such as a connex unit), or pushcart that:  
23

- 24 1. Completely retains its mobility and is capable of easily moving  
25 daily [FOR SERVICING OF WATER AND WASTEWATER  
26 HOLDING TANKS];  
27 2. Operates out of a[N] commissary or other approved facility  
28 (unless the unit is a self-contained mobile food unit); and  
29 3. Has a menu usually restricted to service of specific food.[:]  
30 [4. A MOBILE FOOD UNIT, OTHER THAN A PUSHCART,  
31 SHALL:  
32 a. NOT EXCEED EIGHT FEET SIX INCHES IN WIDTH  
33 OR FORTY-EIGHT FEET IN LENGTH, INCLUDING  
34 OVERHANGS.  
35 b. BE CURRENTLY LICENSED BY THE STATE OF  
36 ALASKA AS A MOTOR VEHICLE OR TRAILER  
37 HAVING A TOW HITCH, CHASSIS, AXLES, WHEELS  
38 AND TRAILER LAMPS AND REFLECTORS  
39 REQUIRED BY AMC CHAPTER 9.44.  
40 c. NOT BE CONNECTED TO UTILITIES EXCEPT  
41 ELECTRICAL.  
42 d. MEET THE REQUIREMENTS OF SECTION  
43 23.10.104.4.]

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3 \*\*\* (AO No. 2009-40(S), § 1, 7-21-09; AO No. 2009-102, § 1, 8-25-09, eff. 1-1-  
4 10; AO No. 2017-162 , § 3, 12-19-17)  
5

6 **Section 2.** Anchorage Municipal Code section 16.60.230 is hereby amended to  
7 read as follows (*the remainder of the section is not affected and not set out*):  
8

9 **16.60.230 - Mobile food units and kiosks.**

10  
11 A. In addition to the other requirements of this chapter, the operator of a  
12 mobile food unit or kiosk shall comply with this section.  
13

14 B. A mobile food unit, other than a pushcart, shall:

- 15 1. Not exceed eight feet six inches in width or forty-eight feet in  
16 length, including overhangs.  
17 2. If a vehicle or trailer, be currently licensed by the State of  
18 Alaska as a motor vehicle or trailer having a tow hitch, chassis,  
19 axles, wheels and trailer lamps and reflectors required by AMC  
20 chapter 9.44.  
21 3. Meet the requirements of section 23.10.104.4 and any other  
22 applicable requirements of Title 23.  
23

24 C. The operator of a mobile food unit or kiosk, except a self-contained  
25 mobile food unit or kiosk described in section C. below, shall:

- 26 1. Ensure functions that cannot be performed in the mobile food  
27 unit or kiosk, but are required by this code, be performed at  
28 least once each day in a commissary or other location approved  
29 by the department, such as cleaning the unit, equipment, and  
30 utensils; servicing potable water and wastewater tanks; and  
31 restocking food and supplies;  
32 2. Provide to the department a letter of agreement between the  
33 operator and the commissary outlining:  
34 a. The days and hours the commissary is to be used; and  
35 b. The extent of support services to be provided at the  
36 commissary.  
37 3. Advise the department in writing immediately, but not later than  
38 72 hours, if use of the commissary is discontinued or the  
39 commissary used is changed.  
40

41 D[C]. The operator of a self-contained mobile food unit or kiosk is not  
42 required to work out of a commissary as described in section B. above  
43 if the department determines the unit has:

- 44 1. Installed water and wastewater utility connections on the unit,  
45 or water and wastewater holding tanks adequate for one full  
46 day of operation, and [WATER AND WASTEWATER  
47 HOLDING TANKS,] hand washing[,] and ware washing  
48 facilities; and

- 1 2. Adequate storage facilities on the unit for all food, equipment,  
2 utensils, including single-service items, and supplies used in  
3 the operation.  
4

5 E[D]. The operator of a mobile food unit shall:

- 6 1. Provide only single-service articles to consumers;  
7 2. Ensure toilet facilities are available within 200 feet of the unit or  
8 conveniently located and available to employees during work  
9 hours, as approved by the department; and  
10 3. Provide on both sides of the mobile food unit, in at least three-  
11 inch-high letters and numbers, the name of the facility and the  
12 permit number as printed on the permit, if the mobile food unit  
13 is not a pushcart.  
14 4. If the unit is connected to utilities, obtain permits and install  
15 connections as required by Title 23 and utility service providers.  
16 5. If a movable container (connex), demonstrate it can be lifted or  
17 dragged to a trailer or vehicle within a calendar day for transport  
18 and mobility.

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20 (AO No. 2009-40(S), § 1, 7-21-09; AO No. 2009-102, § 1, 8-25-09, eff. 1-1-  
21 10; AO No. 2017-162 , § 22, 12-19-17)  
22

23 **Section 3.** Anchorage Municipal Code section 23.10.104.4 is hereby amended to  
24 read as follows (*the remainder of the section is not affected and therefore not set*  
25 *out*):  
26

27 **23.10.104.4 - Mobile food units.**

28  
29 Mobile food units, including coffee carts, coffee huts, and pushcarts,  
30 (hereafter referred to as units) may be set up without obtaining a building  
31 permit and certificate of occupancy under the following restrictions:  
32

- 33 A. The unit shall not exceed 8'6" in width or 48' in length, including  
34 overhangs.  
35  
36 B. The unit shall be readily moveable daily and either:  
37 1. Currently titled and licensed by the State of Alaska as a:  
38 i. Motor vehicle, or  
39 ii. Trailer having a tow hitch, chassis, axles, wheels and  
40 trailer lamps and reflectors required by AMC chapter  
41 9.44; [OR]  
42 2. A pushcart as defined in AMC 16.60.050 and that satisfies the  
43 requirements of AMC 16.60.230E.; or  
44 3. A readily moveable container (such as a connex unit) which the  
45 owner or operator must demonstrate can be lifted or dragged  
46 to a trailer or vehicle within a calendar day for transport and  
47 mobility.  
48

- 1 C. The unit shall obtain approval by the Department of Health and Human  
2 Services.
- 3
- 4 D. A licensed plumbing contractor shall obtain a retrofit permit if the unit  
5 is to be connected to a public utility's water supply or wastewater  
6 system, and comply with requirements of the utility service provider(s).  
7 The water supply shall be isolated by a reduced pressure backflow  
8 assembly. [THE UNIT SHALL NOT BE CONNECTED TO UTILITIES,  
9 EXCEPT ELECTRICAL].
- 10
- 11 E. A licensed mechanical contractor shall obtain a retrofit permit if the  
12 unit is to be connected to a natural gas utility supply, and comply with  
13 the requirements of the utility service provider(s).
- 14
- 15 F. A licensed electrical contractor shall obtain a permit to provide  
16 electrical service and/or connection to the unit. The electrical  
17 connection shall consist of an approved flexible cord, attachment cap  
18 and receptacle approved for the location.
- 19
- 20 G[F]. The unit shall comply with the National Electrical Code as noted by  
21 NEC 550.4 (A). A code compliance inspection shall be performed and  
22 necessary corrections made before power is connected. A licensed  
23 electrical contractor shall obtain a permit and make the corrections.  
24 The permit for providing electrical service and/or connection may  
25 include the corrections when performed by the same contractor.
- 26
- 27 H[G]. Service equipment located adjacent to vehicle lanes or the unit shall  
28 be provided with bollards or other substantial protective barriers.
- 29
- 30 I[H]. The unit shall not reduce the required number of parking spaces at  
31 existing facilities.
- 32
- 33 J[I]. Mobile food units shall be an allowable use in the zoning district where  
34 the unit is proposed to be located.
- 35
- 36 K[J]. Units shall comply with fire plan review and operational  
37 processes as determined by the fire marshal. These include, but are  
38 not limited to:
- 39 1. An Anchorage Fire Department (AFD) approved, currently  
40 serviced fire extinguisher shall be located inside the unit.<sup>1</sup>[.]
- 41
- 42 2[K]. Propane tanks shall be protected from vehicle impact and shall  
43 be located in accordance with the fire code.
- 44
- 45 3[L]. The unit location shall not impact fire lanes or emergency  
46 vehicle access to nearby structures.
- 47

1 L[M]. The unit location is subject to approval by [FIRE PLAN REVIEW  
2 AND] traffic engineering.  
3

4 M[N]. Public occupancy for consumption of food or beverages shall not be  
5 allowed inside the unit. The unit may only be occupied by the owner  
6 and employees, and entered by members of the public only for  
7 ordering and take out of food or beverages for consumption not within  
8 the unit [ONLY].  
9

10 Units that do not meet all of these requirements shall be considered a  
11 structure and require a building permit in accordance with this code.  
12

13 **23.10.104.4.1 - Application requirements.**

14 The following items are required at the time of the permit application:  
15

- 16  
17 A. A completed commercial permit application.  
18 B. A site plan showing where the unit will be located.  
19 C. Approval from the Department of Health and Human Services for  
20 compliance with requirements of AMC 16.60.  
21 D. A current copy of the State of Alaska vehicle or trailer registration, if  
22 the structure is not a pushcart.

23 \*\*\* \*\*

24 ( AO No. 2015-127, § 1, 4-1-16 ; AO No. 2016-36(S), § 1, 4-1-16 ; AO No.  
25 2016-117 , § 1, 11-1-16)  
26

27 **Section 4.** This ordinance shall be effective immediately upon passage and  
28 approval by the Assembly.  
29

30 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
31 of \_\_\_\_\_, 2019.  
32

33 \_\_\_\_\_  
34 Chair of the Assembly

35 ATTEST:  
36  
37  
38  
39

\_\_\_\_\_  
Municipal Clerk