BOROUGH OF OAKMONT
ORDINANCE NO. O3 of 2025

AN ORDINANCE AMENDING CHAPTER 205 OF THE CODE OF ORDINANCES OF THE BOROUGH OF OAKMONT, KNOWN AS THE ZONING ORDINANCE, ESTABLISHING REGULATIONS FOR MOBILE FOOD FACILITIES IN THE BOROUGH AND REQUIRING PERMITS FOR THE SAME

WHEREAS, Oakmont Borough Council desires to allow for mobile food facilities (MFF) or food trucks within the Borough while ensuring that the use of the same is appropriately regulated; and

WHEREAS, in order to enforce regulations, Council wishes to establish permitting as part of the MFF regulations; and

WHEREAS, the Borough Planning Commission has reviewed and issued a recommendation for approval with respect to this Ordinance.

NOW, THEREFORE, the Council of Oakmont Borough, ordains and enacts that Chapter 205 of the Oakmont Borough Code of Ordinances, known as the Zoning Ordinance, is amended, as follows:

I. §205-201 Definitions, is amended to add the following terms and definitions:

MOBILE FOOD FACILITY ("MFF")
A movable retail food facility, such as a stand, vehicle or food truck, cart, basket, box or similar structure, from which food and/or non-alcoholic beverages are stored, prepared, processed, distributed and/or sold and shall not include stands selling fundraising items that benefit non-profit youth organizations like Girl Scouts, Scouts BSA, or school organizations.

MFF OPERATOR
A person operating a mobile food facility within Oakmont Borough.

II. § 205-314 Permitted accessory uses/structures, is hereby amended to add the following subsection:

§ 205-314(J) Mobile Food Facilities shall be permitted in all zoning districts, subject to the following:

A. No person shall serve any food nor locate a Mobile Food Facility ("MFF") within the Borough without first obtaining an operations permit from the Oakmont Borough office and paying the applicable permit fee pursuant to Chapter 125 of the Borough of Oakmont Code of Ordinances.

B. No MFF shall operate in the Borough unless the MFF Operator is fully compliant with this Chapter and all applicable statutes and regulations.

C. No MFF shall be parked overnight on any Borough or state right-of-way.

D. No MFF may park and/or operate on private property without the consent and approval of the owner of such property.

E. A MFF may not be located within 50 feet of the entrance of any brick-and-mortar eating establishment that is not affiliated with the MFF.

F. A MFF may operate in the C, I and LI Zoning Districts between the hours of 6:00 a.m. to 10:00 p.m. and in the R-1, R-2, R-3, MXD and MXD-2 Zoning Districts between the hours of 10:00 a.m. to 10:00 p.m.

G. In the case of any Borough or Borough-affiliated event, including Taste of Two Towns, MFF Operators shall still be required to obtain a permit but MFF Operators shall be exempted from E, F, H(2) and H(3) of this subsection.

H. A MFF located in the C, I or LI Zoning District shall also meet the following requirements:

1. A MFF shall not park and/or operate on any property where there are not already parking spaces for the customers of such business existing on the property. A MFF shall not park and/or operate on any vacant property.

2. All MFFs on Allegheny Avenue must be located on the west side of the road.

3. All MFFs on Allegheny River Boulevard must be located on the east side of the road.

4. A MFF may not remain on the same property for more than a consecutive seventy-two-hour period, with the exception of real property owned or leased by the MFF Operator for purposes of storage of such MFF when not in operation.

I. A MFF located in the R-1, R-2, R-3, MXD or MXD-2 Zoning District shall also meet the following requirements:

1. A MFF may not remain on the same property for more than a consecutive eight-hour period.

2. In order for a MFF to park on a residential street, the MFF Operator must have authorization from the property owner who owns the property directly in front of the location where the MFF will be parked.

III. Repeal. Any ordinance or part of any ordinance conflicting with this Ordinance is repealed to the extent of such conflict.

IV. Severability. It is intended that the provisions in this Ordinance are severable and if any provisions are held or declared illegal, invalid or unconstitutional by a court of competent jurisdiction, the decision shall not affect or impair any of the remaining sections.

V. Effective Date. This Ordinance shall be effective immediately upon adoption and shall be further in effect prior to adoption as a pending ordinance as of the date of publication of notice to the public that the Borough Council has resolved to consider such an Ordinance.

This Ordinance adopted at a duly assembled public meeting held this 17th day of June, 2025.

THE BOROUGH OF OAKMONT ALLEGHENY COUNTY, PENNA.

BOROUGH OF OAKMONT

Secretary

By: Nancy A. Kubi
President, Borough Council

Approved by Office of the Mayor:

Sophia Tacaros
Mayor, Borough of Oakmont

2413009

Recording Certification: This Ordinance recorded in the Borough Ordinance book on _____, 2025 by the undersigned.

_____
Borough Secretary