

Food Truck Friday – talking points 3-22-11

Andrew Siegal is the owner of Dim Sum Charlie's and the coordinator of Food Truck Fridays that have been occurring for a few months at the DSC location on First Street between Soscol and McKinstry.

Issues:

Dim Sum Charlie's has been operating without proper permits, and Food Truck Fridays have taken place without proper permits. Patrons attending the FTF are being exposed to unsafe conditions, including:

- Some of the food trucks present have not received proper permits from the Napa Co. Health Department, generating food safety concerns. In March, one-day permits were issued by the County in an effort to avoid shutting down the event; however no inspection of the commissaries was performed.
- Patrons are bringing their own alcoholic beverages to the event and serving themselves. No one involved has an ABC permit to serve alcohol, which means no one is checking IDs or monitoring the amounts that are being consumed, and there is no security staff at the event. Moreover, ABC has specifically ordered the property owner to cease and desist sponsoring this event.
- An open fire pit has been in use at the event, in a crowded area where safety considerations are a concern and where there are flammable materials overhead with no access to a fire extinguisher.
- There are no building permits in place for some of the structures that are being used for the event, such large poles installed and shade covers and the electrical wiring. Extension cords are used representing a trip and fall hazard for patrons and with no understanding whether their use can accommodate the additional load.
- The site does not provide for accessibility in accordance with the ADA and there are improper railings on the site to accommodate the slope between the pad where the food trucks are located and the parking lot.
- The site becomes excessively crowded during the FTF events, leading to questions about occupancy loads required by the adopted building code, fire safety and emergency services access.
- There are no restrooms on site and patrons are being told to walk a block to Oxbow Market to use facilities there.
- There are no additional refuse containers provided other than those customarily provided for the office use on the site.

City staff has determined that these issues are resolvable if Mr. Siegal pursues the proper permits and makes changes to event to operate within established rules. The only significant issue that may be difficult to resolve is that the site is not ADA compliant. Solutions to this issue may be difficult to achieve and expensive.

The City's approach – Talking points

- City staff have been in contact with Mr. Siegal numerous times proposing solutions, including the acquisition of proper permits and use of an alternate site for the FTF events. Mr. Siegal has not been cooperative to date. City electeds and staff are always supportive of new businesses and popular new events – but keeping a level playing field is important. All businesses need to play by the same rules.
- Special events, such as the many that are held downtown, are required to go through a permitting process that addresses public safety, sanitation, noise and crowd control etc. – Food Truck Friday is no exception.
- There's no reason for the event to be shut down if the event organizer would work with staff to bring the event into compliance.