

HOUSE BILL [25-1295](#): Official City Position

Approved by Westminster City Council on April 8, 2025

REPRESENTATIVE(S): Rutinel; SENATOR(S): none

Concerning the operation of food trucks, and, in connection therewith, establishing a reciprocal licensing and permitting system between local government jurisdictions for the operation of food trucks.

Official City Position: OPPOSE

Status: **Active** – This bill was introduced in the House on March 4, 2025, and was assigned to the House Transportation, Housing & Local Government Committee.

Description:

The bill establishes reciprocal licensing and permitting for food trucks (also referred to as “mobile retail food establishments”) operating across local jurisdictions and prohibits certain local zoning restrictions. Specifically, the bill:

- *requires* a local government to grant the owner or operator of a food truck reciprocal business license and permits (health department and fire safety) to operate within the local government's jurisdiction, if the owner or operator of a food truck already has such a license and permits from another local government; and
- *prohibits* the governing body of a local government from adopting an ordinance, resolution, regulation, zoning code, or other code that: 1) prohibits the operation of a food truck in a zone in which a food establishment is considered a permitted or conditional use; 2) restricts the total number of days a food truck may be operated within the local government's jurisdiction during a calendar year; or 3) prohibits the operation of a food truck within a certain distance of another food establishment, unless the specified distance is less than 50 feet

City Comments: This legislation is in opposition to the following principles as set forth in the City's [2025 Legislative Policy Statement](#):

HOME RULE AND LOCAL CONTROL

Opposes legislation that mandates state intervention in matters of local concern, especially when that intervention unnecessarily or adversely affects the City's ability to manage these matters pursuant to its home rule authority.

STATE AND FEDERAL MANDATES

Opposes unfunded state and federal mandates that impose unfair financial burdens on municipalities and their residents and businesses.

This legislation overrides local control with respect to permitting of food trucks. In addition:

- there are concerns that not all fire departments inspect to the same standards as the City does;
- the City requires a permit for any truck parked for longer than two hours within city limits – something that is already hard to enforce, but would be even harder to enforce without Westminster-specific licensing requirements;
- 14 days is an inadequate turnaround time for approval, and this arbitrary time requirement for business licensure and approval prioritizes mobile food vendors over all other businesses; and
- creates an unfunded mandate by capping fees without understanding issuance costs.