

(Published in the Tulsa World,  
November 16, 2025)

**ORDINANCE NO. 25698**

AMENDING TULSA REVISED ORDINANCES ("TRO") TITLE 21, "LICENSES", CHAPTER 23, "MOBILE VENDORS", TO REMOVE THE MOBILE VENDOR LICENSE REQUIREMENT AND OTHER RESTRICTIONS AND REQUIREMENTS IN ORDER TO COMPLY WITH HOUSE BILL NO. 1076, THE FOOD TRUCK FREEDOM ACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, the Oklahoma State Legislature passed House Bill No. 1076, the Food Truck Freedom Act, to go into effect on November 1, 2025; and

WHEREAS, certain requirements and restrictions in TRO Title 21, Chapter 23, related to mobile vendors must be amended to comply with the Food Truck Freedom Act.

BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA:

*Section 1. That TRO Title 21, "Licenses", Chapter 23, "Mobile Vendors" shall be amended to read in its entirety as follows:*

**CHAPTER 23. - MOBILE VENDORS**

**Section 2300. - Purpose.**

The purpose of this ordinance is to regulate the actions of mobile vendors. It has been determined that the public health, safety, good order and general welfare of the residents of Tulsa require the regulation and management of such enterprises.

**Section 2301. - Definitions.**

**Use of Words and Phrases.** As used in this chapter, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

- A. **Concessionaire** means a person engaged in the sale of food or other goods or services in a city park or on city property, including without limitation those who operate or maintain a concession stand, in accordance with a written agreement or franchise therefore as lawfully approved in writing by the City.
- B. **Food** has its usual and ordinary meaning, and includes all items designed for human consumption, including but not limited to ice cream, candy, gum, popcorn, hotdogs, sandwiches, peanuts, soft drinks, coffee and dairy products.
- C. **Director** shall mean the Director of Finance for the City of Tulsa or such other person designated by the Mayor to enforce the provisions of this chapter or that person's designee.

- D. **Mobile food establishment** shall mean a facility including a trailer, that prepares food and beverages, is vehicle mounted, is road-approved by the Department of Transportation including wheels and axles, is readily movable, and remains at one physical address for no more than twelve (12) hours at one time, unless the mobile food establishment is operating on private property. A mobile food establishment operating on private property may remain at one physical address for no more than state law allows.
- E. **Mobile food vendor** or **mobile vendor** shall mean any person who dispenses food or beverages from a mobile food establishment, mobile push cart, or mobile retail food establishment.
- F. **Mobile push cart** shall mean a non-self-propelled food unit that can be manually moved by an average person without being vehicle mounted.
- G. **Mobile retail food establishment** shall mean a licensed enterprise which sells packaged foods from a stationary display at a location some distance from the establishment but still at the same physical address for no more than twelve (12) hours; provided, the licensed unit is on the premises and readily available for inspection and the food has been prepared in a facility that is regulated by the good manufacturing practices in Title 21 of the Code of Federal Regulations or pursuant to Section 310:260 of the Oklahoma Administrative Code, Good Manufacturing Practice Regulations, Oklahoma Department of Agriculture, Food, and Forestry, and United States Department of Agriculture, or the Food Truck Freedom Act (House Bill No. 1076).
- H. **Seasonal food service establishment** shall mean establishments limited to serving coffee or snow cones with use of liquid milk, raw fruits, raw vegetables, nuts in the shell, and commercially bottled syrup, sorghum, honey, sweet cider, and other non-Time/Temperature Control for Safety (TCS) Foods.

#### **Section 2302. - Operations and requirements.**

In addition to the regulations in this chapter, mobile vendors and seasonal food service establishments must meet all other applicable legal requirements, such as:

- A. Qualifying for and obtaining a food establishment license from the Tulsa City-County Health Department and a City food license pursuant to TRO Title 17, Chapter 4; and
- B. Complying with all laws, rules, and regulations concerning food handling and any vehicles, equipment, and devices used for the handling, storage, transportation and/or sale of food.

#### **Section 2303. - Exemptions.**

The following activities, businesses and/or persons, as such are commonly known, shall be exempt from coverage of this chapter, but this exemption shall not be construed to limit or restrict the application of other laws and regulations pertaining to such activities, businesses and/or persons:

- A. Newspaper couriers;
- B. Traditional neighborhood lemonade stands;
- C. Stands used to sell or distribute flowers, fruit, vegetables, produce or plants grown on the property where the stand is located;

- D. Delivery or distribution of food, goods or products ordered or purchased by customers from a source or point of sale other than a mobile vehicle operated for the purpose of soliciting customers while traveling or while located on city streets or property;
- E. Delivery or distribution of food by or for any not-for-profit organization, governmental agency or other charitable organization, including without limitation Meals on Wheels and the Food Bank; and
- F. Concessionaires as defined in this chapter, except that concession agreements with the City shall include health, sanitation and insurance requirements generally conforming to those established for similar businesses and vendors covered by this chapter.

**G. Farmers Markets:**

"Farmers market" means a designated area in which farmers, growers or producers from a defined region gather on a regularly scheduled basis to sell at retail non-potentially hazardous farm food products and whole shell eggs to the public. A portion of the raw food ingredients used by the individual vendor to produce a product must have been grown or raised by the vendor. A farmers market must have written operational guidelines and a minimum of six (6) vendors along with a designated market manager or advisory board who will be responsible for distribution of a copy of the guidelines to the vendors. Farmers markets must be registered by the Oklahoma Department of Agriculture, Food and Forestry. This definition does not include individual farmers who grow and sell unprocessed fruit and/or vegetables from the farm, roadside or truck.

H. Tulsa State Fair.

I. Special events that have been permitted and approved by the Council.

**Section 2304. – Seasonal Food Service Establishment standards.**

- A. Seasonal food service establishments shall operate no more than one hundred and eighty (180) consecutive days.
- B. Seasonal food service establishments may only operate in nonresidential zoning districts and must follow all applicable state and local laws.

**Section 2305. - Mobile Vendor standards.**

All non-exempt mobile vendors shall conform to the following standards unless otherwise approved by the Council:

- A. Geographical Restriction. No mobile vendor shall sell or vend from his or her vehicle or conveyance when within one hundred fifty (150) feet of a public or private school grounds during the hours of regular school session, classes or school-related events in said public or private school, except when authorized in writing by said school.
- B. No mobile vendor shall conduct business so as to violate any ordinances of the City regulating traffic and rights-of-way, as now in effect or hereafter amended.
- C. No mobile vendor shall obstruct or cause to be obstructed the passage of a sidewalk, street, avenue, alley or any other public place by causing people to congregate at or near the place where food or other items are being sold or offered for sale.

- D. No mobile food vendor may block or restrict ingress to or egress from private property.
- E. No customer shall be served on the street side of the mobile unit. All service must be on the curb side when the mobile unit is on or abutting a public street.
- F. All tables, seating, awnings or other coverings, and other structures used by a mobile vendor must comply with the Zoning Code, Building Code, and any other applicable City ordinances.
- G. No drive thru or drive by customer service shall be provided or permitted as part of a mobile vendor business as contemplated in this chapter.
- H. All mobile vendors shall provide garbage receptacles for customer use.
- I. No mobile vendor shall locate his or her vehicle or other conveyance in such a manner as to cause a traffic hazard.
- J. At the conclusion of business activities at a given location the mobile vendor shall clean all the public way surrounding his or her vehicle of all debris, trash and litter generated by the vendor's business activities.
- K. All mobile vendors preparing food by cooking, frying or other means shall be equipped with at least one (1) fire extinguisher with a minimum rating as set by the currently adopted Fire Code and maintained in compliance with NFPA 10 Standard for Portable Fire Extinguishers.
- L. All mobile vendors should be prepared to meet all additional requirements and conditions to operate in certain restricted areas of the City such as the Civic Center Plaza, property under the jurisdiction of the River Parks Authority, the BOK Center area, Tulsa Park property and others.
- M. All electrical connections by mobile vendors shall fully comply with requirements of the National Electrical Code (NEC).
- N. A mobile food establishment may remain at one physical address for no more than twelve (12) hours at one time, unless the mobile food establishment is operating on private property. A mobile food establishment operating on private property may remain at one physical address for no longer than allowed by state law.
- O. A mobile push cart may remain at one physical address for no more than twelve (12) hours at one time.
- P. A mobile retail food establishment may remain at one physical address for no more than twelve (12) hours at one time.
- Q. Mobile vendors may operate in nonresidential zoning districts, provided they follow all applicable state and local laws, including the standards in this chapter. Mobile food vendors may operate in a residential zoning district if invited by a resident or group of residents of that district to operate on their property for the purpose of serving food to that resident, group of residents, or their guests, provided that the operation of mobile food vendors on the subject property shall not exceed twelve (12) days per year and the vendors follow all applicable state and local laws.
- R. If a mobile vendor is to be located on private property for any time, the mobile vendor must have prior written approval of the operation from the private property owner, designee, or lessee.

- S. No mobile vendor may operate without an operation permit decal issued by the State Fire Marshal or his or her designee(s), if such decal is required under state law.

**Section 2306. - Violations—Penalties.**

It shall be unlawful and a misdemeanor offense for any person, firm, corporation, limited liability company or other entity to violate any of the provisions of this chapter. Any such entity convicted of a violation of this chapter shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than One Thousand Two Hundred Dollars (\$1,200.00), excluding costs, fees and assessments, or by imprisonment in the City jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense.

*Section 2. SEVERABILITY CLAUSE. If any section, subsection, paragraph, subparagraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.*

*Section 3. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.*

*Section 4. EMERGENCY CLAUSE. That an emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this Resolution shall take effect immediately upon its approval and publication.*

ADOPTED by the Tulsa City Council, this 5th Day of November 2025

ADOPTED as an emergency measure, this 5th Day of November 2025

Phil Lakin, Jr., Chair of the City Council

APPROVED by the Mayor of the City of Tulsa, Oklahoma, this 12th Day of November 2025

Monroe Nichols IV, Mayor

ATTEST: Christina Chappell, City Clerk

APPROVED: Jack Blair, City Attorney

