



Town of New Castle
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Agenda

New Castle Town Council Work Session

Tuesday, August 5, 2025, 6:15 PM

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet:

<https://us02web.zoom.us/j/7096588400>

If you prefer to telephone in:

Please call: 1-346-248-7799

Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your phone to mute until called on

- a. Discussion – Food Truck Consideration
- b. Introduction – Cook Inclusive Main Street Business

Food Truck Considerations:

Towns that regulate food trucks often adopt policies to ensure public health, safety, orderly operations, and compatibility with existing businesses. Here are some standard food truck policies commonly included in local regulations:

1. Licensing & Permits

- **Business License:** Required from the town/municipality.
- **Mobile Food Vendor Permit:** Specific to food trucks, often renewed annually.
- **Health Department Certification:** Proof of passing food safety inspection (county/state level).
- **Fire Department Inspection:** For propane use, fire suppression systems, etc.

2. Location Restrictions

- **Zoning Compliance:** Only allowed in designated commercial or mixed-use zones.
- **Setback Requirements:**
 - Minimum distance from brick-and-mortar restaurants (often 100–300 feet).
 - Minimum distance from schools or residential areas.
- **Public Property Rules:**
 - Allowed in parks or public rights-of-way only with permission.
 - May be prohibited from operating on public streets or sidewalks.

3. Operating Hours

- **Set hours of operation** (e.g., 7 a.m. to 10 p.m.).
- **Some towns restrict hours based on location** (residential vs. commercial zones).

4. Parking & Mobility

- **No Overnight Parking:** Must be removed from public property after hours.
- **Self-contained:** Truck must be fully mobile (no permanent hookups).
- **Private Property Permission:** Written permission required if parked on private land.

5. Noise, Trash, and Cleanliness

- **Noise Limits:** Generators and music must comply with local noise ordinances.
- **Trash Disposal:**
 - Must provide a trash receptacle for customers.
 - Responsible for cleaning up litter within a specified radius.
- **Wastewater Disposal:** Discharge into storm drains is prohibited.

6. Signage & Seating

- **Limited Signage:** Typically confined to the truck itself, no freestanding signs.

- Seating: Some towns restrict or prohibit on-site seating to limit establishment-like operations.

7. Insurance Requirements

- General liability insurance, often with the town listed as additionally insured.
- Minimum coverage amounts (e.g., \$1 million per occurrence).

8. Inspections & Enforcement

- Routine Inspections: Random or scheduled checks by code enforcement.
- Violation Penalties: Fines, permit revocation, or bans for non-compliance.

9. Special Events

- May require a separate permit or be exempt from some rules if part of a town-sponsored event.
- Temporary grouping of food trucks (food truck rallies) often have distinct rules.

10. Additional Considerations

- Appearance of truck or trailer
- Screening of additional equipment
- CUP Process and Community feedback

In addition to the above discussion, staff has learned that a recently passed House Bill (HB 25-1295) which becomes effective on January 1, 2026 will directly affect food truck operations, permitting, and zoning rules. Below is a summary of HB 25-1295 for Council review.

What the Law Does

1. Defines “Mobile Food Establishment”

This refers to a retail food business operated from a vehicle, portable structure, or watercraft that can move and is serviced at a commissary kitchen ([Colorado General Assembly](#)).

2. Establishes Reciprocal Licensing Across Jurisdictions

- Creates statewide reciprocity for:
 - Business licenses
 - Health permits
 - Fire safety permits

- A food truck with valid credentials from one Colorado jurisdiction must be granted reciprocal licensing in another, provided all permits are current and fees paid. ([Colorado Capitol Watch](#)).

3. Processing Requirements & Fee Limits

- Local governments must act within 14 calendar days to approve or deny permit applications.
- Fees are capped: jurisdictions may only collect up to 25% of their standard licensing costs or actual administrative costs .

4. Zoning and Operational Restrictions Lifted

Local governments are prohibited from enacting or enforcing rules that:

- Block food trucks in zones where restaurants are allowed,
- Limit the number of days per year a food truck may operate,
- Require food trucks maintain more than 50 feet from brick-and-mortar restaurants .

5. Fire Safety Permit Reciprocity

If a food truck receives a fire safety permit in one jurisdiction—after inspection by a certified inspector and under an adopted code—it's valid statewide, provided the operator sends a copy to the intended jurisdiction at least 14 days in advance. Local codes remain enforceable during operation .

6. Special Reciprocity with the City & County of Denver

- Denver issues its own “Denver Retail Food License”, valid only in Denver.
- That license is recognized statewide, and a statewide state health license (approved by CDPHE) is valid in Denver.
- Applicants must submit documentation and, upon request, provide a summary of violations in the prior calendar year .

Why It Matters

For food truck operators: Reduces duplication—valid licenses and permits now travel with them across Colorado jurisdictions.

- For municipalities: Limits local discretion over licensing, zoning, and regulation of temporary food vendors, prioritizing simplified statewide access over local control .
- Opposition from Colorado Municipal League (CML): Argues the bill undermines local governance, interferes with public health and safety oversight, poses unfair competition to brick-and-mortar businesses, and creates unfunded mandates for licensing programs .

Colorado HB 25-1295 streamlines food truck operations by requiring reciprocal licensing and permitting across local jurisdictions, limits zoning restrictions, and imposes reasonable timelines

and fee caps, but it also restricts local governments' ability to regulate how, where, and when food trucks operate within their communities.