

FEB 21 2017

CITY OF COLUMBIA

ORDINANCE NO. 3310


City Clerk

**AN ORDINANCE ADDING CHAPTER 5.50 TO THE CITY OF COLUMBIA
MUNICIPAL CODE REGARDING MOBILE FOOD VENDORS**

WHEREAS, the City of Columbia (“City”), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, Chapter 5 of the City of Columbia Municipal Code (“City Code”), provides licensing requirements and regulations for businesses located within the City; and

WHEREAS, Chapter 5 does not currently provide licensing requirements and regulations for mobile food vendors within the City; and

WHEREAS, the City now desires to add Chapter 5.50 to the City Code to provide licensing requirements and regulations for mobile food vendors within the City.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. That the preceding recitations in the upper part of this Ordinance are realleged, restated and adopted as paragraph one (“1”) of this Ordinance.

Section 2. That Chapter 5.50 shall be added to the City Code and shall read as follows:

“Chapter 5.50 Mobile Food Vendors

5.50.010 Definitions.

“**Food truck**” means any self-contained motorized vehicle, or self-contained enclosed trailer with a valid license plate, from which prepared food for immediate consumption is served.

“**Food truck vendor**” means a person engaged in the business of selling food or non-alcoholic beverages from a self-contained motorized vehicle or a self-contained enclosed trailer with valid license plates and registration. A food truck vendor does not include an ice cream truck operator.

“Restaurant” means any business establishment whose principal business (meaning 51% or more of sales) is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in non-disposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.

“City Special Event” Any outdoor or seasonal event including, but not limited to a picnic, parade, carnival, craft fair, art fair, bicycle/motorcycle / vehicle ride, walk / run, car show, wedding or other reception, or any other event held on public property which is open to attendance by the general public and / or may require special consideration from any or all of the following City Departments: Columbia Police Department (CPD), Columbia Fire Protection District (CFPD), Department of Public Works (DOPW), Columbia Emergency Medical Service (EMS), and Community Development Department (CDD).

5.50.020 License Required.

No food truck vendor may operate in the City without first securing a license. Such license shall be renewed every year in accordance with Section 5.04 BUSINESS LICENSING AND REGULATION. In the event that one person or company operates more than one food truck or mobile food cart in the City, each such food truck shall require a separate license.

5.50.030 Manner of Operation.

Certain Locations Prohibited. Food trucks may not locate or operate within seven hundred fifty (750) feet of an existing restaurant unless they are part of a City Special Event. Food trucks may not operate in any “R” zoned residential district or on public right-of-way except as part of City Special Events, as described herein. Food trucks may only locate on the property of an existing restaurant if (a) the record owner of the established restaurant provides written consent, and (b) the restaurant is no closer than seven hundred fifty (750) feet to another restaurant.

City Special Events. Food trucks may only operate in an “R” zoned area or on public right-of-way if they are part of a City Special Event. Any City Special Event that will include food trucks must list the number of food trucks and approximate location of said food truck(s) on their Special Event application. Food trucks participating in special events must be licensed by the City.

Hours of Operation. Food Trucks shall only be operated between the hours of 7:00 a.m. and 10:00 p.m.

Sale of Liquor Prohibited. Selling or serving of liquor, including beer, wine, and all alcoholic beverages from food trucks shall be prohibited.

Vehicle Appearance and Maintenance. Food trucks shall be kept in good mechanical and structural condition. Vehicles and carts shall have a clean exterior and interior and shall be equipped with signs to alert traffic to proceed with caution past the truck or cart while it is serving customers. Each vehicle shall have the company name affixed to it in a professional, workmanlike manner and in letters that are a minimum of six inches (6") in height. The company name shall be affixed to each side and rear of the vehicle. Generators and fuel tanks shall be affixed to the vehicle and shall not be placed on the ground.

Peripheral Setup. No tents, tables, chairs, or other materials shall be placed at the designated vending area. Signage shall be limited to signs permanently or magnetically affixed to the vehicle or cart. Food truck vendors are not permitted to connect to City water, electric, or other utility to conduct business. Food truck vendors must also provide for the sanitary collection of all refuse, litter, and garbage generated by patrons using the service, and remove all such waste materials from the location before the vehicle departs.

5.50.040 Public Health Standards.

No food, food products, or beverages for public consumption shall be kept, offered for sale, transported, or handled except in accordance with the rules and regulations of the State of Illinois and the Monroe County Health Department. If the Monroe County Health Department or State of Illinois suspends or revokes their respective permits and/or licenses, the City's business license shall hereby be revoked until such time as the State or Monroe County permit and/or license is reinstated.

5.50.050 Suspension and Revocation of License.

Revocation or suspension of a license for a food truck shall be done in accordance with Section 5.04 BUSINESS LICENSING AND REGULATION.

5.50.060 License Non-Transferable.

Any license issued for the operation of a food truck shall not be transferable."

Section 3. This Ordinance shall take full force and effect after passage and approval by the Corporate Authorities.


YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Reis, Holtkamp and Martens.

NAYS: None.

ABSENT: Alderman Huch.

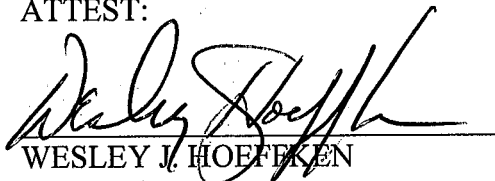
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 21st day of February, 2017.



KEVIN HUTCHINSON
Mayor
City of Columbia

ATTEST:



WESLEY J. HOEFFKEN
City Clerk
City of Columbia