



## Legislation Details (With Text)

**File #:** 16-049      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Second Reading  
**File created:** 12/16/2015      **In control:** City Commission  
**On agenda:** 1/5/2016      **Final action:**  
**Title:** ORDINANCE NO. 05-16 CONSIDERATION TO APPROVE AMENDING SECTION 37.45(Q), "SUPPLEMENTAL CODE ENFORCEMENT PROCEDURES", OF THE CODE OF ORDINANCES, TO INCLUDE ASSOCIATED CIVIL PENALTIES FOR VIOLATIONS OF ORDINANCE 04-16, WHICH IF APPROVED, WILL ALLOW THE OPERATION AND SALE OF FOOD FROM A MOBILE FOOD TRUCK (FIRST READING)

Recommended Action:

**Sponsors:** Community Improvement, Donna Quinlan

**Indexes:**

**Code sections:**

**Attachments:** 1. CC 010516 Food Trucks Administrative Rules and Regulations, 2. CC 010516 Ord 05-16 Amending Supplemental Code Enforcement Procedures

Date	Ver.	Action By	Action	Result
1/5/2016	1	City Commission	approved on first reading	Pass

**TO:** Mayor and Commissioners  
**FROM:** Michael Coleman, Director, Community Improvement  
**THROUGH:** Donald B. Cooper, City Manager  
**DATE:** January 5, 2016

ORDINANCE NO. 05-16 CONSIDERATION TO APPROVE AMENDING SECTION 37.45(Q), "SUPPLEMENTAL CODE ENFORCEMENT PROCEDURES", OF THE CODE OF ORDINANCES, TO INCLUDE ASSOCIATED CIVIL PENALTIES FOR VIOLATIONS OF ORDINANCE 04-16, WHICH IF APPROVED, WILL ALLOW THE OPERATION AND SALE OF FOOD FROM A MOBILE FOOD TRUCK (FIRST READING)

### **Recommended Action:**

Motion to Approve an amendment to Section 37.45(Q), "Supplemental Code Enforcement Procedures", of the Code of Ordinances to include associated civil penalties for violations pertaining to mobile food trucks. If passed, a public hearing will be held on January 19, 2016.

### **Background:**

The City Commission authorized a pilot program regulating mobile food trucks for a six-month time period that commenced in September 2014 and was extended twice and expires on February 28, 2016. Food Truck Vendors have been issued a temporary permit to operate under the pilot program. Ordinance No. 04-16 will amend the "Business Regulations" of the Code of Ordinances by creating a Chapter that sets minimum regulatory standards of conduct for the "Operation and Sale of Food from

Mobile Food Trucks”.

Within this ordinance, it sets forth a “Penalty” section, which allows a Code Enforcement Officer or a Law Enforcement Officer to issue a civil citation for non-compliance. If multiple violations occur within a one-year time frame, the following fines will be imposed: the first offense is a maximum fine of \$325.00, second offense a maximum fine of \$500 (if contested) and upon the third offense, the Mobile Food Vendor permit may be revoked.

Ordinance 05-16 will amend Section 37.45(Q), “Supplemental Code Enforcement Procedures” of the Code of Ordinances to include Mobile Food Trucks fees for the civil penalties, which is the action being requested of the City Commission.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval. Finance will work with Community Improvement to develop invoicing and payment procedures for the permits and fines.

**Funding Source:**

There are no costs associated with this request.

**Timing of Request:**

In order for this Ordinance to be approved prior to the expiration date of the pilot program on February 28, 2016, action on this item is somewhat time-sensitive.