



City of Broken Arrow

Request for Action

File #: 17-2391, Version: 1

**Broken Arrow City Council
Meeting of: 07-03-2017**

To: Mayor and City Council Members
From: Development Services Department
Title:

Consideration, discussion, and possible approval of Ordinance No. 3487, an ordinance amending the Code of Ordinances of the City of Broken Arrow, Chapter 7, Business Regulations and Licenses, Article I, In General, adding Section 7.12, Mobile Food Vendors; repealing all ordinances to the contrary and declaring an emergency

Background:

This item was reviewed and approved by the City Council, in their meeting of June 15, 2017, as a Preview Ordinance, and Staff was directed to prepare this item for Ordinance approval.

Discussions began in 2015 to develop an independent mobile food vendor ordinance in-lieu-of the itinerant merchant ordinance. Currently, mobile food vendors are administered through our itinerant merchant process which is out of date, overcharges for specific activities and isn't geared toward this type of activity. The growth in the Rose District, special events quadrupling, Health Department health and food code updates and interest by area merchants and general public for more mobile food vendor options, staff has developed the mobile food vendor ordinance.

The ordinance contains four (4) key areas: mobile vendor, push cart vendor, stationary vendor and stationary merchant vendor. The purpose of this ordinance is to regulate the actions of mobile and stationary vendors. It has been determined the public health, safety, good order and general welfare of the residents of Broken Arrow require the regulation and management of such enterprises. There are exemption services outlined in section 7.12.c (such as newspaper couriers).

The preview ordinance is attached along with the draft application and proposed fees. Mobile food vendors obtain a food license from the Tulsa County (State) Health Department (THD). The fee is set by the THD. The applicant brings the THD license to the City and purchases a Broken Arrow food license and permit.

Mobile food vending and push cart vending fees are separated out from stationary vendors and stationary merchant vendors. The proposed fees will be included in the forthcoming manual of fees update in August.

Cost: Recording Fees

Prepared By: Michael Skates, P.E., CFM, Development Services Director

Reviewed By: **Assistant City Manager - Administration
Legal Department**

Approved By: **Michael L. Spurgeon, City Manager**

Attachments: **Ordinance No. 3487
Mobile Food Vendor Application
Proposed Fees**

Recommendation: **Adopt Ordinance No. 3487 and approve this emergency clause.**

MWS/kjf