

BY: Mr. Headley

**AN ORDINANCE MODIFYING CODE SECTION 154.04(G)(42) OF THE TIPP CITY, OHIO
CODE OF ORDINANCES REGARDING THE REGULATION OF FOOD TRUCKS**

WHEREAS, Ordinance No. 5-14, adopted March 17, 2014 established the Zoning Regulations of Tipp City, Ohio; and

WHEREAS, on February 12th, 2019, the Tipp City Planning Board held a Study Session to discuss "Food Trucks"; and

WHEREAS, on March 12th, 2019, the Tipp City Planning Board held a Public Hearing, and did recommend the proposed enacting of Code Section 154.04(G)(42) and modification of Code Table 154.04-5 and Code Section 154.14(B) of the Tipp City, Ohio Code of Ordinances; and

WHEREAS, on April 15th, 2019, the Tipp City Council enacted Ordinance 9-19, which allows Food Trucks in non-residential districts, created a definition of Food Trucks, and created basic standards for the operation of food trucks in Tipp City; and

WHEREAS, on May 20th, 2019, City Council directed Planning Board to revisit the existing Food Truck legislation, and provide an opportunity for Planning Board members to hear and discuss any additional comments or concerns regarding the existing Food Truck legislation; and

WHEREAS, on June 11th, 2019, Planning Board held Study Session to allow members of Downtown Tipp City, the Tipp City Area Chamber of Commerce, and other interested parties to provide their thoughts and concerns regarding the recently enacted Food Truck legislation; and

WHEREAS, on July 9th, 2019 the Tipp City Planning Board held a Public Hearing, and did recommend the following changes to Code Section 154.04(G)(42); and

NOW, THEREFORE, THE MUNICIPALITY OF TIPP CITY HEREBY ORDAINS THAT:

SECTION 1. The Code of Ordinances be amended as follows, with additions noted in underlined and deletions ~~struck through~~.

SECTION 2. §154.04: BASE ZONING DISTRICTS AND PRINCIPAL USES

(A)-(F) SAME

(G) Use-Specific Standards

(1)-(41) SAME

(42) Food Trucks

The following standards shall apply to any food truck:

(a) No person may operate a food truck in the City of Tipp City without a food truck permit issued by the City.

- (i) ~~Applications for a food truck permit shall be accompanied by a fee as established by City Council.~~
- (b) The food truck vendor must obtain expressed written consent of the property owner to locate/operate a food truck on private property.
 - (i) The written consent must be kept in the food truck at all times that the food truck is on the property.
- (c) Food trucks and vendor locations will be maintained in a clean and sanitary condition at all times.
 - (i) The food truck vendor is responsible for the proper disposal of waste and trash associated with operation.
 - (ii) Vendors will remove all waste and trash from their location at the end of each day and as needed to maintain cleanliness.
- (d) Electric, gas, and water will be self-contained within the food truck.
- (e) One Temporary Sidewalk Sign is permitted in accordance with Code § 154.11(K)(5).
- (f) The food truck vendor shall obtain all other required state and local permits (ex. Health Department, Fire Department).
- (g) The operation of food trucks are prohibited on Main Street between First Street and the CSX railroad tracks, with the exception that during approved and/or sanctioned downtown events, food trucks can operate anywhere on Main Street.

SECTION 3.

This ordinance shall be in effect from and after the earliest date permitted by law.

PASSED:

August 19, 2019

President of Council

ATTEST:

James Mather

Clerk of Council

APPROVED:

John D. Jackson

Director of Law