

**ORDINANCE NO. 9 -19**

BY: Mr. Kessler

**AN ORDINANCE ENACTING CODE SECTION 154.04(G)(42), AND MODIFYING CODE  
TABLE 154.04-5 AND CODE SECTION 154.14(B) OF THE TIPP CITY, OHIO CODE OF  
ORDINANCES REGARDING THE ESTABLISHMENT OF FOOD TRUCKS**

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

**WHEREAS**, the Tipp City Council desires to establish a "Food Truck" Use within the corporate limits of the City of Tipp City; and

**WHEREAS**, "Food Trucks" are not listed as a Permitted or Special Use in the current Zoning Regulations; and

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

**WHEREAS**, on March 12<sup>th</sup>, 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**, the Tipp City Council desires to modify Code Table 154.04-5, Code Section 154.14(B), and enact Code Section 154.04(G)(42) of the Tipp City, Ohio Code of Ordinances.

**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).

**SECTION 3. § 154.14: DEFINITIONS**

- (A) SAME
- (B) Definitions

Food Truck

A kitchen within a licensed and operable motor vehicle or trailer whose method of operation is: temporary, in a transient location, and involves the preparation and sale of food and/or beverages in a ready-to-consume state for consumption either on or off the premises, but not within the motor vehicle.

**SECTION 4. § 154.04-5 PRINCIPALLY PERMITTED USES**

That Code Table 154.04-5 entitled "Principally Permitted Uses," attached hereto as Exhibit "A," is amended as noted in Section 1 above. All other Use Categories except for "Food Trucks" shall remain unchanged/"SAME."

**SECTION 5.** This ordinance shall be in effect from and after the earliest date permitted by law.

PASSED:

April 15, 2019

John Brown  
President of Council

ATTEST:

Janice M. Hayes  
Clerk of Council

APPROVED:

John  
Director of Law

**Exhibit "A"**

Use Category	Use Type	PUBLIC AND INSTITUTIONAL USES										Blank Cell = Prohibited		
		R-1A	R-1B	R-1C	R-2	R-3	OS	GB	HB	CC	L	G	G	Use-Specific Standards
Active Parks, Playgrounds, and Ball Fields	S	S	S	S	S	S	S						S	§154.04(G)(32)
Essential Public Infrastructure	S	S	S	S	S	S	P	P	P	P	P	P	P	Exempt Per §154.01(E)(2).
Government Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	§154.04(G)(32)
Passive Parks, Open Space, and Natural Areas														
Radio and Television Broadcasting Studios							P							
Wind Energy Conservation Systems										P				
Utility Structures	S	S	S	S	S	S	S	S	S	S	S	S	S	§154.04(G)(33)
Cemeteries	S	S	S	S	S	S	S	S	S	S	S	S	S	§154.04(G)(34)
Colleges and Higher Educational Institutions							S	S	S	S	P	S	S	§154.04(G)(35)
Cultural Institutions	S	S	S	S	S	S	S	S	S	S	S	S	S	§154.04(G)(36)
Educational Institutions (K-12)	S	S	S	S	S	S	S	S	S	S	S	S	S	§154.04(G)(37)
Institutional Fraternal, Charitable, and Service Oriented Clubs							PS	PS	PS	PS	PS	PS	PS	§154.04(G)(35)
Institutions for Human Medical Care							S	S	S	S	S	S	S	§154.04(G)(36)
Nursery Schools or Day Care Centers (Children or Adults)	S	S	S	S	S	S	PS	PS	PS	PS	PS	PS	PS	§154.04(G)(37)
Religious Places of Worship	S	S	S	S	S	PS	PS	PS	PS	PS	PS	PS	PS	§154.04(G)(38)
Miscellaneous Uses														§154.04(G)(17)
Vertical Mixed Use Building							S	S	PS	PS	PS			§154.04(G)(39)
Parking Garages								S						§154.04(G)(40)
Food Trucks							PS	PS	PS	PS	PS	PS	PS	§154.04(G)(42)