



Legislation Details (With Text)

File #: 1730-2022 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 6/9/2022 **In control:** Rules & Reference Committee

On agenda: 3/20/2023 **Final action:** 3/22/2023

Title: To amend Section 501.08 and various sections of Chapter 573 of the Columbus City Codes to clarify the permitting and operational requirements for mobile food vendors, reconstitute the mobile food vending advisory board, and adjust the hours of operation in which mobile food vending is permissible; and to repeal the existing code sections being amended.

Sponsors: Emmanuel V. Remy

Indexes:

Code sections:

Attachments: 1. Chapter 573 Amendments 31323.pdf, 2. Chapter 573 Amendments 31323 AMENDED

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-----------------------------------|--------|
| 3/22/2023 | 2 | CITY CLERK | Attest | |
| 3/21/2023 | 2 | MAYOR | Signed | |
| 3/20/2023 | 2 | COUNCIL PRESIDENT | Signed | |
| 3/20/2023 | 1 | Columbus City Council | Amended as submitted to the Clerk | Pass |
| 3/20/2023 | 1 | Columbus City Council | Approved as Amended | Pass |
| 3/13/2023 | 1 | Columbus City Council | Read for the First Time | |

BACKGROUND:

The Mobile Food Vending (MFV) Code Chapter 573 was created in 2014 in response to the growth of the Columbus Food Truck industry. Its primary function is to (1) outline licensing requirements for mobile food vendors and their equipment, (2) set forth regulations around operating in the public right-of-way, and (3) develop a board of internal and external stakeholders to advise on the development of rules and regulations. Regulation of the operation of mobile food vendors involves multiple city departments; the Department of Public Safety License Section is responsible for licensing the vendors, pushcarts, and food trucks in partnership with the Department of Public Service, Columbus Public Health, and the Division of Fire to ensure vendors act in the interest of public safety and health.

As Chapter 573 was created when the industry was in its infancy, some sections need to be amended to reduce redundancy and improve city departments' ability to oversee the Mobile Food Vending (MFV) industry. The original draft involved significant industry input, which has diminished in recent years and has made it challenging to seat members of the Mobile Food Vending Advisory Board. Requests to improve this Chapter have come from business owners, residents, law enforcement, and neighborhood associations in impacted areas such as the Short North Arts District, University District, and Downtown. Columbus City Council actively engaged the stakeholders over an extensive outreach process beginning Fall 2022 that involved three public hearings and separate roundtable discussions. Council is committed to ongoing engagement with stakeholders as it will examine the efficacy of the amendments through 2023 and into the following year.

The amendments to this section include:

1. Modifying the definitions of Congestion Zone, Commercial Zone, and Non-commercial zone in

accordance to the permits required to operate in these areas. Specifically, locations for vending in a Congestion Zone will be designated and require a permit to operate. Whereas, in Commercial Zones and non-commercial zones, the vendor is only required to possess a general right of way permit unless they plan to operate in a designated location

2. Utilizes an online reservation system which allows vendors to produce temporary designated permits and law enforcement access to view reservations
3. Reconstitutes the Mobile Food Vending Board, eliminating the elections process and granting the Director of Public Safety the authority to appoint representatives to the MFV Board (not including representatives from City Council or the Department of Public Service, who will be appointed by their Council President and Director respectively)
4. Clarifying law enforcements' authority to enforce sections of Chapter 573 that refer to requirements to operate in the right of way
5. Clarifies the late hours in which pushcarts are permitted to operate in the right-of-way by explicitly ending food vending at 2:30 a.m, and keeping 3 a.m. as the time that any units must be clear of the right-of-way.

FISCAL IMPACT: No funding is required for this legislation.

To amend **Section 501.08 and** various sections of Chapter 573 of the Columbus City Codes to clarify the permitting and operational requirements for mobile food vendors, reconstitute the mobile food vending advisory board, and adjust the hours of operation in which mobile food vending is permissible; and to repeal the existing code sections being amended.

WHEREAS, it has become necessary to amend Chapter 573 of the Columbus City Codes to ensure effective oversight of the mobile food vending industry, improve industry involvement in the regulation process, and reduce the impact of late-night mobile food vending on residents in Columbus' growing, dense urban core; and

WHEREAS, Columbus City Council engaged in an expansive effort to gain feedback from mobile food vendors, residents, and businesses, including hosting three public hearings; and

WHEREAS, the amendments to Chapter 573 are a result of extensive community feedback collected over months of engagement; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That **Section 501.08, as well as** Sections 573.01, 573.02, 573.07, 573.08, 573.09, 573.13, 573.131, 573.132, 573.133, 573.137, 573.14, 573.141, 573.16, 573.165, 573.167, 573.168, and 573.99 of Chapter 573 of the Columbus City Codes are hereby amended to read as shown on the attachment to this Ordinance.

SECTION 2. That Section 573.1391 is hereby enacted to read as shown on the attachment to this Ordinance.

SECTION 3. That the existing **Section 501.08, as well as** Sections 573.01, 573.02, 573.07, 573.08, 573.09, 573.13, 573.131, 573.132, 573.133, 573.137, 573.14, 573.141, 573.16, 573.161, 573.162, 573.163, 573.164, 573.165, 573.167, 573.168, and 573.99 of Chapter 573 are hereby repealed.

SECTION 4. That this ordinance shall take effect and be in force on May 1, 2023, following its passage and approval by the Mayor of the City of Columbus.