Legislation Details (With Text)

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File created:	5/19/2023	**In control:**	Rules & Reference Committee
On agenda:	5/22/2023	**Final action:**	5/24/2023
Title:	To ordain Executive Order 2023-01 of the Mayor, ordering and directing the Director of the Department of Public Service and the Director of the Department of Public Safety, within their respective jurisdiction under the Columbus City Codes, to prohibit mobile food vending operations in the Short North after 11:59 pm on Friday, Saturday, and Sunday evenings; and to declare an emergency. (REPEALED BY ORD. 1726-2023 PASSED 6/5/2023) BA		
Sponsors:			
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Date	Ver.	Action By	Action	Result
5/24/2023	1	CITY CLERK	Attest	
5/23/2023	1	MAYOR	Signed	
5/22/2023	1	COUNCIL PRESIDENT	Signed	
5/22/2023	1	Columbus City Council	Approved	Pass

Due to the existing public safety threat in the Short North neighborhood, it has become necessary to limit the hours of operations for mobile food vending, in order to decrease motor vehicle and pedestrian congestion in the neighborhood.

To ordain Executive Order 2023-01 of the Mayor, ordering and directing the Director of the Department of Public Service and the Director of the Department of Public Safety, within their respective jurisdiction under the Columbus City Codes, to prohibit mobile food vending operations in the Short North after 11:59 pm on Friday, Saturday, and Sunday evenings; and to declare an emergency. (REPEALED BY ORD. 1726-2023 PASSED 6/5/2023) BA

WHEREAS, Chapter 573 of the Columbus City Codes, as recently amended by Ordinance No. 1730-2023, establishes regulations and licensing requirements for mobile food vending operations within the City; and

WHEREAS, Chapter 573 establishes and defines Congestions Zones as a geographic area that has a combination of public right of way parking limitations, meter restrictions, vehicular traffic patterns, pedestrian density, and mobility issues, such that unrestricted access for mobile food vending constitutes a threat to public health and safety and authorizes the Director of Public Safety to create, designate, alter, or eliminate Congestion Zones; and

WHEREAS, pursuant to Chapter 573, areas in the Short North neighborhood, as defined by the Victorian Village Commission and the Italian Village Commission, have been designated as a Congestion Zone; and

WHEREAS, it has been observed that the presence of mobile food vending operations within the Short North has

increased motor vehicle and pedestrian congestion and caused large gatherings of people, most especially in the hours after 11:59 pm on weekends, increasing the potential threat to public health and safety; and

WHEREAS, the Short North neighborhood has experienced actual incidents of violence including a fatal shooting on May 14, 2023 and two separate shooting incidents eight days prior, resulting in 10 people wounded and 11 firearms recovered; and

WHEREAS, Chapter 573 authorizes the Director of the Department of Public Service, in consultation with Public Service, to limit the number of reservations available to operate mobile food vending units in the public right of way; and

WHEREAS, Section 217.01 of the Columbus City Codes establishes the Department of Public Safety which shall perform all lawful functions as directed by the Mayor or ordinance of Council; and

WHEREAS, Section 219.01 establishes the Department of Public Service which shall perform all lawful functions as directed by the Mayor or ordinance of Council; and

WHEREAS, on May 19, 2023, the Mayor, through Executive Order 2023-01, ordering the limiting of the time, place, and location of mobile food vending operations; and

WHEREAS, Council concurs with Executive Order 2023-01 and is ordaining the provisions of said order; and

WHEREAS, that for the immediate preservation of the public peace, property, health, or safety, and for the reasons stated in the preamble hereof, this Ordinance is declared to be an emergency measure and shall take effect upon signature by the Mayor; **NOW THEREFORE,**

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

SECTION 1. According to the provisions of Executive Order 2023-01, the Director of the Department of Public Service and the Director of Public Safety, within their respective jurisdiction under the Columbus City Codes, shall prohibit mobile food vending operations in the Short North after 11:59 pm on Friday, Saturday, and Sunday evenings.

SECTION 2. Executive Order 2023-01 is in full force and effect on and after May 19, 2023 and may be modified, extended, or rescinded at any time if public health and safety conditions warrant.

SECTION 3. This ordinance is hereby declared to be an emergency measure and upon signature by the Mayor shall take full force and effect and shall remain in effect until such time as Executive Order 2023-01 is rescinded, or superseded by a subsequent ordinance of Council.

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