



## Legislation Text

File #: 0962-2015, Version: 1

**BACKGROUND:** The purpose of this ordinance is to authorize the City Auditor to create a new subfund within the City's Special Purpose Fund to account for the Public Right of Way paid by Mobile Food Vendors at the Department of Public Safety, Division of Support Services, License Section. Per the Columbus City Code 573.07c, "Inspection and License Fees", "The Director of Public Safety or designee may allocate, by rule, a portion of each fee under the subsection (b, Public Right of Way Fee) to one or more organizations in congestion zones to defray the costs associated with operations or programs that benefit the public right of way." The Mobile Food Vending Advisory Board created two (2) rules that state the following:

1. 10% of the Public Right of Way fee paid by Mobile Food vendors will be allocated to two (2) organizations quarterly. (573.07e)
2. The two (2) organizations are the Short North Alliance and Capital Crossroads Special Improvement District, with 5% of the fees collected for the Public Right of Way to go to each organization quarterly.

In order to properly track and account for these monies, we are requesting that the City Auditor create a new subfund within the City's Special Purpose Fund, Fund No. 223.

**FISCAL IMPACT:** Currently, revenues collected from the Mobile Food Public Right of Way are deposited into the General Fund, Fund No.010. This ordinance will authorize the City Auditor to create a subfund within the City's Special Purpose fund and appropriate any funds that are deposited into such fund. Ten percent of all revenues received for mobile food vending per quarter will be deposited into the Special Purpose Fund. Utilizing the City's Special Purpose Fund provides the best means for properly tracking and accounting for these monies.

To authorize the City Auditor to create a new subfund within the City's Special Purpose Fund to account for revenues collected for Mobile Food Vending Public Right of Way fees; to authorize the appropriation of any funds deposited into such fund and to declare an emergency.

**WHEREAS**, the arrangement that has been agreed to is that 10% of the fees collected from the Mobile Food Vendors for the Public Right of Way to be allocated to two (2) organizations quarterly; and

**WHEREAS**, in order to properly account for these revenues and expenses, it is necessary for the City Auditor to create a new subfund within the City's Special Purpose Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to authorize the creation of a new subfund and to appropriate any funds deposited into said subfund for the preservation of public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the City Auditor is hereby authorized to establish a subfund within the City's Special Purpose Fund, Fund No. 223, titled Mobile Food -Public Right of Way, in order to properly track and account for the fiscal activities of the Mobile Food -Public Right of Way program.

**SECTION 2.** That 10% of all revenues arising from the Public Right of Way shall be deposited into said subfund within the Special Purpose Fund, Fund No. 223.

**SECTION 3.** That an amount up to, but not to exceed, the cash in the fund not encumbered for any other purpose is hereby appropriated within the Special Purpose Fund, Fund 223, Subfund No. to be assigned by the Auditor's Office, OCA Code; to be assigned by the Auditor's Office, to Object Level One - 03, Object Level Three - 3337.

**SECTION 4.** That the monies appropriated in the foregoing Sections 3 shall be paid upon order of the Safety Director, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 5.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 6.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.