

ORDINANCE 2018-103

AN ORDINANCE OF THE CITY COMMISSION OF CORAL SPRINGS, FLORIDA, AMENDING SECTION 18-4.1. OF THE CODE OF ORDINANCES TO ALLOW MOBILE FOOD VENDORS WITH A TEMPORARY USE PERMIT; AMENDING SECTION 1015 OF THE LAND DEVELOPMENT CODE ENTITLED TEMPORARY USE PERMITS; CREATING SECTION 250159 OF THE LAND DEVELOPMENT CODE TO PROVIDE REGULATIONS FOR MOBILE FOOD VENDORS; PROVIDING FOR CONFLICT; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the popularity of mobile food vendors has dramatically increased throughout the nation; and

WHEREAS, mobile food vending provides a convenient alternative to food and beverage service at events; and

WHEREAS, mobile food vending at these events also provides an opportunity for local businesses to attract a regional audience to their permanent business locations within the City; and

WHEREAS, under Section 18-4.1 of the City's Code of Ordinances, mobile vendors are currently prohibited from operating within the public rights-of-way; and

WHEREAS, the City Commission passed Ordinance 2011-112, which amended Section 16-2 of the City's Code of Ordinances to allow mobile food vending within a City park subject to certain conditions and regulations; and

WHEREAS, the City Commission, by and through Ordinance 2012-104, established a two (2) year pilot program for mobile food vendors for temporary events approved by the City on public property; and

WHEREAS, staff found it necessary to limit the two-year pilot program to temporary events approved by the City on public property in order to allow staff to carefully monitor and

review the safety of the operation of mobile food vendors within the public rights-of-way at City-approved events; and

WHEREAS, by and through Ordinance 2016-101, a new two (2) year Pilot Program was established to allow mobile vendors to operate on public and private property through the Temporary Use Permit process; and

WHEREAS, the Pilot Program has allowed both outside businesses and businesses inside the City to expand through the use of mobile food vendors; and

WHEREAS, the Pilot Program has been extended through April 1, 2018; and

WHEREAS, the City has had success with events in which mobile food vendors were present and receives requests from organizations wishing to include them as part of their special events as well; and

WHEREAS, codifying this Program will enable local businesses and nonprofit groups to enhance their events through the incorporation of food trucks; and

WHEREAS, the City Commission finds that amending the City's Code of Ordinances and Land Development Code to allow mobile food vendors for temporary events approved by the City through a Temporary Use Permit is in the best interests of the citizens of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. These clauses represent the legislative findings of the City Commission. It is the purpose and intent of this Ordinance to promote the health, safety and welfare of the residents of Coral Springs.

Section 2. Section 18-4.1. of the Coral Springs Code of Ordinances is hereby amended

to read as follows:

Sec. 18-4.1. Mobile vendors; prohibition of operating within the public rights-of-way in the city.

- (a) No person, natural or corporate, shall conduct any business from within the public rights-of-way within the municipal limits of the city, unless a Temporary Use Permit has been granted by the City for a mobile food vendor at a stationary location. Specifically prohibited under this section is the sale of food of any kind, goods, wares or merchandise from a vehicle whether motorized or not, regardless of the number of wheels affixed thereto, or on foot.
- (b) Violations: Any vendor found to be in violation of this section shall have its vending vehicle impounded by the City of Coral Springs. Said vehicle shall remain impounded until any and all towing and/or storage fees are paid by the vendor together with a two hundred dollar (\$200.00) impounding fee, which fee shall be paid directly to the City of Coral Springs to reimburse the city for the administrative expenses incurred in the impounding process.

Section 3. Section 1015 of the Coral Springs Land Development Code, entitled Temporary use permits, is hereby amended to read:

- (d) General criteria and limitations for temporary use permits:

(1) The temporary use must be compatible with the surrounding land uses; however, no temporary use permits shall be issued for events in areas zoned for single-family residential, unless authorized pursuant to Section 250159.

(g) Additional requirements for mobile food vendors are provided in Section 250159.

(g)(h) The fees shall be as provided in Chapter 3 of the Code of the City of Coral Springs.

Section 4. Section 250159 of the Coral Springs Land Development Code is hereby

created to read as follows:

Sec. 250159. Mobile food vendors; operation of public or private property.

Mobile food vendors are authorized to operate on public or private property with a Temporary Use Permit, subject to the following regulations:

- (a) Mobile food vendors must be contracted by the City or as part of an approved Temporary Use Permit event.
- (b) A maximum of three (3) events per year are allowed on site on private property.
- (c) When applying for a Temporary Use Permit for the event, the event holder must list each mobile food vending vehicle that will be operating at the event. A minimum of two (2) mobile food vendors are required per event. However, events on residential property may have one (1) or more mobile food vendor(s).
- (d) Mobile food vending vehicles must only serve as vendors in a temporary capacity, subject to the event-specific requirements as determined by the City Manager or his designee.
- (e) Mobile food vending vehicles must be positioned at a location designated by the City Manager or his designee.
- (f) Mobile food vending vehicles must be stationary at that designated location prior to selling, and must remain stationary for the entirety of the event for which the permit was issued.
- (g) The owner/operator of a mobile food vending vehicle must provide proof of applicable licensure, including, but not limited to, licensure from the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, City fire inspection, and local Business Tax Receipt, if applicable.
- (h) The owner/operator must submit a general site plan showing proposed truck location(s), available parking, restroom facilities, and fire/police access to ensure the site will continue to function in a safe manner during the event.

Regulations for mobile vendors in City parks shall be governed by Section 16-2 of the Code of Ordinances.

Section 5. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. Severability.

If any section, sentence, clause, phrase or other part of application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or application remaining in full force and effect.


Section 7. Effective Date.

This Ordinance shall become effective upon adoption by the City Commission.

PASSED ON FIRST READING THIS 18 DAY OF April, 2018.

PASSED ON SECOND READING THIS 2 DAY OF May, 2018.

CITY OF CORAL SPRINGS, FLORIDA


WALTER G. CAMPBELL, JR., Mayor

ATTEST:


DEBRA THOMAS, CMC, City Clerk

Unanimous _____
Motion /2nd

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>	MAYOR CAMPBELL	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	VICE MAYOR CIMAGLIA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	COMMISSIONER DALEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	COMMISSIONER VIGNOLA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	COMMISSIONER CARTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>

☐ TRANSMITTAL TO IMAGING TEAM

DOCUMENT TYPE	ORDINANCE
REC ID#: 18-	
DESCRIPTION	Ordinance 2018-103 relative to petition of the City of Coral Springs amending Section 18-4.1 of the City Code of Ordinances to allow mobile food vendors with a Temporary Use Permit, amending Section 1015 and creating Section 250159 of the Land Development Code to provide regulations for mobile food vendors.
RECORDING ONLY ASSOCIATED NAMES	N/A
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RETURN RECORDED ORIGINAL TO	NO INSTRUCTIONS ATTACHED
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