

On motion of Ms. Lee-Sheng, seconded by Mr. Lagasse, the following ordinance was offered:

SUMMARY NO. 23993 ORDINANCE NO. 24709

An ordinance to amend Chapter 22, Article III, Sale From Temporary Stands or Vehicles and Chapter 33, Unified Development Code, of Jefferson Parish Code of Ordinances by establishing regulations for the sale of food, food products, seafood of any kind, or beverages from mobile food services in the FC-1, FC-2, and FC-3 zoning districts of Fat City, and to provide for related matters. (Council District 5)

WHEREAS; Resolution No. 120660, adopted March 27, 2013, authorized the Planning Department to conduct a study to determine regulations for the sale of food, food products, seafood of any kind, or beverages from food trucks in the zoning districts of Fat City; and

WHEREAS, the resolution also established interim regulations allowing mobile food service events once monthly, on Monday nights between 5:00 p.m. and 10:00 p.m., and modified the requirements in Chapter 22 for vendors and sites; and

WHEREAS, mobile food service events have been held since the resolution adopted on March 27, 2013; and

WHEREAS, these events have been successful in attracting people and generating foot traffic in the Fat City neighborhood; and

WHEREAS, the interim regulations have ensured that proper agencies are made aware of the event and provide necessary review of safety, health, and site standards; and

WHEREAS, mobile food services have been a welcome addition to the cultural and dining experience of Fat City through proper regulation and review from key Parish Departments; and

WHEREAS, the planning department recommends that the interim regulations become permanent with only minor adjustments; and

WHEREAS, a public hearing of the proposed amendments was held by the Planning Advisory Board under Docket No. TXT-3-14 in accordance with law:

NOW, THEREFORE, THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Chapter 22. Peddlers and Solicitors, Article III. Sale From Temporary Stands or Vehicles, Division 1. Generally, Sec. 22-47. Sales from temporary outdoor stand or vehicles generally prohibited, be amended to read as follows:

Except as permitted under [Chapter 6](#), [Chapter 30](#), Chapter 33, or other applicable provisions of the Jefferson Parish Code of Ordinances, it shall be unlawful for any person to sell any merchandise, wares, goods, food, food products, plants, flowers, paintings, mirrors, or any artifact or saleable product from any truck, automobile, motor vehicle, mobile unit, cart, stand, table, temporary building, portable or moveable container or display case, whether closed or enclosed, or operating on a permanent, temporary, or seasonal basis either upon 1) any public rights-of-way such as a street, boulevard, highway, roadway, emergency lane, neutral ground, or shoulder of a road which is used for vehicular traffic or any other public property dedicated for specific use; or 2) on any private property unless specifically authorized by this article.

SECTION II. That Chapter 22. Peddlers and Solicitors, Article III. Sale From Temporary Stands or Vehicles, Division 1. Generally, Sec. 22-54. Compliance with laws and ordinances and reports subsection (b), be amended to read as follows:

* * *

(b) Except as provided in [Chapter 6](#), [Chapter 30](#), and Chapter 33, no sale of any food, food products, seafood of any kind, or beverages from any mobile catering vehicle or mobile food dispensing vehicle as defined in [section 22-76](#), or operating on a permanent, temporary or seasonal basis shall be permitted in a Mixed Use Corridor District (MUCD) or Commercial Parkway Overlay Zone (CPZ) or any area governed by [section 40-441](#) through 40-495 of the Code of Ordinances.

SECTION III. That Chapter 33. Unified Development Code, Article 3. Table 33-3.4-1 Authorized Land Uses, be amended to read as follows:

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LBCS Classification	LBCS Function Code	Examples	FC-1	FC-2	FC-3
Mobile food services	2550	Prepare and serve meals and snacks for immediate consumption from a motorized vehicle, cart, stand, or table; the use is the central location from which the services are provided, not each vehicle, cart, stand, or table; the land used as the primary site for the business' sales	S	S	S

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SECTION IV. That Chapter 33. Unified Development Code, Sec. 33-3.5. Zoning district regulations, letter (a) Pedestrian Core District (FC-1), subsection (3) be amended by adding a new letter o to read as follows:

* * *

- o. Mobile food services shall comply with the provisions of Chapter 22, Article III of this Code, with the following modifications:
 - 1. *Special Event Permit required.* A Special Event Permit approved by the Jefferson Parish Council is required for a mobile food service event, and the permit is subject to the following requirements:
 - i. Must be requested by and issued to a non-profit organization which shall include with the application the current lease or letter of permission from the owner, lessor, or sub-lessor of the private property upon which the mobile food services will be conducted;
 - ii. Shall be limited to one mobile food service event per month; and
 - iii. Shall not be conducted between the hours of 10:00 p.m. and 7:00 a.m.
 - 2. *Site criteria.*
 - i. The mobile food service site shall be privately-owned property;
 - ii. Sales shall not be conducted on any area of the private property within ten (10) feet of a property line abutting any public right of way which is used for vehicular traffic;
 - iii. Street furniture such as tables, chairs, and temporary shade structures for customers of the mobile food services shall be allowed on privately-owned property, including within ten (10) feet of the property line; and
 - iv. Individual mobile food service vehicles, carts, stands, or tables on site shall:
 - a. Provide a trash receptacle located within fifteen (15) feet of the vehicle, cart, stand, or table;
 - b. Not be subject to zoning requirements for parking or loading;
 - c. Not be required to have one or more permanent restroom facilities; and
 - d. Not be required to have electrical, water, and sewer connections in accordance with Chapter 8 of this Code.
 - 3. *Individual mobile food service vendors permit.* Prior to the conducting of sales, a mobile food service vendor shall obtain a permit in accordance with Chapter 22, Article III of this Code with the following modifications:
 - i. The permit shall be obtained from the Department of Inspection and Code Enforcement instead of the Sheriff's Office;
 - ii. Each mobile food service vendor shall provide the latest inspection report completed by the state health officer and the valid permit issued by the state health officer for the food vehicle, cart, stand, or table and for the

required commissary, depot, or processing plant, which may be located outside of Jefferson Parish;

- iii. Each vendor shall pay the annual permit fee required by the Department of Inspection and Code Enforcement;
- iv. The parish's permit shall be valid for the period that the permit from the state health officer is valid, and the vendor shall renew the parish permit concurrent with renewal of the state permit; and
- v. Any vendor who secures a permit under the regulations of this chapter but otherwise fails to abide by applicable state regulations, this chapter, and Chapter 22, Article III of this Code as excepted herein, shall be subject to suspension and/or revocation of the permit.

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SECTION V. That Chapter 33. Unified Development Code, Sec. 33-3.5. Zoning district regulations, letter (b) Residential Mixed Use District (FC-2), subsection (3) be amended by adding a new letter g to read as follows:

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g. Mobile food services with the criteria listed in Chapter 33-3.5(a)(3)o.

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SECTION VI. That Chapter 33. Unified Development Code, Sec. 33-3.5. Zoning district regulations, letter (c) Commercial Mixed Use District (FC-3), subsection (3) be amended by adding a new letter q to read as follows:

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q. Mobile food services with the criteria listed in Chapter 33-3.5(a)(3)o.


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This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 7 NAYS: None ABSENT: None

This ordinance was declared to be adopted on the 9th day of April, 2014, and shall become effective as follows, if signed forthwith by the Parish President, ten (10) days after adoption; thereafter, upon the signature by the Parish President, or, if not signed by the Parish President, upon expiration of the time for ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY


EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL