

## **ORDINANCE 2022-27**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AMENDING AND RESTATING ARTICLE IV. IN CHAPTER 50 REGULATING SPECIAL EVENTS, GARAGE/YARD SALES, OPEN AIR SALES, SEASONAL SALES, MOBILE FOOD VENDORS, AND TEMPORARY STRUCTURES; AMENDING THE COMMUNITY DEVELOPMENT CODE TO INCLUDE REQUIREMENTS FOR OPEN AIR VENDORS AND ADDITIONAL REQUIREMENTS FOR MOBILE FOOD VENDORS, INCLUDING BUT NOT LIMITED TO PERMITTING, SITE PLAN, BUILDING PERMIT, SIGNAGE, COMPLIANCE AND ENFORCEMENT, INSURANCE, MOBILE FOOD LICENSE, INSPECTIONS, INTERMITTENT STOPS, AND SANITARY FACILITIES, APPLICABLE WITHIN THE CITY OF GROVELAND INCLUDING PROPERTIES IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, special events, garage or yard sale, open air sales, mobile food vendors and seasonal sales that take place within the City limits of Groveland affect and often impede the flow of traffic, including but not limited to causing traffic congestion; and

**WHEREAS**, the City Council adopted Article IV in Chapter 50 of the Code of Ordinances to regulate such events and sales to ensure that there is sufficient police and fire protection for such events, when required, and to ensure that traffic hazards are eliminated; and to regulate the location and frequency of special events, garage/yard sales, open air sales, seasonal sales, mobile food vendors and temporary structures to preserve residential neighborhoods and the character of the City and ensure safety; and

**WHEREAS**, Council also implemented a means of enforcement that is beneficial to the City; and

**WHEREAS**, the City Council desires to amend and restate Article IV in Chapter 50 to include the removal of regulations relating to open air vendors and mobile food vendors, and provide for the regulation of open air vendors and mobile food vendors in the Community Development Code.

**NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA:**

**Section 1: Recitals** The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

**Section 2: Restatement of Article IV.** Article IV of the Code of Ordinances, City of Groveland, Florida, is hereby amended to read as follows:

### **ARTICLE IV. SPECIAL EVENTS, GARAGE/YARD SALES, ~~OPEN~~ ~~AIR SALES~~, SEASONAL SALES, AND TEMPORARY STRUCTURES**

## Sec. 50-130. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~Arterial roadways~~ refers to State Road 50, State Road 33, US 27 and State Road 19.

*Developed lot* means a lot that has a principal building on it.

~~Edibles~~ means any food or beverage intended for human consumption.

*Garage or yard sale* means the offering for sale or sale by a person, group of persons, firm or corporation of more than one item of personal property displayed or offered for sale on a lot, parcel, or tract of land within the municipal boundaries of the city located within an area zoned for a residential use.

~~Mobile food vendor~~ means any person selling edibles from a vehicle.

~~MFVL~~ means mobile food vendor's license.

*Neighborhood garage/yard sale* means a sale held by one or more homeowners or a homeowners' association (collectively, "homeowners' association"), whether incorporated or unincorporated, during which all residents of the neighborhood or subdivision are provided with an opportunity to display and sell personal property which is displayed or offered for sale on one or more lots, parcels, or tracts of land within such neighborhood or subdivision so long as such lots, parcels, or tracts are zoned for residential use.

~~Open air food sales~~ means the sale of food or beverages from a temporary structure, such as a tent or booth, or from a mobile vending cart, trailer, or vehicle, including a mobile food vendor.

~~Open air sales~~ means the offering, display or sale of goods, merchandise, or services not within a fully enclosed building. Sales conducted from tents, trucks, or other non-permanent structures shall be construed to be open air sales. Open air sales include seasonal sales and outdoor sales associated with a permanent business location such as a grand opening or a special promotion.

*Person* means any individual, organization, trust, foundation, association, partnership, corporation, society, or any combination of them, whether principal or agent.

*Seasonal sales* means ~~open air~~ sales customarily associated with holidays, including, but not limited to, Christmas trees, pumpkins, flower arrangements and other seasonal items.

*Special event* means any organized gathering of persons, comprised of groups or individuals, including gathering at shows, exhibitions, demonstrations, or assembly, other than the normal day-to-day or seasonal operations or concerns of licensed establishments within the city. The term "special event" shall include but is not limited to entertainment festivals, parades, fairs, festivals, carnivals, circuses, church events, athletic events, arts and crafts events, and special promotional activities for commercial establishments, such as holiday events, contests, on-location radio promotions, and shows.

*Temporary structure* means a structure without any foundation or footings which is removed when the designated time period, activity, or use for which the temporary structure was

erected has ceased. For purposes of this section, the term "temporary structure" includes but is not limited to tents, canopies, stages, and similar structures.

*Undeveloped properties* means lots or parcels with no substantial code compliant structure capable of housing a business.

**Sec. 50-131. Special events, garage/yard sales, open air sales, mobile food vendors, and seasonal sales.**

The purpose of this article is to protect the health, safety, and welfare of the citizens and inhabitants of the city by ensuring the provision of sufficient police, fire, and support services for any gathering of groups or individuals for the purpose of participating in various special events, garage/yard sales, or seasonal sales, ~~mobile food vendors, or in open air sales~~ activities.

**Sec. 50-132. Permits required.**

No person shall advertise, engage in, participate in, aid, form or start any special event, seasonal, ~~open-air food sale~~ or open-air sale or erect any tent or temporary structure for public access for such an event unless a special event/sales permit is first obtained from the community development department. A permit shall not be required for:

- (1) Funeral processions;
- (2) Church events on church property, unless a tent or temporary structure is erected;
- (3) Lawful picketing; and
- (4) Any bona fide athletic event or contest or other special event sponsored by any public or private school or the city.

**Sec. 50-133. Garage or yard sales.**

- (a) *Frequency, duration.* City residents, homeowners' associations, groups shall be allowed by right to conduct a neighborhood garage or yard sale on any single lot, parcel, or tract of land a maximum of 12 times within any calendar year. It shall be a violation of this article for garage or yard sales to extend more than 48 hours in any calendar year.
- (b) *Permit required; application; display; temporary signs.*
  - (1) Signs shall be permitted to be placed on private property only with permission from the subject property's owner. Signs located in the roadway median or within will maintain possession of the permit during the neighborhood garage or yard sale.
- (c) *Cleanup.* At the conclusion of the garage or yard sale, all unsold articles and items and all tables, chairs, and display cases used in conjunction with such sale shall be removed or packed away so as not to be visible from any public street or adjoining property. All garage or yard sale signs shall be collected and disposed of properly.

**Sec. 50-134. Special events.**

- (a) *Criteria for issuance of special event permits.* The community development department shall issue a permit as provided herein after verification from the reviewing departments

that the proposed event meets the minimum standards for issuance of a permit. The minimum standards are:

- (1) No substantial interference with the safe and orderly movement of pedestrian or vehicular traffic in, contiguous to, or in the vicinity of the event. Adequate on-site traffic circulation and parking will be maintained at all times, based on the type and size of event and on the projected attendance. The plan shall identify areas intended for vehicular parking.).
  - (2) Public safety standards shall be met, either through the auspices of the city, or through private sources, or both. Adequate police protection is being provided. The chief of police shall determine, based upon the permit application, whether and to what extent additional police protection reasonably will be required for the event for purposes of traffic, crowd control, and security. If the chief of police determines additional police protection for the event is necessary, it shall be noted as part of the permit. The applicant shall have the obligation to secure police protection acceptable to the chief of police at the sole expense of the applicant.
  - (3) Adequate fire protection and emergency medical services are being provided. The fire chief shall determine, based upon the permit application, the need for on-site fire watch or emergency medical personnel. If the fire chief determines additional fire or emergency medical personnel are necessary for the event, it shall be noted as part of the permit. The applicant shall have the obligation to secure protection required by the fire chief at the sole expense of the applicant.
  - (4) The public works department has determined, based on review of the application, that adequate health facilities, including sanitation facilities, refuse disposal, drainage, water supply, etc., will be available in or adjacent to the event area.
  - (5) Conformance with other regulatory requirements will be met. Full and complete compliance with all zoning and land use laws, beverage license and control laws and other laws, ordinances and regulations applicable to the city is required and shall be submitted through the community development department. The special event and any sales occurring at the special event shall comply with all applicable requirements of the state and county regulatory agencies, including, but not limited to, the department of business and professional regulation, and the department of agriculture and consumer services.
  - (6) For any special event that is not exclusively sponsored by the city and for which the estimated daily attendance will exceed 2,500 persons, approval by the city council shall be required as a prerequisite for issuance of the permit, in addition to all other criteria noted in this section.
- (b) *Permit application.* Any person seeking issuance of a special event permit shall file an application with the community development department.
- (1) *Filing period.* An application for a special event permit shall be filed not less than 15 days before the date on which the event is scheduled to take place.

- (2) *Contents.* The application for a permit shall include the following information. Some of the information may be excluded based on the size and type of a specific special event. Such exclusions must be approved by the city manager.
- a. The name, address, and telephone number of the person or agent seeking to conduct the event.
  - b. The name, address, and telephone number of authorized agents of the sponsoring organization.
  - c. The dates and times the event is planned to occur.
  - d. The exact location of the event and written approval of the owner, lessee, or agent of the property where the special event will take place.
  - e. A complete description of the nature of the event and all activities planned, including but not limited to fireworks, laser shows, races, parachutists, animal acts, aviation shows and the like.
  - f. The approximate number of attendees (spectators or participants) to the event.
  - g. A site plan, drawn to scale. The site plan shall show the location of all required facilities, including adequate traffic control and parking, and the proposed layout of the event, including any temporary structures.
  - h. Adequate plans for sanitation facilities, sewage disposal, garbage and refuse disposal, drainage, floodlighting during darkness, potable water supply and food service.
  - i. A plan showing the location of all on-premises and off-premises signs which are allowed under this section for the special event.
  - j. An adequate plan for internal security, communications, fire protection and emergency services, where deemed necessary by the police and/or fire departments.
  - k. A master list with the name, address and telephone number of each vendor and an assurance that each food vendor possesses or will obtain all health and food service certifications prior to commencement of the special event.
  - l. Any additional information deemed necessary by the community development department.
  - m. If the event is or includes a parade, the following additional information is required:
    1. The exact location of any marshaling or staging areas for the parade.
    2. The time at which units of the parade will begin to arrive at the staging areas and the times at which all such units will be disbursed.
    3. The exact route to be traveled, including the starting point and termination point.

4. The approximate number of persons and/or animals and/or vehicles which will constitute the parade, including the types of animals and description of the vehicles.

5. State department of transportation permit if a state roadway is to be used.

(c) *Performance criteria.*

(1) The maximum number of special events by any individual party during a one-year period is 12, with a maximum of three days per special event. The maximum number of "special event days" during a one-year period is 36 days.

(2) Special events shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses.

(3) Off-premises and on-premises signs may be used to announce, identify or direct attendees to a special event.

a. *Off-premises signs.* Off-site directional signs, not exceeding six square feet, and not exceeding a total of ten signs, may be allowed for each special event during the duration of the event. A plan or map shall be submitted showing the location for each off-premises sign associated with the event. The signs may be placed on private property with the property owners' permission, or, with written permission of the city manager, on a site-by-site basis, on city rights-of-way. Such signs may be placed one day prior to the special event and shall be removed no later than one day after the special event. A deposit of \$20.00 per sign shall be made with the community development department along with the special event application fee. The deposit for each sign shall be forfeited for each sign that is erected prior to or remains after the time restrictions stated herein.

b. *On-premises signs.* A plan or sketch for all signs to be placed on site, announcing or identifying the special event, shall be submitted with the application. Review of such signs shall be conducted by the city manager or designee and shall take into account traffic visibility, intrusion on adjacent properties, visibility of adjacent business signs and/or traffic signs and signals, and any other appropriate parameters. The administrative official's decision on signs may be appealed to the city council.

(4) Any outstanding fees above the estimated cost of police or fire personnel payable to the city shall be paid in full within two days after the expiration of the permit.

(5) If the event is to take place in any city-owned or city-controlled property, public liability and property damage insurance, with the city named as an additionally insured party, shall be obtained in an amount approved by the city's finance director after consideration of those factors set out in the permit application.

(d) *Other permits; inspections.*

(1) A building permit shall be required, as applicable, for erection of any temporary structure, with the exception of one tent that is 196 square feet (14' x 14') or less in size and is monolithic and open on all sides.

- (2) If fireworks are a part of the special event, the applicant should include appropriate licenses with the application. In addition, as part of any special event incorporating a fireworks display on city property, the applicant will need to provide proof of public liability and property damage insurance in an amount approved by the city's finance director and name the city as an additional insured.
- (3) The special event, ~~or seasonal sale or open air sale~~ shall begin only after all inspections by affected departments have been conducted and a determination has been made that all codes and ordinances have been satisfied. All necessary inspections of tents and/or temporary structures must be conducted and approved prior to opening of the special event, ~~open air or seasonal sale~~.
- (4) The special events permit and any other permits associated with the event are required by the city to be posted in a conspicuous location on the special event site.

**Sec. 50-135. ~~Open air sales, mobile food vendors, and seasonal~~ Seasonal sales.**

- (a) *Permit application.* Any person seeking issuance of ~~an open air sales, open air food sales, mobile food vendor, or a seasonal sales~~ permit shall file an application with the community development department. The application for the permit shall contain the following information:
  - (1) The name, address, and telephone number of the person or agent seeking to conduct the sale.
  - (2) The name, address, and authorized agents of the sponsoring organization.
  - (3) The dates and times the sale is to occur.
  - (4) The address of the location of the sale.
  - (5) Written, notarized permission of the property owner of the property where the sale will take place.
  - (6) A complete description of the nature of the sale. The city prohibits the sale of fireworks in seasonal ~~open air~~ sales venues.
  - (7) A site plan, drawn to scale, showing the location of all required facilities, including adequate traffic control and parking, the proposed layout of the sale, including any temporary structures, and sanitation facilities.
  - (8) Any additional information deemed necessary by the community development department.
- (b) ~~Open air sales; performance criteria.~~
  - (1) ~~Open air sales, other than approved seasonal sales, shall be permitted only as an accessory use to a permanent commercial building with a valid occupational license or if included in an approved city special event.~~
  - (2) ~~Open air sales shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses. No open air sales shall be permitted on properties zoned for residential use.~~

- ~~(3) One temporary sign or banner shall be allowed on site and shall not exceed 16 square feet. A permit shall be required for use of any additional allowable signs.~~
- ~~(4) The maximum number of open air sales, other than approved seasonal sales, per site during the period of one calendar year is 12. The maximum number of days of sales per site, other than approved seasonal sales, during the period of one calendar year shall be 36 days.~~
- ~~(5) Minimum setbacks shall be ten feet from right of way.~~
- ~~(c) Open air food sales; performance criteria.~~
  - ~~(1) Open air food sales, including tent, booth, cart, trailer, mobile food vendor and vehicle vendors, will be permitted only when the following conditions have been met:
    - ~~a. As part of an approved special event; or~~
    - ~~b. As a mobile vendor, such as a tent, booth, cart, trailer, or vehicle, and shall include sales of fruits, vegetables, flowers and other consumables; and~~
    - ~~c. As an accessory use to a permanent business location. Such accessory uses shall be reviewed as a special exception use, in accordance with the procedures outlined in this subpart.~~~~
  - ~~(2) Open air food sales shall be permitted only on public property or on properties zoned for mixed use or non-residential uses. No open air food sales shall be permitted on properties zoned for residential use. The exclusion of open air food sales on properties zoned for residential use does not include mobile food vendors that stay less than 90 minutes in one location. Open air food sales shall be permitted on open space tracts only with documented proof of the tract owner's permission.~~
  - ~~(3) A premises will only be allowed to hold open air food sales 12 times per year with a maximum of three sales days for each permit which will allow a maximum of 36 sales days per calendar year. Notwithstanding the foregoing, open air sales shall be permitted without any limitation on the frequency or on the duration as part of an approved special event.~~
  - ~~(4) Open air food sales shall only be permitted on developed lots, or on public property as part of an approved special event.~~
  - ~~(5) One temporary sign or banner, not exceeding eight square feet, per open air food sales event shall be allowed.~~
  - ~~(6) Minimum setbacks shall be ten feet from right of way.~~
  - ~~(7) All open air food sales shall receive inspection by the appropriate regulatory agencies, including but not limited to, the department of agriculture, department of professional regulation, division of hotels and restaurants, county health department, or city code compliance officer. Evidence of such inspection shall be immediately made available for city inspection upon request; otherwise, the open air food sale event shall be immediately terminated by issuance of an order of the city manager.~~
- ~~(d) Seasonal sales; performance criteria.~~



- (1) Seasonal sales shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses. No open seasonal sales shall be permitted on properties zoned for residential use.
- (2) Seasonal sales shall be permitted on undeveloped or developed lots.
- (3) For undeveloped property, adequate site access from an approved curb cut location shall be provided. No stopping or parking shall be permitted in the right-of-way unless in designated on-street parking or loading spaces.
- (4) Two temporary signs or banners shall be permitted not to exceed 16 square feet each.
- (5) The following is the list of holidays for which seasonal sales shall be approved for the purposes of this section: New Year's, President's Day, Easter, Mother's Day, Memorial Day, Father's Day, Fourth of July, Labor Day, Halloween, Veteran's Day, Thanksgiving and Christmas. The city prohibits the sale of fireworks in seasonal ~~open air~~ sales venues. A sale that is held within one week of the listed holidays shall be considered consistent with the intent of this section. Seasonal sales for a greater period of time or for different periods shall require written permission by the city manager.
- (6) Minimum setbacks shall be ten feet from right-of-way. Vehicle access must be provided so that traffic on adjacent public roads is not impeded.
- (7) The maximum number of seasonal sales for each lot, parcel, or property during the period of one calendar year shall be ten sales, not to exceed a total of 50 days per year.

**Sec. 50-136. Tents and temporary structures.**

(a) *Permit required.*

- (1) It shall be unlawful for any person, company and/or group to erect any tent or temporary structure for use by the general public without making application for and receiving a building permit to do so in accordance with the conditions and limitations established by this article, with the exception of one tent that is 196 (14' x 14') square feet or less in size and is monolithic and open on all sides.
- (2) Tent or temporary structure permits shall be issued only in conjunction with approved special events ~~or open air sales~~. Exceptions may be authorized by the community development department for individual needs. Tents or similar temporary structures may not be used as accessory structures.

(b) *Permit application.* The building permit application for a tent or temporary structure shall, at a minimum, include the following:

- (1) A site plan of the proposed site including the existing structures, parking, and driving aisles, showing the location of the tent or temporary structure dimensioned with the property lines. The site plan shall be drawn to scale, on a survey or plot plan, and shall clearly show the property's boundaries, connecting streets and driveways, and any other pertinent site elements.
- (2) A flame retardant certificate for the tent.
- (3) The dates the tent or temporary structure will be in use.

- (4) A separate electrical permit may be required per the determination of the building official.

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**Sec. 50-137. Application permit fees and inspection fees.**

Applications for a permit for a special event, ~~open air sale, open air food sales,~~ or seasonal sale shall be accompanied by the fee and/or deposit established by resolution. The permit fee is nonrefundable and includes city administrative processing costs and inspection fees.

**~~Sec. 50-138. Insurance requirements for mobile food vendor(s).~~**

- ~~(a) No person shall offer for business sale any edibles pursuant to a mobile food vendor's license unless the business is covered by a comprehensive liability insurance policy insuring the public against injury or damage occasioned by negligence arising from incidental to the business activity.~~
- ~~(b) Proof of the continued validity of the insurance policy shall be provided upon the city manager's request given on reasonable notice at any time that the mobile food vendor's license is valid and outstanding. Any failure to provide such proof shall render the mobile food vendor's license null and void and of no further use or effect.~~

**~~Sec. 50-139. Term: random distribution.~~**

- ~~(a) Mobile food vendor's licenses shall be issued on an annual basis coinciding with the city's fiscal year, October 1 through September 30.~~
- ~~(b) Each mobile food vendor's license shall show a designation according to the following categories, for which payment shall have been made as provided by this section:
  - ~~(1) Edibles.~~~~
- ~~(c) Each mobile food vendor's license to be used in connection with a vehicle shall be issued for one vehicle only. Licensees shall provide the community development department with a current photograph of the vehicle in use.~~

**~~Sec. 50-140. Renewal.~~**

- ~~(a) The community development department shall renew the mobile food vendor's license of any applicant who:
  - ~~(1) Held a valid mobile food vendor's license which expired not more than 30 calendar days prior to filing of a complete application for renewal;~~
  - ~~(2) Has provided the city with new or updated information, documents, certification of inspection by the fire department and fees and continues to meet all requirements of such section; and~~
  - ~~(3) Pays a late processing fee of \$25.00 for any renewal application filed after October 1.~~~~

**~~Sec. 50-141. Transferability.~~**

~~The mobile food vendor's license is nontransferable and shall be used only by the person in whose name it is issued.~~

**Sec. 50-142. Revocation.**

The chief of police, fire chief, building official, compliance officer or city manager, or their designated representatives, shall have the authority to revoke a permit issued hereunder immediately upon violation of any one or more of the code requirements, compliance department requirements or conditions or standards of issuance as herein set forth.

**Sec. 50-143. Notice.**

Immediately upon issuance of a permit, the community development department shall forward a copy of the permit to the following:

- (1) City manager;
- (2) Director of public works;
- (3) Chief of police;
- (4) Fire chief;
- (5) Community development director;
- (6) Finance director; and
- (7) Code compliance manager.

**Sec. 50-144. Indemnification.**

The applicant for a permit to hold a special event shall agree to indemnify and hold harmless the city, its servants, agents and employees, for any and all claims caused by or arising out of the activities permitted. In certain potentially hazardous situations, as determined by the city manager, the applicant shall provide an appropriate policy of insurance to protect the city from liability which might arise from the special event.

**Section 3: Open Air Vendors.** Section H. in Article 5 of the Community Development Code, City of Groveland, Florida, is hereby created to read as follows:

**H. Open Air Vendors**

**Purpose.** Open air vendors, inclusive of tents, booths, carts, trailers, or vehicles, and shall include sales of edibles, including fruits, vegetables, flowers, or other consumables. They are permitted in certain areas of the City to provide opportunities to small businesses as well as to provide outdoor dining and commerce options for residents and visitors. This section shall apply to all open air vendors within the City.

**General requirements.**

1. Permits are required for open air vendors outside of special events.
2. Open air vendors are approved in all zoning districts where craftsman retail is permitted. They may also be permitted in Planned Unit Developments within commercial or mixed

use properties or open space tracts with notarized HOA approval. They may be permitted on City owned properties with written approval from the City.

3. A notarized letter from the owner of the property upon which the vendor proposes to locate giving permission to locate on said property and indicating if sanitary facilities shall be available to vendor customers.
4. A site plan showing the proposed location of the vendor with photo of vendor unit and fixtures. The vendor stall or area shall not be located in an area that will interrupt the normal flow of pedestrian or vehicular traffic.
5. A building permit shall be required, as applicable, for erection of any temporary structure, with the exception of one tent that is 196 square feet (14' x 14') or less in size and is monolithic and open on all sides.
6. A permit holder shall keep the permitted premises and adjacent public property clean and free from all trash, litter, debris, or waste generated from the operation of its business. The permit holder's installations, equipment, carts, and other items shall be maintained and kept in good and presentable condition and repair.
7. Board and sandwich signs are permitted and shall meet the signage standards outlined in Section 6.8 of this Code. Flag signs are prohibited.
8. Any additional information deemed necessary by the City.
9. The City shall have the authority to revoke a permit issued hereunder immediately upon violation of any one or more of the code requirements, compliance department requirements or conditions or standards of issuance as herein set forth.
10. Display its open air vendor license and inspection certificate in a conspicuous location for public view.
11. Each vendor shall be covered under a comprehensive liability insurance policy.

#### **Additional requirements for Mobile Food Vendors.**

1. Meet all general requirements.
2. Must provide a mobile food license issued by the appropriate regulatory agency of the State of Florida.
3. Shall receive inspection by the appropriate regulatory agencies, including but not limited to, the department of agriculture, department of professional regulation, division of hotels and restaurants, county health department, city fire inspector or city code compliance officer. Evidence of such inspection shall be immediately made available for city inspection upon request; otherwise, the mobile food vendor permit shall be immediately terminated by issuance of an order of the city manager.
4. A fire extinguisher is required at each vendor sale location.
5. Vendors making intermittent stops, such as canteen trucks for construction areas and ice cream trucks, are allowed without a permit and exempt from these standards throughout all zoning districts.
6. If dining is provided on site, sanitary facilities must also be provided.
7. In 2027, the City should review the efficacy of these standards and make adjustments as needed.

**Section 4: Severability** If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this ordinance, the portion deemed invalid or unenforceable shall be severed here from and the remainder of this ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

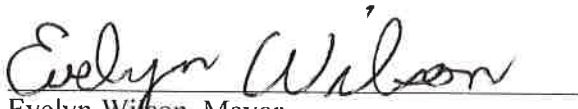
**Section 5: Conflict** All ordinances or parts of ordinances, resolutions or parts of resolutions, which are in conflict with this ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinances, in which case those ordinances so affected shall be hereby repealed in their entirety.

**Section 6: Codification** It is the intent of the City Council of the City of Groveland that the provisions of this chapter shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

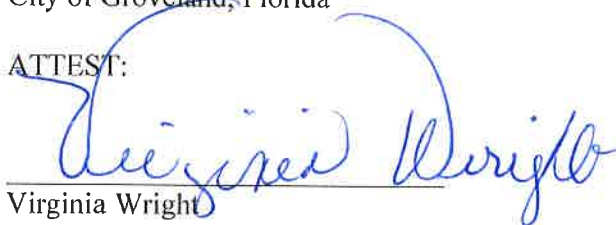
**Section 7: Effective Date**

This Ordinance shall become effective immediately upon final adoption by the City Council of the City of Groveland.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Groveland, Lake County, Florida, this 15th day of August, 2021. 2022

  
Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

  
Virginia Wright  
City Clerk



Approved as to Form:

Anita Geraci-Carver

Anita Geraci-Carver  
City Attorney

Passed First Reading 8-1-2022

Passed Second Reading 8-15-2022

Council Member Gaines moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member Smith and upon roll call on the motion the vote was as follows:

	YEA	NAY
Barbara Gaines	✓	
Mike Radzik	✓	
Mike Smith	✓	
Randolph Waite	✓	
Evelyn Wilson	✓	

# ATTACHMENT 2



## Article 5 Zoning

### H. Open Air Vendors

**Purpose.** Open air vendors, inclusive of tents, booths, carts, trailers, or vehicles, and shall include sales of edibles, including fruits, vegetables, flowers, or other consumables. They are permitted in certain areas of the City to provide opportunities to small businesses as well as to provide outdoor dining and commerce options for residents and visitors. This section shall apply to all open air vendors within the City.

#### General requirements.

1. Permits are required for open air vendors outside of special events.
2. Open air vendors are approved in all zoning districts where craftsman retail is permitted. They may also be permitted in Planned Unit Developments within commercial or mixed use properties or open space tracts with notarized HOA approval. They may be permitted on City owned properties with written approval from the City.
3. A notarized letter from the owner of the property upon which the vendor proposes to locate giving permission to locate on said property and indicating if sanitary facilities shall be available to vendor customers.
4. A site plan showing the proposed location of the vendor with photo of vendor unit and fixtures. The vendor stall or area shall not be located in an area that will interrupt the normal flow of pedestrian or vehicular traffic.
5. A building permit shall be required, as applicable, for erection of any temporary structure, with the exception of one tent that is 196 square feet (14' x 14') or less in size and is monolithic and open on all sides.
6. A permit holder shall keep the permitted premises and adjacent public property clean and free from all trash, litter, debris, or waste generated from the operation of its business. The permit holder's installations, equipment, carts, and other items shall be maintained and kept in good and presentable condition and repair.
7. Board and sandwich signs are permitted and shall meet the signage standards outlined in Section 6.8 of this Code. Flag signs are prohibited.
8. Any additional information deemed necessary by the City.
9. The City shall have the authority to revoke a permit issued hereunder immediately upon violation of any one or more of the code requirements, compliance department requirements or conditions or standards of issuance as herein set forth.
10. Display its open air vendor license and inspection certificate in a conspicuous location for public view.
11. Each vendor shall be covered under a comprehensive liability insurance policy.

#### Additional requirements for Mobile Food Vendors.

1. Meet all general requirements.
2. Must provide a mobile food license issued by the appropriate regulatory agency of the State of Florida.
3. Shall receive inspection by the appropriate regulatory agencies, including but not limited to, the department of agriculture, department of professional regulation, division of hotels and restaurants, county health department, city fire inspector or city code compliance officer. Evidence of such inspection shall be immediately made available for city inspection upon request; otherwise, the mobile food vendor permit shall be immediately terminated by issuance of an order of the city manager.
4. A fire extinguisher is required at each vendor sale location.
5. Vendors making intermittent stops, such as canteen trucks for construction areas and ice cream trucks, are allowed without a permit and exempt from these standards throughout all zoning districts.
6. If dining is provided on site, sanitary facilities must also be provided.
7. In 2027, the City should review the efficacy of these standards and make adjustments as needed.

# ATTACHMENT 3

## Ad Preview

**NOTICE OF PUBLIC HEARING**  
The City of Groveland proposes to adopt Ordinance 2022-27. The City Council will hold a public hearing at the E.L. Puryear Building located at 243 S. Lake Avenue, Groveland, Florida on Monday, August 1, 2022 and Monday, August 15, 2022. The City Council public hearings begin at 7:00 p.m. or as soon thereafter as possible. The title of the ordinance is as follows:

**ORDINANCE 2022-27**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AMENDING AND RESTATING ARTICLE IV, IN CHAPTER 50 REGULATING SPECIAL EVENTS, GARAGE/YARD SALES, OPEN AIR SALES, SEASONAL SALES, MOBILE FOOD VENDORS, AND TEMPORARY STRUCTURES; AMENDING THE COMMUNITY DEVELOPMENT CODE TO INCLUDE REQUIREMENTS FOR OPEN AIR VENDORS AND ADDITIONAL REQUIREMENTS FOR MOBILE FOOD VENDORS, INCLUDING BUT NOT LIMITED TO PERMITTING, SITE PLAN, BUILDING PERMIT, SIGNAGE, COMPLIANCE AND ENFORCEMENT, INSURANCE, MOBILE FOOD LICENSE, INSPECTIONS, INTERMITTENT STOPS, AND SANITARY FACILITIES, APPLICABLE WITHIN THE CITY OF GROVELAND INCLUDING PROPERTIES IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**  
You may appear at the Planning and Zoning Board and City Council public meetings and be heard with respect to the proposed ordinance. Persons with disabilities needing assistance to participate in this proceeding should contact the City Clerk at least 48 hours before the meetings at 352-439-2141 ext. 2014. The ordinance is available at the Community Development Department located in the Public Safety Complex at 4825 State Road 50, Groveland, Florida, for inspection on Monday through Friday, from 8:00 a.m. to 5:00 p.m. Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes. If you have any questions in advance of the scheduled public hearings, please contact the Community Development Department at 352-534-1751 or [planning@groveland-fl.gov](mailto:planning@groveland-fl.gov).  
7523215 7/18, 7/25/2022