



AGENDA
CITY OF CAMILLA CALLED COUNCIL MEETING
CITY COUNCIL CHAMBERS
LIVE BROADCAST – CITY OF CAMILLA FACEBOOK PAGE
TUESDAY, JULY 5, 2022 – 5:30 P.M.

1. Call to Order; Roll Call
2. Opening Prayer and Pledge
3. Approval of Agenda
4. Speaker Appearances
5. Consideration of Ordinance No. 2022-07-05-1: Mobile Food Vendors
6. Adjourn

ORDINANCE NO. 2022-07-05-1

AN ORDINANCE REGULATING MOBILE FOOD VENDORS WITHIN THE CORPORATE LIMITS OF THE CITY OF CAMILLA; REPEALING ALL ORDINANCE IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, the City of Camilla now desires to amend the Code of Ordinances to provide specific provisions for the licensing and regulation of mobile food vendors; and

WHEREAS, the Mayor and City Council have determined that regulations for the operation, location and licensing of mobile food vendors are needed to protect the health, safety and welfare of the residents of the City of Camilla:

NOW, THEREFORE, pursuant to their authority, the Mayor and City Council adopt the following ordinance:

Section 1. The City of Camilla Code of Ordinances is hereby amended by adding Mobile Food Vendors, to read as follows:

Section 1.1 Definitions.

A. *Commissary* shall mean an approved catering establishment, restaurant, or other approved place in which food, containers or supplies are kept, handled, prepared, packaged or stored.

B. *Mobile Food Vendor* shall mean a retail food establishment that reports to and operates from a commissary and is readily moveable, is a motorized wheeled vehicle, or a towed wheeled vehicle designed and equipped to serve food.

C. *Pushcart* shall mean a non-self-propelled vehicle limited to serving commissary prepared or prepackaged food and non-potentially hazardous food, unless the equipment is commercially designed to and approved to handle food preparation and service. Pushcarts shall not be required to comply with mobile vehicular safety requirements.

D. *Temporary food establishment* shall mean a retail food establishment, other than a licensed mobile food vendor or truck vendor or pushcart, that is not intended to be permanent and that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

E. *Ice cream truck* shall mean a motor vehicle in which ice cream, popsicles, ice sherbets, or other frozen desserts of any kind are carried for the purpose of retail sale on the streets of the city.

Section 1.2 License required.

A. It shall be unlawful for any person to sell, or offer for sale, food of any type from a

commissary, mobile retail food establishment, pushcart or temporary food establishment without a license and/or regulatory permit first having been granted under this section, except for city-sponsored events.

B. An application for a license or a permit hereunder shall be submitted to the City setting forth all information required hereunder and in compliance with this ordinance. The City Clerk or his or her designee shall develop a form of application for the purpose of compliance with this article.

C. The following information shall be provided with each application for a mobile food vendor permit:

1. Name of the Mobile Food Vendor;
2. Make, model, and license plate number of vending unit;
3. Owner's contact information;
4. Operator's contact information;
5. Type of vendor (street vending unit or sidewalk vending unit);
6. Copy of approved permit from the Mitchell County Health Department;
7. List of operating locations and times;
8. Signatures from property owners indicating consent for the use of their property;
9. Signature of applicant indicating agreement to the listed requirements.

Section 1.3 Prohibited conduct and requirements.

A. Except for ice cream trucks, no mobile food vendor shall conduct business or operate in the public right-of-way.

B. A mobile food vendor shall not operate on any private property without the prior consent of the owner.

C. A mobile food vendor shall maintain \$1,000,000.00 liability insurance policy. Proof of current liability insurance, issued by an insurance company licensed to do business in Georgia, protecting the mobile food vendor, the public and the city from all claims for damage to property and bodily injury, including death, which may arise from operation under or in connection with the permit. Such insurance shall name the city as an additional insured and shall provide that the policy shall not termination date or be canceled prior to the expiration date without 30 days advanced written notice to the city.

D. Except for ice cream trucks, a mobile food vendor shall not make sounds or announcements to call attention to the mobile food either while traveling on the public rights-of-way or when stationary. At all times said mobile food vendor shall be in compliance with the City of Camilla noise ordinance.

E. The license or permit under which the mobile food vendor is operating must be firmly attached and visible on the mobile food truck vendor at all times.

F. Any driver of a mobile food truck motorized vehicle must possess a valid Georgia driver's license.

G. Mobile food vendors shall not be located within 15 feet of any street intersection or pedestrian crosswalk or 10 feet of any driveway.

H. No sale or offer for sale shall be made by any mobile food vendor between 9:00 p.m. and 6:30 a.m. unless such sale is in conjunction with a City approved special event.

I. Vending structures shall not be left unattended or stored at any time on the open vending site when vending is not taking place or during restricted hours of operation.

J. No sale or offer for sale of ice cream, frozen milk, frozen dairy or ice confections products shall be made from a mobile food vendor unless each side of the vehicle is marked, in letter and numbers at least 3 inches in height, with the name and address of the mobile food vendor licensee.

K. The mobile food vendor shall comply with all state, federal and local health and safety regulations and requirements and shall obtain and maintain any and all licenses required by any other health, organization or governmental organization having jurisdiction over this subject matter.

L. The following safety regulations shall apply to any and all vehicles operating under this article or used for mobile retail food establishments:

1. Every vehicle shall be equipped with a reverse gear signal alarm with a sound distinguishable from the surrounding noise level.
2. Every vehicle shall be equipped with two rear-vision mirrors, one at each side, firmly attached to the outside of the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear, along both sides of the vehicle.

M. The mobile food vendor may sell food and non-alcoholic beverage items only.

N. Other than ice cream trucks, mobile food vendors may not operate in residential zones.

Section 1.4 Revocation and suspension.

The city shall have the right to revoke or suspend any license or regulatory permit granted hereunder for any violation of this ordinance. Upon suspension or revocation, the licensee may request a hearing before the City Manager, which shall be conducted within 30 days.

Section 1.5 Fee.

The fee for every application for license and regulatory fee under this section shall be set

by the City Council.

Section 2. All ordinances or parts of ordinances or regulations in conflict herewith are repealed.

Section 3. Severability.

Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

Section 4. It is the intention of the Mayor and Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City of Camilla Code of Ordinances.

Section 5. This Ordinance shall take effect and be in force from and after the date of its adoption.

SO ORDAINED, this _____ day of _____, 2022.

CITY OF CAMILLA

By: _____
Mayor, Kelvin Owens

(S E A L)

Attest: _____
Clerk, Cheryl Ford

First Reading: _____

Second Reading: _____