

**TOWN OF LAKE CITY
BOARD OF TRUSTEES
ORDINANCE NO. _____**

**AN ORDINANCE AMENDING SECTION 16-42 OF THE LAKE CITY TOWN
CODE AND THE TOWN FEE SCHEDULE REGARDING FOOD TRUCK**

WHEREAS, the Board of Trustees of the Town of Lake City, Colorado (the “Board”), pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Lake City, Colorado (the “Town”); and

WHEREAS, the Town of Lake City Town Municipal Code (the “Code”) sets forth requirements and procedures regarding mobile vendors including mobile food vendors (“Food Trucks”); and

WHEREAS, the Board has been approached by potential Food Truck vendors who desire to sell food from mobile vehicles within the Town; and

WHEREAS, the Board held a public hearing and received public comment from citizens, Food Truck vendors, and in Town restaurant owners regarding permitting Food Truck vendors within the Town; and

WHEREAS, the Board finds it is in the interest of the Citizens of Lake City as well as the restaurant and related food business owners of the Town to balance the costs, including taxes, rent, and maintenance of real property required for a traditional restaurant, with the avoidance of the same costs for Food Trucks through a permitting and regulating scheme; and

WHEREAS, the Board desires to amend the Town Code regarding mobile vendors to more specifically address Mobile Food Vendors and establish permits and regulations for the same.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES
OF THE TOWN OF LAKE CITY AS FOLLOWS:**

1. Section 16-42 of the Lake City Municipal Code shall be amended with the removal of ~~strikethrough~~ language and the addition of **bold underlined** language to read in its entirety as follows:

Sec. 16-42. – Permit required.

It shall be unlawful to sell or offer any goods, services, or things for sale within the town from any "motor vehicle," "trailer," "utility trailer," or "trailer coach," as such terms are defined by state law, without a permit issued by the board of trustees. **Mobile Food Vendors shall only be permitted in accordance with the regulations set forth by the Board of Trustees and maintained by the Town Clerk. Such Mobile Food Vendors regulations may be amended from time-to-time resolution of the Board of Trustees, and in strict compliance with all Colorado Department of Health and Environment policies, rules, and regulations.**

2. The Town Fee Schedule shall be amended with the addition of a Mobile Food Vendor Permit cost of \$ _____ per year.
3. The Town Fee Schedule shall be further amended with the addition of a Mobile Food Vendor City Property lease cost of \$ _____ per month.
4. Validity. If any part of this ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have approved this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
5. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent collection of any fees assessed pursuant to the provisions of any ordinance hereby repealed prior to the taking effect of this ordinance.

INTRODUCED, PASSED AND ADOPTED A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO AND SIGNED THIS _____ DAY OF _____, 2022.

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF LAKE CITY, COLORADO**

Alexander Mulhall
Town Clerk

By: _____
Dave Roberts
Mayor

DRAFT- PLEASE FEEL FREE TO REVIEW AND ADJUST

Mobile Food Vendor Regulations

1. It shall be unlawful for any person or entity to sell or offer any food item for sale from a motor vehicle, trailer, utility trailer, trailer coach, or similar vehicle without first obtaining a Mobile Food Vendor Permit (hereinafter "MFVP") pursuant to these Mobile Food Vendor Regulations.
2. Any applicant for a MFVP must provide the Town of Lake City with written notice from the Colorado Department of Health and Environment or the Hinsdale County Health Department of the applicant's compliance with any and all health standards, regulations, and requirements for operating such mobile food vehicle.
3. The Town shall allow a maximum of two (2) MFVP within the Town limits at any time.
4. MVFP applicants will be selected via a lottery once a complete application is submitted including proof of compliance with all health standard requirements.
5. MVFP shall be \$ _____ per year and shall renew annually on January 1.
6. MVFP may only be operated on at the following locations:
 - a. Memorial Park
 - b. Pumphouse Park
 - c. Ice Wall
 - d. Ski Hill
 - e. Private Property only in the "CBD" Central Business District described in Section 23-14 of the Town Code, the "BGD" General Business District Section 23-15 of the Town Code and the "T" Tourist District Section 23-13 of the Town Code and with proper owner's consent
7. MFVP locations owned by the Town. In order to operate a MFVP on property owned by the Town, the MFVP Vendor must enter into a non-exclusive lease of the location with the Town at a cost of _____ dollars (\$ _____) per month.
8. In the event a MVFP fails to open or operate their motor vehicle, trailer, utility trailer, trailer coach, or similar vehicle (hereinafter "Vehicle") for a period of time exceeding _____ (days/hours/etc), such MFVP holder must remove their Vehicle from the MFVP location. In no event shall storage of a MFVP Vehicle be permitted without reasonable operation of such Vehicle.

NOTES FROM 10.5.22 meeting

- 6 month minimum rental rather than picking best months and leaving
- If you get a lotto draw are you allowed to retain that position for the next year or do you have to get back into the lotto?

- Why are we doing this? Sales tax, increase food options, etc?