

ORDINANCE NUMBER 2019-15

AN ORDINANCE AMENDING THE CITY OF FRANKLIN MUNICIPAL CODE, APPENDIX A – COMPREHENSIVE FEES AND PENALTIES, CHAPTER 9, BUSINESS, PEDDLERS, SOLICITORS, TAXICABS, POOL ROOMS, LICENSING, PEDICABS, ETC., TO ESTABLISH A MOBILE FOOD VENDING PERMIT FEE.

WHEREAS, due to the increased popularity of the mobile food vending industry, the City of Franklin has received a growing number of requests from mobile food vendors to operate within the City limits; and

WHEREAS, the City had allowed mobile food vendors to operate as itinerant merchants in accordance with the requirements set forth in Title 9, Chapter 4 of the City of Franklin Municipal Code entitled Peddlers and Solicitors, which did not sufficiently regulate this growing and popular industry; and

WHEREAS, City staff received direction from the City of Franklin Board of Mayor and Aldermen to further examine existing City regulations related to itinerant merchants and mobile food vendors; and

WHEREAS, City staff has researched a variety of mobile food vending ordinances and facilitated discussion with City leaders, residents, stakeholders, and business owners, including mobile food vendors, to ensure a mobile food vending ordinance fulfills the community's expectations; and

WHEREAS, City staff has concluded mobile food vendors, when carefully incorporated into the fabric of a community, increase the vitality of public and private spaces, increase the number of local culinary options, offer an alternative for dining that otherwise requires driving, and foster opportunities for local entrepreneurship; and

WHEREAS, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, through Resolutions 2018-61 and 2018-100 have authorized mobile food vendors to operate temporarily on private property—provided mobile food vendors obtain written permission from the private property owner where they operate and comply with all State regulation governing the operation of Mobile Food Vehicles—through June 30, 2019, or until the BOMA have adopted a mobile food ordinance, whichever occurs first; and

WHEREAS, in consideration of application processing, review, and enforcement associated with Mobile Food Vending, it is necessary to set fees for the City of Franklin to cover such administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

That Appendix A of the City of Franklin Municipal Code is hereby amended to add the following text noted below, describing the Mobile Food Vending to read as follows:

**ARTICLE 9, CHAPTER 11 - MOBILE FOOD VENDING
APPENDIX A – MOBILE FOOD VENDING**

Mobile Food Vending	
Mobile Food Vehicle Application / Permit Fee (Fee to be updated annually based on administration cost)	\$100.00 / vehicle, per year ***(Prorated per Ordinance 2019-14, Sec. 9-1104 Permitting Requirements, as appropriate.)
Location Specific Mobile Food Permit Application / Permit Fee (Fee to be updated annually based on administration cost)	\$200.00 / property, per year ***(Prorated per Ordinance 2019-14, Sec. 9-1104 Permitting Requirements, as appropriate.)

SECTION II: BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this ordinance shall take effect from and after its passage on second and final reading, the health, safety, and welfare of the citizens of Franklin, Tennessee, requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
ERIC S. STUCKEY
 City Administrator/Recorder

By: _____
DR. KEN MOORE
 Mayor

Approved as to form by:

Shauna R. Billingsley
 City Attorney

PASSED FIRST READING: _____

PASSED SECOND READING: _____