



Legislation Text

File #: 18-0562, **Version:** 1

DATE: August 14, 2018

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, Assistant City Administrator - Community/Economic Development

SUBJECT: Consideration of Ordinance 2018-29 to be entitled: An Ordinance to Amend Title 9 Chapter 2 Section 9-201(2) of the City of Franklin Municipal Code as it Pertains to Itinerant Merchants and the Removal of Vehicles, Trailers, Kiosks, Stands, Tables, Signage, Furniture, and Related Ancillary Equipment when Not Open for Business. (6/12/18 WS, 6/26 BOMA Deferred 1st Reading to 8/14 BOMA, 08/14/18 WS and BOMA 1st Reading 8-0) SECOND AND FINAL READING

Purpose

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) regarding the proposed amendment to the itinerant merchant section of the City's Municipal Code and the work staff is doing on drafting a comprehensive mobile food vending ordinance.

Background

During the June 12th Board of Mayor and Alderman work session, City staff and Aldermen discussed the City's current practices for managing mobile food vendors. It was evident that the City's current method of managing mobile food vendors under the Itinerant Merchant section of the City's Municipal Code was not broad enough to manage this growing and popular industry, long-term. Therefore, staff has drafted an amendment to the Itinerant Merchant section of the Municipal Code, Section 9-201(2) to clarify the "temporary and transient" nature of the itinerant merchant business for consideration on the August 14th work session and BOMA voting meeting.

This proposed ordinance amendment does not apply to mobile food vendors. Rather, it clarifies "temporary or transient" by adding language that requires the removal of all vehicles, trailers, stands, stalls, and kiosks when not open for business (unless otherwise expressly permitted by the City). This amendment also includes language that applies to all ancillary equipment associated with itinerant merchants, including, but not limited to, signs, tables, chairs, marketing materials, set-ups, and/or trash bins.

Additionally, City staff has commenced work on drafting a stand-alone Mobile Food Vending Ordinance that will be presented to the BOMA in the coming months. As an interim measure, staff has drafted a resolution that allows mobile food vendors to operate on private property, with permission from the property owner, unrestricted through the end of the year or, until the BOMA have adopted a mobile food vendor ordinance,

whichever comes first. Resolution 2018-61 appears as a separate item on the agenda.

Financial Impact

Itinerant Merchants presently pay an annual fee of \$50 to operate within the City of Franklin. In the drafting of a new, mobile food ordinance, staff will re-evaluate the annual fee to ensure it reflects the City's cost of service for managing mobile food vendors.

Recommendation

Staff recommends approval of this amendment Ordinance 2018-29 as it pertains to Itinerant Merchants.