

CANFIELD CITY COUNCIL

JUNE 6, 2018 -5:30 P.M.

FRANCIS J. McLAUGHLIN MUNICIPAL BUILDING

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call: Quorum is Present - Meeting is in Session.
4. Presentations and Proclamations
5. Approval of Minutes.
6. Reading of Communications.
7. Reports of Committees, Boards, City Manager, Finance Director, Chief of Police, Zoning Inspector and Public Works Foreman.
8. Public questions from residents (or representative) related to the above referenced reports. Questions may be limited to three (3) minutes.
9. Recognition of Persons Desiring to Appear Before Council.

10. OLD BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

11. NEW BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

- A. An **Ordinance** Amending Certain Provisions of Chapter 1183 and Chapter 1151 of the Codified Ordinances of the City of Canfield.

Public Comments.

- B. An **Ordinance** Creating A New Chapter of the Codified Ordinances of the City of Canfield Entitled " Mobile Food Trucks"

Public Comments.

12. Council Comments.

13. Adjournment.

# RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, \_\_\_\_\_

Introduced by: \_\_\_\_\_

First Reading: \_\_\_\_\_

AN ORDINANCE AMENDING  
CERTAIN PROVISIONS OF CHAPTER 1183 AND  
CHAPTER 1151 OF THE CODIFIED ORDINANCES OF  
THE CITY OF CANFIELD

WHEREAS, the Zoning Inspector of the City of Canfield has made certain suggestions to clarify the administration and enforcement of Chapter 1183 and Chapter 1151 of the Codified Ordinances of the City; and

WHEREAS, the Council of the City of Canfield desires to amend certain provisions of 1183 and 1151 of the Codified Ordinances of the City.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF CANFIELD, COUNTY OF MAHONING, AND STATE OF OHIO:

Section 1: That Section 1183.03(c) (1) (F) of the Codified Ordinances of the City of Canfield is hereby deleted.

Section 2: That Section 1151.01 (c) (1) shall be amended to read as follows:

“151.03(C) (1) Compliance with Subsections (b) (5) above.”

Section 3: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to wit: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED AS TO FORM:

\_\_\_\_\_  
MUNICIPAL ATTORNEY

# RECORD OF ORDINANCES

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, \_\_\_\_\_

Introduced by: \_\_\_\_\_  
Ordinance No. \_\_\_\_\_

## AN ORDINANCE CREATING A NEW CHAPTER OF THE CODIFIED ORDINANCES OF THE CITY OF CANFIELD ENTITLED "MOBILE FOOD TRUCKS"

WHEREAS, the council of the City of Canfield desires to authorize and regulate mobile food trucks within the municipality, and

WHEREAS, Council has determined that it is in the best interests of the City to create a new chapter 739 of the Codified Ordinances of the City of Canfield entitled "Mobile Food Trucks",

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANFIELD, that a new Section 739 of the Codified Ordinances of the City of Canfield be adopted to read as follows:

Chapter 739 Mobile Food Trucks.

**Section 739.01. Definition.** As used in this section only, "Mobile Food Truck" shall mean a retail food establishment that is not intended to be permanent and is a motorized wheeled vehicle, or a trailer that is licensed for use on public roadways, designed and equipped to serve food and beverages. The sale of ice cream and similar products shall be governed by Chapter 725.

**Section 739.02. Scope.** The operation of a Mobile Food Truck is permitted provided that such operation is in compliance with all requirements and limitations contained in this section.

**Section 739.03. License Required.** A mobile retail food service license issued by the Mahoning County Health Department is required and must be conspicuously displayed at all times during the operation of a Mobile Food Truck.

**Section 739.04. Permit Required.** A Mobile Food Truck Operator shall obtain a permit to operate from the City in accordance with its permit process, fee schedule and regulations adopted by the City from time to time.

**Section 739.05. Days and Hours of Operation.** Except on days where the City imposes restrictions, Mobile Food Trucks may operate in S and B-1 Zoning only between the hours of 7:00 am and 9:00 pm and in M Districts between the hours of 11:00 am and 2:00 pm. The Mobile Food Truck must be removed from its location daily when not in operation.

**Section 739.06. Zoning Districts.** Mobile Food Trucks may operate only in the following zoning districts, Village Green B-1, "S" Special, and M Districts.

**Section 739.07. Location Requirements.** A. Mobile Food Trucks may operate in parking spaces around the Village Green and in S Districts, and in parking lots in M Districts with the consent of the owner in accordance with the following restriction:

Minimum of 175 feet distance from a restaurant, while the restaurant is open for business, as measured from the property line of the operating restaurant to the closest point of the Mobile Food Truck.

**Section 739.08. Operations.** In S or B1 Districts, Mobile Food Trucks may only serve customers from an adjacent sidewalk or the curbside of the vehicle. In the absence of a sidewalk or curb, customers may only be served from the side of the Mobile Food Truck that

# RECORD OF ORDINANCES

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, \_\_\_\_\_

is furthest from the area of right-of-way customarily used for motor vehicle travel. In M Districts, Mobile Food Trucks may only serve customers from a parking lot.

**Section 739.09. Littering and Trash Removal.** Mobile Food Truck operators must keep the sidewalks, roadways and all other spaces adjacent to their business site or location clean and free of paper, peelings and other refuse of any kind generated from the operation of their business. All trash or debris accumulating within twenty-five (25) feet of any Mobile Food Truck shall be collected by the operator and deposited in a trash container maintained by the operator in good condition and constructed of a non-corrodible and watertight material, sufficient to hold the refuse generated by the business. Such container shall be removed by the operator whenever the Mobile Food Truck moves to another location or at the close of business daily.

**Section 739.10. Insurance.** Mobile Food Truck Vendors shall maintain comprehensive general liability insurance in an amount of at least One Hundred Thousand and No/100 Dollars (\$100,000.00).

**Section 739.11. Noise.** Mobile Food Trucks must adhere to the provisions of Chapter 531 regarding noise.

**Section 739.12. Compliance with Laws.** Mobile Food Trucks shall operate in compliance with all applicable laws including but not limited to Mahoning County District Board of Health requirements and the Ohio Uniform Food Safety Codes.

**Section 739.99. Penalty.** Whoever violates any of the provisions of this chapter shall be fined not more than fifty dollars (\$50.00) for each offense. A conviction under this section shall automatically revoke a permit issued pursuant to section 739.04.

**Section 1.** That this Ordinance is hereby declared to be an emergency necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Canfield. Said emergency exists by reason to expedite permits for upcoming events.

**Section 2.** That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2018.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

### CERTIFICATION OF PUBLICATION

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio, for seven (7) continuous days, to-wit:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED AS TO FORM:

\_\_\_\_\_  
MUNICIPAL ATTORNEY