

ORDINANCE NO. 43-20

AN ORDINANCE TO AMEND CHAPTER 838 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO ADOPT CHANGES TO THE CITY'S REGULATION OF MOBILE FOOD VEHICLES AND DELARING AN EMERGENCY

WHEREAS, the growing number of spectators and participants in recreational sports along with the increase in the number of special events taking place within the City annually has brought about an increase in outdoor business activities centered around the sale and distribution of food products; and

WHEREAS, the Administration, particularly the Fire Department, recommended that Council adopt a permitting process for food distributors for the safety of the general public at these special events. Council adopted Ordinance No. 47-17 on May 22, 2017; and

WHEREAS, the Administration, particularly, the Fire Department for the City of Avon, after reviewing this Chapter and working with the provisions now for over 2 years, has determined that amendments to certain sections were in order; and

WHEREAS, with the onset of emergency orders brought about by the coronavirus crisis, now appears to be the best time to address this issue and be prepared for the day when the emergency is lifted and the City is back to some form of "business as usual".

WHEREAS, Council, considering the recommendation of the Fire Department, finds that the proposed amendments to Chapter 838 to be reasonable and that adoption of same to be in the best interests of the safety, health and welfare of the citizens of Avon.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1. - That Chapter 838 of the Codified Ordinances of the City of Avon be amended to read as set forth in the document entitled "Chapter 838, Regulation of Mobile Food Vehicles" attached hereto as Exhibit A and incorporated herein by this reference.

Section 2. - That the Codifier is hereby instructed to insert the amended provisions of Chapter 838 into the Avon Codified Ordinances as they appear in Exhibit A.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of

Ordinance No. 43-20 (Con't.)

Avon, the immediate emergency being the necessity to adopt amendments to ACO Chapter 838 dealing with regulation of mobile food vehicles; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor unless otherwise stated herein.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, President of Council

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director