ORDINANCE NO. 3333

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AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 32, PEDDLERS AND SOLICITORS, BY AMENDING ARTICLE III, FOODSTUFFS; SECTION 32-60, FOOD TRUCKS, LICENSE REQUIRED; AND PROVIDING FOR REPEALER AND **SEVERABILITY**

BE IT ORDAINED BY THE CITY OF MIDWEST CITY, OKLAHOMA:

ORDINANCE

SECTION 1. That the Midwest City Municipal Code, Chapter 32, Peddlers and Solicitors, Article III, Foodstuffs; Section 32-60, Food trucks, license required; is hereby amended to read as follows:

Sec. 32-60. Food trucks, license required.

- (a) License required to operate a food truck. It shall be unlawful and an offense for any person, firm or organization to operate a food truck without a license to do so issued by the city.
 - Application for license. Each applicant for a license to operate a food truck shall file with the city clerk a sworn application in writing on a form to be furnished by the clerk, which shall include the following information and such other information as the clerk shall deem pertinent:
 - a. Name and brief description of applicant;
 - b. Address, both personal and business;
 - c. Nature of business, kinds of foodstuffs to be sold;
 - d. Low-point beer or alcoholic beverages to be sold;
 - e. If employed by another, the name and address of applicant's employer together with credentials showing the exact relationship;
 - Description and license number or other identification of any vehicle to be used;
 - g. Food manager's certification from a source approved by the citycounty health department; and
 - h. A criminal history by name search from the Oklahoma State Bureau of Investigation.

This information must be kept current throughout the duration of the license. If any of the information included on the application for the license changes, including the applicant or any of his employees being convicted of a crime, the applicant must provide that information to the city clerk. Failure to do so shall be a violation of this section and shall constitute grounds for revocation of the license.

- Health regulations. All food truck operators shall comply with all city-county health regulations and other recognized health practices. The application of any person desiring a license to operate a food truck must include a copy of the applicant's food manager's certificate obtained in compliance with the city-county health laws. The city reserves the right to revoke any license issued under this section for noncompliance with such health regulations immediately and without notice.
- City Health License fee. A fee of fifty dollars (\$50.00) for an annual city health license to operate in the city limits shall be paid at the time the license is issued and shall not be prorated. City health licenses shall be effective for the period September 1 through August 31 each year.
- Food Truck License fee. In addition to the city health license fee, a fee of one

1	hundred dollars (\$100.00) for an annual food truck license to operate in the city limits shall be paid at the time the license is issued. Food truck licenses shall be effective for the period of January 1 through December 31. Fee may be paid at a quarterly prorated rate and shall be effective for the quarterly period only, as follows:
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4	a. \$25 fee for period of January 1 to March 31
5	b. \$25 fee for period of April 1 to June 30
6	c. \$25 fee for period of July 1 to September 30
7	d. \$25 fee for period of October 1 to December 31
8	(b) <i>Signs</i> . Any signage pertaining to or advertising a food truck and/or its menu shall be limited to and attached to the food truck.
9	(c) Violations. Every date a food truck operates in violation of this section shall
10	constitute a separate offense. Penalties shall be as provided in section 1-8 of this Code.
11	(d) License revocation. Any license issued under this section may be revoked or any
12	application for issuance of a license may be refused if the application submitted by the applicant contains any false, fraudulent or misleading statement. The city reserves the right to immediately and without notice revoke any license for noncompliance.
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14	(e) Other permits. Should this section or any applicable statute or regulation require any other permit(s) in order to operate a food truck, such additional permits must be
15	obtained prior to a food truck operating.
16	SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
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18	SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.
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20	SECTION 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after passage.
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23	PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the day of, 2018.
24	CVTY OF MIDWEST CITY, OKLAHOMA
25	AR.
26	ATTEST: OF OKLANIII SARA HANCOCK, City Clerk
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31	APPROVED as to form and legality this day of May, 2018.
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33	PHILIP W. ANDERSON, City Attorney
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