

Subject Matter: **Zoning Ordinance Amendment –
Mobile Food Vending Service**

Date of First Reading Before Town Council: July 11, 2016

Date of Public Hearing Before Town Council: July 11, 2016

Date of Notice in Newnan Times Herald: July 1, 2016

Date of Adoption: August 1, 2016

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

ORDINANCE NUMBER 16-03

TOWN OF SHARPSBURG, GEORGIA

PREAMBLE

WHEREAS, the Mayor and Town Council recognize that many nearby jurisdictions authorize the use of trucks or of mobile vehicles for the preparation and selling of food products;

WHEREAS, mobile food vending is popular for use in festivals and other community events;

WHEREAS, the Mayor and Council recognize that mobile food vending will create additional economic activity and will provide alternative food options for the Town's residents;

WHEREFORE, THE MAYOR AND TOWN COUNCIL HEREBY ADOPT AND ORDAIN THE FOLLOWING AMENDMENTS TO THE TOWN'S ZONING ORDINANCE:

ARTICLE I

Article 3, Section 3.1, "Definitions" is hereby amended by adding the following additional definition between the definitions for "Mini-THD" and "Mobile Home", to wit:

Mobile Food Vending Service: Food vending operated from a licensed motorized vehicle or mobile food unit or trailer.

ARTICLE II

Article 7 "Supplemental Regulations" is hereby amended by adding the following new Section 7.7, to wit:

7.7 Mobile Food Vending Service

Mobile Food Vending Services may be permitted only in Traditional Highway Commercial zoning districts, provided that all of the following criteria are met:

7.7-1 The Mobile Food Vending Service must be located entirely on private property and shall not be located in any required setback, buffer, public right-of-way, designated open space, designated off-street parking area or designated off-street loading and unloading spaces.

7.7-2 Any operator of a Mobile Food Vending Service must receive and display a signed writing from the Town's Clerk verifying compliance with zoning, and issue of a valid occupational license and a one-year Mobile Food Vending Service permit.

7.7-3 The maximum duration of a Mobile Food Vending Service permit is one year at one location. The Council may establish an annual fee for such permit.

7.7-4 The operator of a Mobile Food Vending Service shall obtain, in writing, the permission of the property owner to operate upon his property and shall submit a copy to the Town's Clerk.

7.7-5 Trash receptacles shall be provided for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food, and other such waste. Such receptacle shall be located not more than 10 feet from the mobile food vendor.

7.7-6 The hours of operation shall only be between _____ AM and _____ PM.

7.7-7 The Mobile Food Vending Service shall not locate in any minimum required parking spaces for other businesses on the site. Parking spaces may be shared with other uses on the site, unless the Town's Clerk determines that parking congestion problems will be present on the site. The Town's Clerk may require additional parking to alleviate the congestion. If enough parking cannot be provided, the use may not be located on the site.

7.7-8 The mobile food vendor must meet all applicable Town ordinances, applicable State permitting and regulations, and State and County health codes.

7.7-9 Operator must have a valid Town occupational license, unless exempt.

7.7-10 The operator's business use must be a use that is otherwise allowed within the zoning district in which the operator proposes to operate.

7.7-11 Any power sources must meet all applicable electrical code standards.

7.7-12 Amplified sound or sound equipment is prohibited.

7.7-13 Any and all signable must comply with the Town's Sign Ordinance.

7.7-14 Maximum of one Mobile Food Vending Service per Town approved lot.

7.7-15 *Operators conducting business from a mobile food unit on private property shall not be permitted to operate in the following areas:*

- a. Within 15 feet of any street intersection or pedestrian crosswalk.*
- b. Within 10 feet of any driveway.*
- c. Within 50 feet of another vending location assigned by the Town to another vendor.*
- d. Any area within 15 feet of a building exit.*
- e. Within 200 feet of a stationary business selling the same or similar products.*

ARTICLE THREE

Section 5.2 “Permitted Uses” and the Table therein is hereby amended by adding “Mobile Food Vending Service” under the classification “Permitted Uses” and the only authorized zoning classification shall be “THC”.

ARTICLE FOUR

This Ordinance shall become immediately effective upon its second reading and adoption by the Town Council.

ARTICLE FIVE

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as if fully set out herein.


ARTICLE SIX

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraph, and sections of this Ordinance.

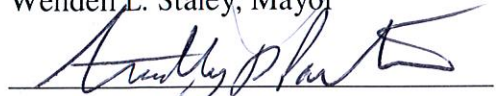
ARTICLE SEVEN

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF SHARPSBURG at a regular meeting of the Mayor and Council on the 1st day of August, 2016, by the following voting for adoption:



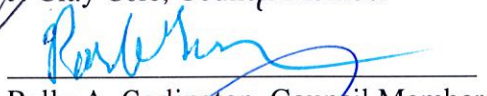
Wendell L. Staley, Mayor



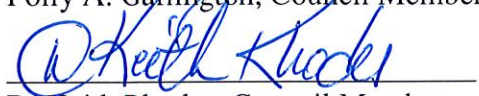
Standly D. Parten, Mayor Pro-Tem



J. Clay Cole, Council Member



Polly A. Garlington, Council Member



D. Keith Rhodes, Council Member

Attest:


Donna M. Camp, Town Clerk