ORDINANCE NO. 6590

AN ORDINANCE TO AMEND CHAPTER 3.58 MOBILE FOOD VENDORS OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 3.58.060 "LICENSE FEE" AND SECTION 3.58.070 "RENEWAL".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 3.58 Mobile Food Vendors of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 3.58.060 "License Fee" and Section 3.58.070 "Renewal" to read as follows:

3.58.60 License Fee

An application for a license under this article shall be accompanied by a nonrefundable processing fee as listed in the Schedule Of Fees in CBMC 2.08 for each motor vehicle, trailer, cart or other piece of mobile equipment to be utilized in the business. An additional nonrefundable processing fee as listed in the Schedule Of Fees in CBMC 2.08 shall be paid by a mobile food vendor who will be primarily doing business within the boundaries of any business improvement district located in whole or in part within the area zoned C4 under the CBMC 2.08. If such additional fee is paid, such fact shall be noted on the mobile food vendor's license. A mobile food vendor may primarily do business within such area only upon exhibiting a license showing payment of the additional fee. The additional fees paid under this section shall be forwarded by the city over to the said business improvement district, to offset expenses incurred by the district for cleaning, security, sanitation, and other mobile food vendor-associated maintenance expenses within the boundaries of the said district.

HISTORY
Repealed & Reenacted by Ord. 6402 on 10/21/2019

3.58.070 Renewal

A license issued under this article shall expire on December 31 of each year, unless renewed for the following year by the permittee. The permittee shall renew the license for the following year by filing with the Director, by December 31, a registration updating or confirming the information provided in the immediately preceding license application or registration. The registration shall be on a form provided by the Director. At the time of registration, the permittee shall pay a renewal fee as listed in the Schedule Of Fees in CBMC 2.08 per year for each motor vehicle, trailer, cart, or other piece of mobile equipment to be utilized in the business. An additional renewal fee as listed in the Schedule Of Fees in CBMC 2.08 shall be paid by a Mobile Food Vendor who will be primarily doing business within the boundaries of any business improvement district located in whole or in part within the area zoned C-4/Commercial District under the Council Bluffs Municipal Code. If such additional fee is paid, such fact shall be noted on the receipt or other documentation of renewal issued to the Mobile Food Vendor. A Mobile Food Vendor may primarily do business within such area only upon exhibiting a receipt or other documentation showing payment of the additional fee for that year. The

additional fees paid under this section shall be forwarded by the City over to the said business improvement district, to offset expenses incurred by the district for cleaning, security, sanitation, and other Mobile Food Vendor -associated maintenance expenses within the boundaries of the said district.

HISTORY
Repealed & Reenacted by Ord. 6402 on 10/21/2019

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its publication, as by law provided.

PASSED
AND November 13, 2023.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 10-23-23
Second Consideration: 11-13-23
Public Hearing: N/A
Third Consideration: _____