



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: May 3, 2021

SUBJECT: Second Reading - Ordinance No. 2021-196: An Ordinance Amending Chapter 6 of the Johnstown Municipal Code to Include Article XI, Outdoor Vendors

ACTION PROPOSED: Consider Final Approval of Ordinance No. 2021-196

ATTACHMENTS:

1. Ordinance 2021-196
2. Outdoor Vendor Policy

PRESENTED BY: Kim Meyer, Town Planner
Diana Seele, Town Clerk

Enclosed for review and consideration is Ordinance No. 2021-196, an ordinance amending Chapter 6 of the Johnstown Municipal Code to include Article XI, Outdoor Vendors.

Due to the recent interest in mobile food trucks in the Town, Town Staff is recommending that the Town Council adopt an ordinance related to outdoor vendors in order to regulate the sale of goods and services within the Town, support and enhance the Town's business community and ensure appropriate activities and uses within the various commercial areas and residential neighborhoods in the Town. With limited exception as set forth in the ordinance, outdoor vendors are defined to include any person, whether as owner, agent, consignee or employee, who sells or attempts to sell, or who offers to the public free of charge, any services, goods, wares or merchandise in the Town.

The proposed regulations require outdoor vendors to submit an application to the Town Clerk at least 14 days prior to operation, which will require, among other matters, that the applicant: (i) describe the type of vending operation, the period of time for the vending operations and the designated location of the vending operations; (ii) provide a certificate of insurance and county health department permits; and (iii) pay a license fee in the amount that shall be set forth in the

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Town Fee Schedule. If the application is approved, the Town Clerk will issue an outdoor vendor license to the applicant.

Once issued, the Town staff has discretion to temporarily suspend or revoke the outdoor license based on a licensee's failure to comply with the terms of the license, the ordinance or other pertinent reasons. Any suspension or revocation is subject to an appeal process, including, ultimately, an appeal to the Town Council.

The ordinance also provides that the Town Manager has authority to implement policies and procedures related to outdoor vendors. A copy of the proposed outdoor vendor policy is included herewith. The policy sets forth matters regarding the operations of, and restrictions relating to, the outdoor vending business, including the permissible hours and locations of the vending operations, to ensure that vending occurs in a reasonable manner that respects existing neighborhoods and businesses.

LEGAL ADVICE:

The ordinance presented was drafted by the Town Attorney.

FINANCIAL ADVICE:

N/A

RECOMMENDED ACTION:

Approve the Ordinance as presented upon second reading.

Reviewed and Approved for Presentation,



Town Manager