

Montgomery City Council
AGENDA REPORT

Meeting Date: November 9, 2021	Budgeted Amount: N/A
Department: Admin	Prepared By: Dave McCorquodale

Subject

Consideration and possible action regarding adoption of the following Ordinance: AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING CITY ORDINANCE NO. 1996-3, DATED JUNE 4, 1996, BY AMENDING CHAPTER 64, "PEDDLERS, SOLICITORS AND VENDORS" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVING AND SEVERABILITY CLAUSES; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION.

Recommendation

Consider the proposed revisions to the Ordinance and take one of the following actions:

- Adopt the ordinance as presented.
- Adopt the ordinance as amended as a result of City Council discussion at the meeting.
- Take no action (and the current regulations remains in effect).

Discussion

The attached draft is presented to City Council for consideration and adoption. It is the result of the feedback received by staff from City Council and the community after the workshop and several meetings regarding proposed changes to mobile food vendor requirements along with information gathered by staff from surrounding cities. There were two meaningful points without clear consensus from City Council:

- Mobility requirements / days mobile food units are allowed to remain stationary, and
- Restroom requirements for employees.

City staff recommends aligning our requirements with the Montgomery County Health Department regulations regarding mobility (move every 48 hours) and restroom requirements (within 300-feet). Accordingly, the attached draft reflects this recommendation. While City Council may choose to adopt a longer time frame or greater distance to a restroom, be mindful that the mobile food unit still has to comply with county requirements to maintain their county health department permit. Choosing to adopt different (and especially more relaxed) requirements than the county increases the likelihood of non-compliance situations and the potential for confusion about which set of regulations a business owner needs to follow.

Due to time constraints, staff could not address the needed revisions to the street festival requirements to ensure large events held on private property are properly providing for the health, safety and welfare of the general public. Staff plans to work through those details in the coming month.

Montgomery City Council
AGENDA REPORT

Approved By		
Asst. City Administrator	Dave McCorquodale	Date: 11/05/2021