



Legislation Details (With Text)

File #: 021327 **Version:** 0
Type: Ordinance **Status:** Placed On File
File created: 12/20/2002 **In control:** PUBLIC SAFETY COMMITTEE
On agenda: **Final action:** 10/14/2003

Effective date:
Title: An ordinance relating to the sale of food in the public way.
Sponsors: ALD. HENNINGSEN
Indexes: FOOD DEALERS
Attachments: 1. Fiscal Note.pdf, 2. City Attorney's Opinion.PDF

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|-------------------------|---------------------------------|--------|-------|
| 12/20/2002 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 12/30/2002 | 0 | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT | | |
| 12/30/2002 | 0 | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT | | |
| 1/9/2003 | 0 | PUBLIC SAFETY COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 4:0 |
| 1/22/2003 | 0 | COMMON COUNCIL | REFERRED TO | | |
| 9/25/2003 | 0 | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT | | |
| 10/2/2003 | 0 | PUBLIC SAFETY COMMITTEE | RECOMMENDED FOR PLACING ON FILE | Pass | 5:0 |
| 10/14/2003 | 0 | COMMON COUNCIL | PLACED ON FILE | Pass | 16:0 |

021327
ORIGINAL

ALD. HENNINGSEN

An ordinance relating to the sale of food in the public way.

74-1-2-0 am
74-1-2-a am

This ordinance states that all provisions of the code pertaining to the sale of food from vehicles shall be applied to the sale of food from vehicles in "the public way". Currently, the code indicates that these regulations apply to the sale of food from vehicles "on public streets."

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 74-1-2-0 and a of the code is amended to read:

74-1. Vehicular Food Peddlers.

2. PERMIT REQUIRED. a. ~~[[Parked One Hour or Less]]~~ >>Time Limited<<. No person shall engage in the sale of any food from any vehicle ~~[[on public streets]]~~ >>in the public way<<, without first receiving >>a permit to do so<< from the commissioner of health ~~[[a permit so to do;]]~~ >>.<< ~~[[provided further that]]~~ >>No<< person engaged in the sale of ~~[[any]]~~ food from a vehicle shall ~~[[not]]~~ remain in any location adjacent to any one block area, which block contains only nonresidential occupancy or use, more than one hour on any one day, except as provided in sub. 2-b. This section ~~[[, and the permits issued thereunder,]]~~ shall not permit ~~[[any person to sell]]~~ >>the sale of<< food from a temporary or permanent structure or a vehicle other than a vehicle selling food ~~[[on public streets]]~~ >>in the public way<< or contrary to any other ordinance of the city.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB02592-1

jro

11/18/02