

RESOLUTION 24- 11

A RESOLUTION REQUESTING PLANNING COMMISSION TO PROVIDE FURTHER STUDY AND ADDRESS CONCERNS REGARDING PREVIOUSLY-PROPOSED FOOD TRUCK ORDINANCE

WHEREAS, The Mechanicsburg Planning Commission previously proposed an Ordinance regulating Food Truck licensing and operations within the Village of Mechanicsburg; and

WHEREAS, at a public hearing held on October 21, 2024, numerous questions were raised relating to specific concerns relating to the implementation of said Ordinance; and

WHEREAS, during a vote held after 3 readings and following the public hearing, the Village Council rejected the proposed Ordinance by the requisite $\frac{3}{4}$ majority; and

WHEREAS, various members felt that specific details were not sufficiently addressed to allow the proposal to become a workable ordinance; and

WHEREAS, the Village Council still remains interested to establish regulations procedures for Food Truck Operation within the corporate limits of the Village

NOW BE IT THEREFORE RESOLVED by the Council of the Village of Mechanicsburg, Ohio, as follows:

1. The legislative authority of the Village Of Mechanicsburg hereby presents to the Planning Commission the previously-proposed Ordinance relating to Food Truck Regulations within the Village limits.
2. Said Council requests that the Planning Commission further refine address the concerns raised during the public hearing; further define the
3. Said Council requests that the Planning Commission to further examine and refine the Food Truck Ordinance in order to address the concerns raised during the public hearing. Such concerns raised in the public hearing include:
 - a. Recognition of the fact that brick and mortar businesses have a significant commitment to a long-term presence in the Village of Mechanicsburg
 - b. Working to ensure that the brick and mortar businesses already present in the Village of Mechanicsburg are not placed at an economic or regulatory disadvantage compared to transient Food Trucks.
 - c. Working to provide diversity of food products within the Village.
 - d. Evaluation of the suggestions for Food Trucks to be available for farmers at Heritage.
 - e. Addressing the concerns that the previous Food Truck proposal was too broad and at the same time presented opportunities for loopholes, including:
 1. Possible exemption for private parties or private events

NOW BE IT THEREFORE RESOLVED by the Council of the Village of Mechanicsburg, Ohio, that the Planning Commission is hereby requested to re-examine its previously submitted Food Truck Proposal, in light of the above concerns, and to address the following:.

1. Reevaluate whether permanent Food Truck placement on private property should be permitted and evaluate what changes would need to be made in the current zoning code to allow this.
2. Reevaluate whether temporary Food Truck placement should be permitted with a recommendation on time limits of said permits and a recommended permit fee.
3. Clarification is needed for Food Truck permits for private events to define what constitutes a private event.
4. Clarification is needed for Food Truck permits for Special Public events to define what constitutes a Special Public Event.
5. Determine how the new Food Truck ordinance would be enforced and by whom.
6. Determine whether/.how Food Truck profits and wages can be taxed for the benefit of the Village of Mechanicsburg.
7. Council also requests the Planning Commission to address any other issues or concerns which may arise during the revision of said Food Truck ordinance, in order to attain an Ordinance which is robust, fair, workable, and enforceable.
8. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that the deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.
9. This ordinance shall take effect and be in force at the earliest period allowed by law.

First Reading: DATE: 11-18-24
Second Reading: DATE: 12-2-24
Third Reading: DATE: 12-16-24

Adopted _____, 2024



Jason Adelsberger, Mayor



Roger Brake, Clerk of Council

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