



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: John F. McDonough, City Manager

Agenda Item No.

11d

Ordinance/First Reading
 Ordinance/Second & Final Reading
 Resolution/First & Final Reading
 Information Only

AGENDA DATE REQUESTED: November 14, 2022

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE TO AMEND CHAPTER 8, BUSINESSES, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE PERTAINING TO MOBILE FOOD VENDORS

SUMMARY BACKGROUND:

Currently, both the City's Business License Ordinance and Zoning regulations allow for the use of Food Trucks in certain locations of the City under specific limitations, but specifically do not allow for the use of Food Trailers. City staff has received an escalating number of comments and complaints regarding this prohibition, and have determined that the prohibition is out of sync with neighboring jurisdictions and is therefore causing unnecessary confusion to the business community.

This action will update the City's Business License ordinance to remove the prohibition of Food Trailers and provide for the exact same regulatory standing as Food Trucks. In order to fully complete this change, a text amendment is needed for Chapter 19 (Land Management Ordinance), which requires Planning Commission review, which is scheduled for their December meeting. This ordinance is set to trigger once the accompanying amendment to the zoning regulations is adopted by City Council in early 2023.

IMPACT IF DENIED:

If denied, the amended Chapter 8 will not be codified into the Code of Ordinances and Food Trailers will continue to be unable to legally operate in the City.

FINANCIAL IMPACT:

The City will receive additional Business License revenue by allowing additional Food Trailer businesses to operate within the City.

REQUIRED SIGNATURES

Department Director

DocuSigned by:

Matt Ege

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City Attorney

DocuSigned by:

Leigh Paolletti

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DocuSigned by:

John McDonough

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OMB Director

City Manager

AN ORDINANCE

TO AMEND CHAPTER 8, BUSINESSES, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE PERTAINING TO MOBILE FOOD VENDORS

WHEREAS, the current language in the City’s Business License Ordinance and Land Management Ordinance of the Code of Ordinances of the City of Greenville both allow for the operation of Food Trucks in the City but specifically do not allow Food Trailers; and

WHEREAS, this prohibition dates back to the early 2000’s and is inconsistent with the regulations in surrounding jurisdictions and the current trends of the business community; and

WHEREAS, Food Trailers operating in the City will be required to follow the same rules and regulations as current Food Truck operators; and

WHEREAS, City Council desires to adopt the amendments set forth herein;

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Chapter 8 of the Code of Ordinances of the City of Greenville is hereby amended as follows:

1. Chapter 8, Article V, Division 6, Subdivision V is hereby amended as follows:
 - a. Section 8-280 – Definitions
 - i. *Food Trailer (concession style)* is defined as an enclosed attached or detached trailer that is equipped with facilities for preparing, cooking and selling various types of food products from the trailer. ~~Food trailers are not an allowed use within the City of Greenville. Hereinafter all regulations referencing “Food Truck” shall also apply to “Food Trailer” without the need for specific reference to both type of vendors.~~
2. This Ordinance is not effective until such time as Chapter 19 of the Code of Ordinances is likewise amended via the text amendment process, which requires review by the Planning Commission. This Ordinance will go into effect immediately at such time as City Council adopts an ordinance amending Chapter 19 providing for a similar allowance for Food Trailers.
3. Should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this ordinance as hereby adopted shall remain in full force and effect.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2022.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER