

ORDINANCE NO. 37-16

AN ORDINANCE AMENDING FORT SMITH CODE SECTION 27-327-6
TO PROVIDE FOR OUTDOOR MOBILE FOOD VENDING
FOR EXTENDED HOURS OF OPERATION
IN CITY MARKED LOCATIONS IN PUBLIC STREET RIGHT-OF-WAY

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The definition of “Mobile food truck (self contained)” set forth in Section 27-327-6-A of the Fort Smith Code is hereby deleted and replaced with the following definition of “Mobile food truck or concession trailer (self contained)”:

Mobile food truck or concession trailer (self contained): A vehicle selling edible goods. The unit shall be self-contained meaning all appurtenant facilities, including but not limited to water tanks and generators, are affixed to or contained within the vending vehicle.

SECTION 2: Section 27-327-6-D-6-b of the Fort Smith Code is hereby amended as follows:

- b. Applicants shall be governed by all permit requirements required for vending in a public street right-of-way with the following exceptions:
 - i. The mobile food truck or concession trailer (self contained) shall occupy only one Parallel Parking Space;
 - ii. Permitted and required additional hours of operation are as provided in subsection D 6;
 - iii. The requirements of subsection D 3 are not applicable to the limited locations designated by the City.
 - iv. The mobile food truck or concession trailer (self contained) shall be attended at all times.

Otherwise, vending shall comply with all applicable requirements of this Chapter.

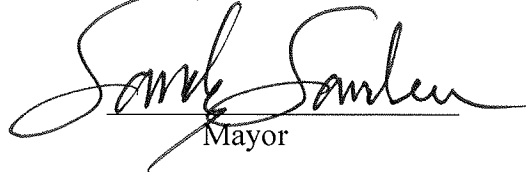
SECTION 3: Section 27-327-6-D-6-c of the Fort Smith Code is amended to substitute the term “Mobile food truck or concession trailer (self contained)” for the term “Mobile food truck (self contained).”

SECTION 4: Section 27-327-6-D-6-f of the Fort Smith Code is deleted in its entirety.

SECTION 5: Emergency Clause. It is determined that the provision for extended hour vending from City designated locations in public right-of-way in the Commercial Downtown (C-6) Zoning District will enhance the health, safety and welfare of the inhabitants of the City and that an emergency exists due to the approaching summer season with expected increased numbers of downtown visitors. Therefore, this Ordinance shall be in full force and effect from its date of adoption.

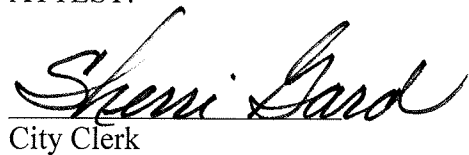
This Ordinance adopted this 21st day of June, 2016.

APPROVED:



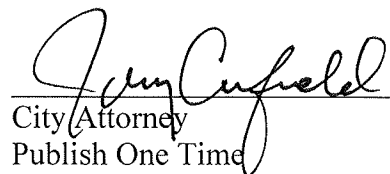
Mayor

ATTEST:



City Clerk

Approved as to form:



City Attorney
Publish One Time