

ORDINANCE NO. 20080131-134

AN ORDINANCE AMENDING SECTION 25-2-812 OF THE CITY CODE RELATING TO MOBILE FOOD ESTABLISHMENTS; AND EXTENDING THE FEBRUARY 2008 DEADLINE FOR FILING AN APPLICATION TO APPLY CERTAIN DISTANCE REQUIREMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 25-2-812(L) (*Mobile Food Establishments*) of the City Code is amended to read:

- (L) A [~~neighborhood association may~~] request that the city council require a mobile food establishment in a [~~the~~] neighborhood association area to comply with the additional distance requirements set forth in Subsection (N)[~~.—A request~~] may be made in accordance with this subsection.
- (1) The following persons [~~An officer of a neighborhood association~~] may submit an application to the director requesting that the city council require mobile food establishments in a neighborhood [~~the~~] association area to comply with Subsection (N):
- (a) for an area with an adopted neighborhood plan:
- (i) the chair of the official planning area contact team; or
- (ii) an officer of a neighborhood association if there is no official planning area contact team; or
- (b) for an area without an adopted neighborhood plan, an officer of a neighborhood association.
- (2) The director shall accept an application made under this subsection during February of each year. The council shall consider the applications annually [~~during April of each year~~].
- (3) Notice in English and Spanish of a public hearing on the application by the council is required. The City is responsible for the cost of the notice. The director shall give notice not later than the 16th day before the date of the public hearing [~~before the council~~] by:

(a) publishing notice in a newspaper of general circulation; and ~~[not later than the 16th day before the date of the public hearing. The City is responsible for the cost of publication.]~~

(b) mailing notice to:

(i) each mobile food establishment licensed by the health authority;
and

(ii) each registered neighborhood association.

~~[(4) A neighborhood association may not file a request under this subsection for the portion of a neighborhood association area that is within a neighborhood planning combining district that the council approves or amends after December 31, 2006.]~~

(4) ~~[(5)]~~ The director shall maintain a map that depicts the areas to which Subsection (O) applies.

(5) ~~[(6)]~~ A neighborhood association must be registered with the Public Information Office of the City.

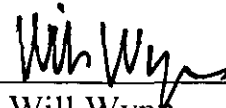
PART 2. The director may accept an application requesting that the city council require mobile food establishments in a neighborhood association area to comply with Section 25-2-812(N) (*Mobile Food Establishments*) until March 12, 2008. This deadline supersedes the February 2008 deadline prescribed by Section 25-2-812(L)(2) (*Mobile Food Establishments*).

PART 3. This ordinance takes effect on February 11, 2008.

PASSED AND APPROVED

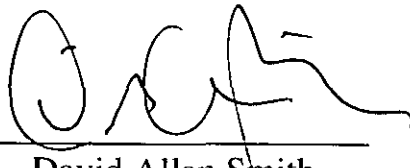
_____, January 31, 2008

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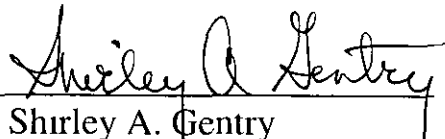
Will Wynne
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk