

**ORDINANCE NO.**

**AN ORDINANCE WAIVING OR REIMBURSING CERTAIN FEES AND GRANTING A VARIANCE UNDER CITY CODE CHAPTER 10-3 FOR THE MONTHLY COMMUTER POP-UP BREAKFASTS.**

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

**PART 1.** Movability Austin has requested a variance from City Code Section 10-3-1(15)(a) (*Definitions*) regarding the number of times per year allowed for temporary events for the commuter pop-up breakfasts.

**PART 2. FINDINGS.**

- (A) Movability Austin desires a variance to host monthly commuter pop-up breakfasts for the Austin community. These events provide a free breakfast as a reward to commuters using alternative transportation choices, which is in the City's interest as well as Movability Austin's. Movability Austin is a non-profit organization, and this event is free to participants. Frequency (more than once a quarter) is important to build a sense of community and network of support among commuters.
- (B) Movability Austin intends to take the following actions to prevent any potential health hazards from occurring at its temporary event locations:
  - (1) Food is purchased from professional, qualified vendors; and
  - (2) Food is brought directly to the event site and distributed immediately, so it will not spoil; and
  - (3) Food is pre-packaged and individually wrapped.

**PART 3.** Council grants a variance to City Code Section 10-3-1(15)(a). The commuter pop-up breakfasts will take place monthly during the year 2015.

**PART 4.** Council waives or reimburses the Health and Human Services Temporary Vending Permit Fees in the amount of \$1,176.

**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2014.

**PASSED AND APPROVED**

\_\_\_\_\_, 2014      § \_\_\_\_\_  
Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Karen M. Kennard      Jannette S. Goodall  
City Attorney      City Clerk