

**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 is a non-profit organization.
- (B) Movability Austin provides monthly commuter pop-up breakfasts for the Austin community as a reward to commuters using alternative transportation choices.
- (C) Movability Austin has committed to take the following actions to prevent any potential health hazards from occurring at its temporary event locations:
  - (1) Food will be purchased from professional, qualified vendors;
  - (2) Food is brought directly to the event site and distributed immediately; and
  - (3) Food is pre-packaged and individually wrapped.
- (D) It is in the City's best interest to promote alternative transportation choices and supporting frequent rewards provided by Movability Austin helps build a sense of community and a network of support among commuters.

**PART 3.** Council grants a variance to City Code Section 10-3-1(15)(a). One commuter pop-up breakfast per month will take place at various locations in Austin for the period December 1, 2014 through December 31, 2015 (the "Event Period").

**PART 4.** Council waives or reimburses the Health and Human Services Temporary Vending Permit Fees in the amount of \$1,274 during the Event Period.

**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