

Ordinance #O.22.10

An Ordinance **AMENDING ARTICLE 0, SECTION 154.015 – DEFINITIONS AND ARTICLE 4, TABLE 154.403.1 – PERMITTED LAND USES AND SECTION 154.406 – DETAILED LAND USE DESCRIPTIONS AND SECTION 110.02 GENERAL PROVISIONS DEFINITIONS AND SECTION 110.49 MOBILE FOOD TRUCKS OF THE CODE OF ORDINANCES OF THE CITY OF GALENA.**

Adopted by the City Council of the City of Galena this 9th Day of May 2022.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 9th Day of May 2022.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 9th Day of May 2022, the Corporate Authorities of said municipality passed and approved Ordinance No. O.22.10 entitled **AN ORDINANCE AMENDING ARTICLE 0, SECTION 154.015 – DEFINITIONS AND ARTICLE 4, TABLE 154.403.1 – PERMITTED LAND USES AND SECTION 154.406 – DETAILED LAND USE DESCRIPTIONS AND SECTION 110.02 GENERAL PROVISIONS DEFINITIONS AND SECTION 110.49 MOBILE FOOD TRUCKS OF THE CODE OF ORDINANCES OF THE CITY OF GALENA**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.22.10 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 9th Day of May 2022 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 10th Day of May 2022.


Mary Beth Hyde, City Clerk

(Seal)

AN ORDINANCE AMENDING ARTICLE 0, SECTION §154.015 – DEFINITIONS AND ARTICLE 4, TABLE 154.403.1 – PERMITTED LAND USES AND SECTION §154.406 – DETAILED LAND USE DESCRIPTIONS AND SECTION 110.02 GENERAL PROVISIONS DEFINITIONS AND SECTION 110.49 MOBILE FOOD TRUCKS OF THE CODE OF ORDINANCES OF THE CITY OF GALENA

BE IT ORDAINED by the City Council of the City of Galena, Jo Daviess County, Illinois as follows:

SECTION I: Section §154.015 – Definitions of the City of Galena Zoning Code, is hereby amended as follows

- *(Additions are shown as underlined)*

Section §154.015 - Definitions

Mobile Food Truck:

A motorized vehicle or a towed trailer that is equipped with facilities for cooking, preparing, and selling food.

SECTION II: Section §110.02 – Definitions of the City of Galena General Provisions, is hereby amended as follows

- *(Additions are shown as underlined)*

Section §110.02 - Definitions

Mobile Food Truck:

A motorized vehicle or a towed trailer that is equipped with facilities for cooking, preparing, and selling food.

Lunch Stand:

Any temporary set-up, excluding Mobile Food Trucks, outside of a permanent building for the purpose of serving food and/or liquid refreshments to the general public.

SECTION III: Table 154.403.1 – Permitted Land Uses of the City of Galena Zoning Code, is hereby amended as follows:

- *(Additions are shown as underlined and highlighted)*

Table 154.403.1. Permitted Land Uses

LA	CSR	LDR	MDR	HDR	NO	PO	NC	PC	GC	DC	PI	LI	HI	Type of Land Use
														Accessory Commercial Land Uses (154.406(K))
						P		P	P	P	P	P	P	(1) Company-Provided Cafeteria
					S	S	S	S	S	S	S	S	S	(2) Company-Provided Day Care
						S		S	P		S	P	P	(3) Company-Provided On-Site Recreation
					P	S	P	S	S	P				(4) Dwelling Units Above Ground Floor

						S		S	P		P	P	P	(5) Fleet Vehicle Storage
								S	S	S				(6) Light Industrial Incident to Indoor Sales
							S	P	P	S	S			(7) Outdoor Dining
							S	S	P	S				(8) Outdoor Display, Removable
									P					(9) Outdoor Display and Storage, Permanent
								S	P	S				(10) Outdoor Entertainment
							<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>(11) Mobile Food Truck</u>
P = Permitted by Right (See section 154.402(A)) S = Permitted by a Special Use (See section 154.402 (B))														

LA Limited Agricultural
 CSR Countryside Residential
 LDR Low Density Residential
 MDR Medium Density Residential

HDR High Density Residential
 NO Neighborhood Office
 PO Planned Office
 NC Neighborhood Commercial

PC Planned Commercial
 GC General Commercial
 DC Downtown Commercial
 PI Planned Industrial

LI Light Industrial
 HI Heavy Industrial

SECTION IV: Section §154.406 (K) – Accessory Commercial Land Uses of the City of Galena Zoning Code, is hereby amended as follows:

▪ *(Additions are shown as underlined)*

(K) Accessory Commercial Land Uses.

(11) Mobile Food Truck. The following regulations and requirements for a Mobile Food Truck shall be met:

(A) Regulations:

1. No person shall operate a Mobile Food Truck on a property unless said Mobile Food Truck obtains the proper licensing from the City of Galena.
2. No Mobile Food Trucks shall operate in the downtown district from Meeker St. to Spring St., and from Bench St. to Water St.
3. No Mobile Food Trucks shall be located on any parcel zoned residential, unless approved by the City of Galena as part of a special event.
4. Mobile Food Trucks shall only operate no more than once per week on any site.
5. Hours of operations shall be limited to between 7:00 a.m. and 11:00 p.m.
6. Portable lights, lights which flash, and similar attention-getting devices are not permitted.
7. Signs, unless permanently affixed to the mobile food truck, are not permitted.
8. Any power required for a mobile food truck shall be self-contained and shall not use utilities drawn from public property, unless otherwise approved by the city. Mobile Food Trucks may also use the power from a private service.
9. Mobile Food Trucks shall not provide seating or tables for their customers.

10. Mobile Food Trucks shall provide receptacles for refuse and properly dispose of waste.
11. Mobile Food Trucks must comply with all noise regulations of the City of Galena Code of Ordinances, section 154.710.
12. Outside amplifying equipment or noisemakers shall not be used.
13. Mobile Food Trucks shall be situated on designated locations entirely on the subject property with suitable surfaces as determined by the City of Galena
14. Off-street parking spaces provided specifically for the Mobile Food Truck while in service.

SECTION V: Section §110 – General Licensing; Miscellaneous Business Regulations, is hereby amended as follows:

▪ *(Additions are shown as underlined)*

Section §110.49 Mobile Food Trucks.

(A) Licenses. It shall be unlawful to operate a Mobile Food Truck without an appropriate license outlined herein.

(B) Requirements for obtaining a license.

- 1) The annual Mobile Food Truck license shall be valid from May 1- April 30 of each fiscal year.
- 2) The fee for the annual Mobile Food Truck license shall be \$500, or as modified by the City Council.
- 3) The Mobile Food Truck license is valid for one (1) vehicle only.
- 4) A valid copy of the driver's license for each individual operating the Mobile Food Truck.
- 5) A valid copy of the registration for the vehicle and/or trailer.
- 6) A valid copy of all necessary licenses or permits required by the Jo Daviess County Health Department for operation of a Mobile Food Truck.
- 7) Proof of liability insurance for the activity to be licensed, naming the City of Galena as additional insured, in an amount not less than five hundred thousand dollars (\$500,000) combined single limit.
- 8) A copy of the Illinois business registration tax number for the Mobile Food Truck shall be provided.
- 9) A photo of the Mobile Food Truck.

(C) License must be conspicuously posted. Said license shall be posted in a conspicuous location in the Mobile Food Truck.

(D) No persons shall operate a Mobile Food Truck without a valid Mobile Food Truck license unless part of a special event approved by the City of Galena. A Mobile Food Truck operating as part of a special event shall obtain a Lunch Stand license.

(E) Any Mobile Food Truck who violates the terms or conditions of the license is subject to the penalties set forth in section 10.99 and possible revocation of the license.

SECTION VI: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VII: This ordinance shall be in full force and effect within ten (10) days of its passage and legal publication in pamphlet form.

SECTION IX: Passed on the 9th day of May, A.D., 2022, in open Council.

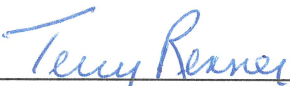
AYES:

Wienen, Bernstein, Hahn,
Kieffer, McCoy, Westemeier,
Renner

NAYS:

None

ATTEST:



TERRY RENNER, MAYOR



MARY BETH HYDE, CITY CLERK