

vegetables is provided for the public for consumption without charge.

(Omitted text is unaffected by this ordinance)

"Mobile food dispenser" means any person who, by traveling from place to place upon the public ways, serves previously prepared food that is enclosed or wrapped for sale in individual portions, coffee, other beverages or whole and uncooked fruits or vegetables from a wheeled vehicle. A mobile food dispenser does not include a charitable food vendor.

"Mobile food vendor" means a mobile food dispenser, mobile food preparer, produce merchant, mobile prepared food vendor or mobile frozen desserts vendor. A mobile food vendor does not include a charitable food vendor.

(Omitted text is unaffected by this ordinance)

"Mobile food vehicle" means a motorized vehicle used to conduct a mobile food dispenser, mobile food preparer or mobile frozen desserts vendor business. A mobile food vehicle does not include a charitable food vehicle.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 4-8-020 of the Municipal Code is hereby amended by inserting the language underscored, as follows:

4-8-020 Licensing requirements - Exceptions.

(Omitted text is unaffected by this ordinance)

(c) (1) Mobile food dispenser - License required. No person shall engage in the business of a mobile food dispenser without first having obtained a mobile food vendor license to engage in a mobile food dispenser business, except a charitable food vendor may operate a charitable food vehicle without a mobile food vendor license.

(Omitted text is unaffected by this ordinance)

(l) All charitable food dispensing establishments shall be exempt from the retail food establishment license.

(m) All charitable food vendors shall be exempt from the mobile food vendor license and the retail food establishment license, provided that a charitable food vendor may not operate as a mobile food preparer without first having obtained a mobile food vendor license.

SECTION 3. Section 4-244-010 of the Municipal Code is hereby amended by deleting the language stricken through and inserting the language underscored, as follows:

4-244-010 Definitions.

For purposes of this chapter, the following definitions shall apply:

(Omitted text is unaffected by this ordinance)

"Peddler" or "street peddler" means any individual who, going from place to place, whether on private

property or on the public way, sells, offers for sale, sells and delivers, barter or exchanges any goods, wares, merchandise, wood, fruits, vegetables or produce from a vehicle or otherwise. The term "peddler" does not include (1) a "grower" or "producer" as defined in Section 4-12-010 of this Code, or (2) any class of peddler specifically defined and licensed or required to be licensed under other chapters of this Code, including, but not limited to, (i) any junk peddler within the meaning of Section 4-6-150; (ii) any merchant within the meaning of Chapter 4-212 of this Code, (iii) any mobile food dispenser or charitable food vendor, each as defined in within the meaning of Chapter 4-8 of this Code, or (iv) any mobile merchant within the meaning of Section 4-6-330 of this Code.

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 4-8-020 of the Municipal Code is hereby amended by inserting the language underscored, as follows:

7-38-130 Preparation and service of food and drink.

(Omitted text is unaffected by this ordinance)

(b) No mobile food dispenser licensee or charitable food vendor shall operate as a mobile food preparer without complying with all the requirements to operate as a mobile food preparer.

SECTION 5. This ordinance shall take effect upon passage and publication.

Brian Hopkins Alderman, 2nd Ward