



CITY OF IDAHO SPRINGS
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NOTICE AND AGENDA

Work Session

Idaho Springs Planning Commission
1711 Miner Street, City Hall
Wednesday, August 2, 2023 – **5:30 p.m.**

PLANNING COMMISSION WORK SESSION Wednesday August 2nd, 2023 **5:30 PM**

- ❖ Staff Update
- ❖ Diversification of Housing and Lodging Types
- ❖ Food Truck Regulations

IN-PERSON AND REMOTE MEETING PUBLIC ATTENDANCE AND PARTICIPATION INSTRUCTIONS

The Public is able to view and hear this meeting remotely at the following address on the City's website:
<https://www.colorado.gov/pacific/idahosprings/city-council-live>

To provide public comment remotely please use the link below
<https://us02web.zoom.us/j/89171912558?pwd=cTNDRO8rL0NhQzdVcG4wZlo5clY5dz09>

For in-person Unscheduled Public Comment, please sign-in at the entrance to the Council Chambers.

Each individual that is providing public comment is limited to three (3) minutes.

TO: Planning Commission
CC: City Administrator Andrew Marsh; Planning Commission
FROM: Jonathan Cain | Assistant City Administrator | Interim
Community Development Planer
DATE: August 2, 2023
SUBJECT: Staff Update
ATTACHMENTS: None



REQUEST(S) FOR ACTION

None

UPDATES

1. Community Development.

- a. City Staff has had inquiries regarding several annexations around the City. Applicants are currently working to complete applications for the same.
- b. City Staff continues to work with several potential applicants for other projects throughout the City.
- c. **IHOP/CLEAR PATH HOME:** The Consultant Team has been working to complete the community engagement task and will be meeting with City Staff this fall to discuss potential alternatives to preserve and provision affordable housing in the City.
- d. **Downtown Master Planning:** Work Continues. There will be a community meeting with an update about the project on August 9.

2. Utility Billing.

- a. Next Reads will occur on August 1st.
- b. City Utility Billing Software is now calculating actual gallons used instead of "nearest 1000".
- c. **Xpress Bill Pay:** 332 Customers Signed Up (310) | 158 Customers on Autopay (144) | 290 Customers on Paperless Billing (124)
- d. **Payment Plans:** 9 active Plans
- e. **Leap:** 5 Accounts paid in full in June
- f. **Parking Management.**
- g. Average length of stay in July was between 2-2:30 hours. Revenue \$49,000 higher than last June.

3. Municipal Court.

- a. Court was held on July 20 with 13 cases on docket. 83 Traffic Tickets written in June. 6 People able to pay tickets. 6 must appear. 1 Trial Scheduled.

4. Downtown Marketplace & Chamber of Commerce.

- a. The Downtown Marketplace is now in operation.
- b. Cornhole and Music events are occurring weekly.
- c. Next major CODA event will be Halloween.

TO: Planning Commission
CC: City Administrator Andrew Marsh
FROM: Jonathan Cain, Assistant City Administrator, Interim
Community Development Planner
DATE: August 2, 2023
SUBJECT: Smart Hotels; Dormitory Style Housing
ATTACHMENTS:



REQUEST FOR DIRECTION

Should the Planning Commission consider adding definitions and potential criteria for approval of Unstaffed Hotels and Dormitory style housing?

BACKGROUND

Staff has been receiving development inquiries related to “Smart Hotels” and “Dormitory Style Housing” with increasing frequency. Planning Commission discussed both at our last meeting, and staff has been considering alternatives to allow for more diversity in housing and lodging in Idaho Springs.

SMART HOTEL

As a necessity during the COVID-19 pandemic, many lodging providers modified and evolved their operational models to limit contact between guests and staff. Smart Hotels are the off-shoot of this- while there is some diversity in how they operate, in general, they are booked online or over the phone and feature contactless entry. Staff is usually offsite, and cleaning crews are typically contracted to come on site on a regular schedule.

Idaho Springs Municipal Code (ISMC) states that “Motel and hotels contain lobbies for guest check-in, and onsite maintenance and management”, meaning that this operational model is not currently allowed within City Limits.

ALTERNATIVES

There are several alternatives that Planning Commission should consider related to how these types of lodging facilities may or may not be allowed in Idaho Springs.

1. Definitions remain the same, motels and hotels must comply with current requirements of the ISMC to operate.
2. The definition could be modified, removing the word “onsite” and no further changes made.
3. Hotels and Motels could be further regulated with specific criteria established related to their operation, similar to how the Short Term Rental Ordinance regulates those lodging types.

DORMITORY STYLE HOUSING & LODGING

Staff has recently had several inquiries related to the development of Dormitory Style Housing and Lodging Models. In general, these models feature shared sleeping spaces and common areas such as restrooms, living spaces, and kitchens.

ISMC does not include a definition of “Dormitory,” or anything similar, that would allow this model of housing or lodging to operate. Some of the concerns related to this housing type involve fire code and other safety requirements.

CONSIDERATIONS

There are several considerations Planning Commission should discuss related to this potential housing type:

1. Fire and Building Code Requirements have specific space occupancy regulations that should be applicable (meaning there should be a limit to # of people per room, # of bathrooms required, etc.) OR potentially a minimum square footage per person requirement.
2. There should be a parking ratio established related to the number of occupants.
3. Planning Commission should consider whether personal space such as lockers should be made available to residents
4. Planning Commission should consider what other criteria these projects should meet to ensure the safety and quality of life of residents.

NEXT STEPS

City Staff needs direction from Planning Commission regarding the path forward on both of these potential lodging/housing uses in Idaho Springs. If Planning Commission would like to move forward with allowing either use, Staff will bring forward an ordinance for consideration by Planning Commission at our next scheduled meeting.

TO: Idaho Springs Planning Commission
CC: Assistant City Administrator Jonathan Cain
City Administrator Andrew Marsh
FROM: Wonder Martell, Deputy City Clerk
DATE: August 2, 2023
SUBJECT: Food Truck Regulations for ISMC
ATTACHMENTS: Suggested code creation/changes



BACKGROUND

The city of Idaho Springs has had multiple requests for food truck licenses this year. The current regulations in the Idaho Springs municipal code regarding food trucks are very limited and are more oriented to vendors and solicitors rather than food service vehicles. In the Code, there is only one (1) reference to food service vendors, which I have **bolded** below. There have been numerous inquiries to staff regarding the specific regulations for food trucks and City food truck licensure requirements. On June 26, 2023, City Council asked City staff to begin food truck code creation with the Planning Commission to create a food truck/pushcart section of the Idaho Springs Municipal Code.

EXISTING FOOD TRUCK CODE

Sec. 9-113. - License required.

(A) It is unlawful for any vendor to sell, display or offer for sale any food, beverage, goods or merchandise without first obtaining a license from the City as provided in Article I of this Chapter. Food and beverage vendors must obtain written approval from the County Health Inspector before the City license may be issued.

(B) The following persons and entities are exempt from the provisions of this Section:

- (1) Nonprofit charitable and religious organizations whose status as such is confirmed by the state department of revenue, sales tax division; and
- (2) Governmental entities and their subdivisions, including schools and school-affiliated or school-sponsored organizations.

(C) Both food and nonfood vendors will have the same license and fee requirements.

(D) License fee requirements: Fees for licenses required by this Article shall be as set forth in the City's fee schedule.

Sec. 9-114. - Definitions.

The following terms, when used in this Article, shall have the meanings ascribed to them in this Section, except where context clearly indicates a different meaning:

Public street or sidewalk shall include all areas legally open to public use as public streets, sidewalks, roadways, highways, parkways, alleys and any other public ways.

Stand. Any newsstand, table, bench, booth, rack, handcart, pushcart or any other fixture or device which is not required to be licensed and registered by the Department of Motor Vehicles, used for the display, storage or transportation of articles offered for sale by a vendor.

Vendor. Any person, including an employee or agent of another, who sells or offers to sell food, beverages, goods or merchandise on any public property from a stand or motor vehicle or from his

or her person, or one who travels by foot, wagon, motor vehicle, pushcart or any other method of transportation from street to street to sell or offer to sell the same.

Sec. 9-116. - Restrictions.

The following restrictions are applicable to all vendors, except as to special events which shall be so designated by the City Council.

- (2) Handicap areas. No vendor shall conduct business within thirty (30) feet of any handicapped parking space or access ramp.
- (4) The permittee shall comply with all applicable provisions of the fire codes, building codes and all other applicable ordinances of the City.
- (5) Each permit shall be valid for not more than one (1) location.
- (6) Food service requirements apply to anyone operating as a food vendor under a special events permit.
- (7) Permittees not compliant with the rules and regulations are subject to revocation of the vendors permit or issuance of a ticket by the local police.

STAFF RECOMMENDATION

City Staff recommends that in response to the numerous requests for Food Truck licenses in Idaho Springs, that there be a section of the Code create specifically for Mobile Food Trucks and Pushcarts and that this code be reviewed by Planning Commission for appropriateness, completeness and initial approval before coming back to council in the form of Ordinance to make the code changes. The creation of this section of Code will eliminate conflicting information that is currently in the Code that is specifically designed for solicitors and not necessarily for food service. This will assist staff in being able to safely license and regulate the food service functions that occur in the City. Attached to this report is an example of the potential regulations that I have found, including: municipal code examples from Salida, Alamosa, Pagosa Springs, Granby, and Crested Butte. Council directed me to find regulations from other small mountain municipalities with similar populations to Idaho Springs. Council did mention that there should be a size limit for food trucks as they come in a wide array of sizes (from)ten (10) feet to fifty three (53) feet in length.

ARTICLE XIII Mobile Food Trucks/Pushcarts

Sec. 9-211. Mobile Food Trucks/Pushcarts.

(A) Intent; The general purpose of this section is to promote the health, safety, comfort, convenience, prosperity, and general welfare of the citizens of the city and to provide balanced business, employment, and recreational opportunities by establishing reasonable guidelines and regulations for the operation of Mobile Food Trucks/Pushcarts within the City. The regulations contained herein are not intended to prohibit or hamper economic activity, but merely to regulate specific activities that are commercial in nature. It is the intent of these regulations to:

- (1) Establishing a uniform set of fair and equitable rules and regulations to be applied consistently to Mobile Food Trucks/Pushcarts; and
- (2) Provide economic development opportunities to smaller entrepreneurs; and
- (3) Attempt to mitigate the potential negative impact to established brick and mortar dining establishments by Mobile Food Trucks/Pushcarts.

(A) Purpose; A Mobile Food Trucks/Pushcart permit allows for a transient, mobile or temporary commercial use and/or non-permanent commercial structures not otherwise allowed under the Cities development design criteria or building permit regulations, to locate within the City in a zone district in which the use is currently allowable, on non-residential property with the owner's consent. This section is intended to allow Mobile Food Trucks/Pushcarts which contribute to the pedestrian and small mountain town atmosphere of the City by permitting certain Mobile Food Trucks/Pushcarts in commercially zoned districts in which the proposed use is currently allowed.

(B) Permit Required; It shall be unlawful to construct, erect, use or to cause to be constructed, erected, changed or used in any zoning district of the City, and Mobile Food Trucks/Pushcart structure, or mobile equipment, or to engage in a Mobile Food Trucks/Pushcart use, unless and until a approved Mobile Food Trucks/Pushcart permit application has been reviewed and approved by the city planner and including a business license issued by the City Clerk. At the discretion of the city planner, or the City Clerk, any Mobile Food Trucks/Pushcart permit application may be referred to Planning Commission and or City Council for additional approval consideration.

Sec. 9-212. Definitions.

The following terms, when used in this Article, shall have the meanings ascribed to them in this Section, except where context clearly indicates a different meaning:

Mobile Food Truck means a retail food establishment other than a special event vendor, motorized movable wheeled cart or similar devise, motorized wheeled vehicle, or towed vehicle, that is not intended to be permanent, that is licensed for use on public roadways, designed and equipped to serve prepared food or prepare and serve food for immediate consumption. A mobile food truck can operate from a fixed location.

Public street or sidewalk shall include all areas legally open to public use as public streets, sidewalks, roadways, highways, parkways, alleys and any other public ways.

Pushcart means a retail food establishment other than a special event vendor, that is not a motorized vehicle, non-self-propelled units designed so foods are served from the exterior of the unit. Limited to serving commissary prepared or prepackaged food that is commercially designed and approved to handle food preparation and service.

Stand. Any newsstand, table, bench, booth, rack, handcart, pushcart or any other fixture or device which is not required to be licensed and registered by the Department of Motor Vehicles, used for the display, storage or transportation of articles offered for sale by a vendor.

Vendor. Any person, including an employee or agent of another, who sells or offers to sell food, beverages, goods or merchandise on any public property from a stand or motor vehicle or from his or her person, or one who travels by foot, wagon, motor vehicle, pushcart or any other method of transportation from street to street to sell or offer to sell the same.

Sec. 9-213. License required.

- (A) It is unlawful for any mobile food truck/pushcart to do business without a city business license and a mobile food truck/pushcart license, or to otherwise engage in activity in noncompliance with the provisions of this chapter.
- (B) The following persons and entities are exempt from the License **fee** provisions of this Section:
 - (1) Nonprofit charitable and religious organizations whose status as such is confirmed by the state department of revenue, sales tax division (must provide tax exempt certificate and or certificate of good standing from the State); and
 - (2) Governmental entities and their subdivisions, including schools and school-affiliated or school-sponsored organizations.
- (C) Both food and nonfood vendors will have the same license and fee requirements.
- (D) License fee requirements: Fees for licenses required by this Article shall be as set forth in the City's fee schedule.

Sec. 9-214. Application Submittal Process/Procedure.

Applicants may apply for a mobile food truck/pushcart permit from the office of the City Clerk. The application shall be provided by the City Clerk and must contain all information relevant and necessary to determine whether a particular permit may be issued, including, but not limited to:

- (A) The applicant must make an application a minimum of thirty (30) days in advance of the date for which the Mobile food truck/pushcart will apply.
- (B) The applicants full name, current address, telephone number, mailing address and proof of identity. The application shall also include a color photograph and dimensions of the mobile food truck/pushcart to which the license will apply. ***(Cannot exceed 26 feet in length)***
- (C) A written description explaining the nature, character, and quality of foods to be offered for sale. This written description must also include the types of structures or mobile equipment proposed, hours of operation, time period requested and other information that is requested by the City Clerk for purposes of evaluating the application.
- (D) Site map showing property lines, location of proposed establishment with setback distances from property lines noted, points of access and circulation patterns for vehicles and pedestrians, existing structures on the lot, proposed signage, trash receptacles, seating areas, photos of proposed structures and/or mobile equipment, and other information as required by the Clerk.
- (E) Written express consent of the property owner to operate a mobile food truck/pushcart business on the property, must also include the property owners contact information.
- (F) A copy of a current State of Colorado Health Department Inspection Certificate for the subject vehicle.
- (G) If the applicant is employed by another, the name and address of the person, firm, association, organization, company or corporation of employment.
- (H) Make, year, model, color, and license number of mobile food truck/pushcart to which the license shall apply, if applicable.
- (I) Payment of license fees as set forth in the city fee schedule.
- (J) Furnish proof to the City of a public liability bond or insurance policy in an amount not less than one hundred thousand dollars (\$100,000.00) per incident and three hundred thousand dollars (\$300,000.00) aggregate, for property damage and injuries, including injury resulting in death, caused by the operation of the vending business.

Sec. 9-215. Permit Review Criteria/Approval.

The City Clerk shall approve an application if all of the foregoing and following applicable criteria and specific regulations are met or may deny an application for failure to meet the foregoing or following applicable criteria and specific regulations, or may impose such conditions of approval as may be necessary for approval of a Mobile Food Truck/Pushcart license application to ensure that all of the following applicable criteria and specific regulations are met:

- (1) Allowance of the mobile food truck/pushcart will not be detrimental to the public health, safety, or general welfare, and the mobile food truck/pushcart is compatible with the purpose and intent of this article.
- (2) The mobile food truck/pushcart is compatible in intensity of use, characteristics, and appearance with the existing uses in the immediate vicinity of the proposed location. The use, value, and qualities of the neighborhood surrounding the proposed location will not be adversely affected by the mobile food truck/pushcart or activities within it. Factors such as location, access, traffic generation, noise, lighting, parking, dust control, site maintenance, hours of operation, as well as height, size, and appearance will be considered.
- (3) The applicant shall provide as part of their application written consent from the property owner. If the mobile food truck/pushcart is to be located partially or entirely on City property, approval of the City Council is required.
- (4) Adequate parking is to be provided to serve the mobile food truck/pushcart and must not be located on or displace required parking spaces or loading areas of the existing principle permitted uses on the site.
- (5) Spotlights shall not be permitted on a mobile food truck/pushcart.
- (6) A mobile food truck/pushcart will not be permitted in any residential zone.
- (7) Mobile food truck/pushcarts shall provide for trash disposal, removal of trash and site cleaning daily.
- (8) Mobile food trucks/pushcarts is limited to 15 square feet of signage, including any banners, and such signage may not be affixed to any building. No other items intended to draw attention to the mobile food truck/pushcart are permitted (such as balloons, flags, feather banners, etc.).
- (9) Before a mobile food truck/pushcart may begin operating, the applicants business must have a valid business license from the City Clerks office, which may include if applicable evidence of State of Colorado Sales Tax License, Colorado Dept of Health license, affidavit of commissary.
- (10) Mobile food trucks/pushcarts shall be considered transitory at all times and shall not vest.
- (11) The failure of an applicant to adhere to any condition of approval for a mobile food truck/pushcart shall result in the immediate forfeiture of approval and such establishment and the use of any accompanying structure or equipment shall immediately cease and may be subject to abatement as a public nuisance.

Sec. 9-216. General Regulations/Restrictions for all Mobile Food Trucks/Pushcarts.

All Mobile Food Trucks/Pushcarts shall meet the following general requirements, unless otherwise specified in this code:

- (A) Mobile Food Trucks/Pushcarts shall not be permitted in any residential zone.
- (B) A Mobile Food Trucks/Pushcart shall not be detrimental to property or improvements in the surrounding area or to the public health, safety and general welfare
- (C) Permanent alterations to the site are prohibited.
- (D) All temporary signs associated with the Mobile Food Trucks/Pushcart shall be properly permitted and removed when the activity ends or when the permit expires, whichever occurs first. ***Mobile Food Trucks/Pushcarts are prohibited from using right of way signs and off premises signs.***
- (E) The Mobile Food Trucks/Pushcart shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability.

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- (F) No Mobile Food Trucks/Pushcart shall operate in the following areas:
- (1) Within thirty (30) feet of any stop sign, street intersection, pedestrian crosswalk, driveway or loading zone.
 - (2) Within fifteen (15) feet of any fire hydrant.
 - (3) Within fifteen (15) feet of any parking space or access ramp designated for persons with physical disabilities.
- (G) Mobile Food Trucks/Pushcarts on private property shall in no way alleviate the compliance requirement for property owners to meet off street parking and loading requirements for the primary use of the property.
- (H) Mobile Food Trucks/Pushcarts shall provide for adequate solid waste receptacles and shall be responsible for the cleanliness and neat appearance of the sidewalks, roadways, and other spaces adjacent to their vending sites by keeping them clean and free of paper, peelings, and refuse of any kind generated from the operation of their business. Mobile Food Trucks/Pushcarts must provide a trash receptacle within 10 feet of the mobile unit. The use of public trash receptacles shall be prohibited.
- (I) No person or entity authorized to engage in the business of Mobile Food Trucks/Pushcarts under these regulations shall be permitted to do any of the following under any circumstances:
- (1) Unduly obstruct pedestrian or motor vehicle traffic.
 - (2) Obstruct traffic signals or signs.
 - (3) Stop, stand, or park any Mobile Food Trucks/Pushcart upon any street or public way for the purpose of selling unless that area has been permitted by the city.
 - (4) Operate any Mobile Food Trucks/Pushcart that when fully loaded and operating cannot be easily moved and maintained under control by permittee, his or her employee or an attendant.
 - (5) Sound any device that produces a loud and raucous noise or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention.
 - (6) Conduct his/her business in any way that would restrict or interfere with the ingress or egress of the abutting property owner or tenant, create a nuisance, increase traffic congestion or delay on any public street or travelled way, constitute a hazard to traffic, life or property, or obstruct adequate access to emergency and sanitation vehicles.
 - (7) Install or erect any free-standing signage.
 - (8) Run hoses, electric cords, gas lines, or other apparatus to the Mobile Food Trucks/Pushcart in any manner that presents an unsafe condition to pedestrians or the motoring public. Any power generated on site shall be produced with a generation sound level not to exceed eighty (80) decibels at the source.
 - (9) Sell any alcohol.
- (J) All locations are subject to the regulations and other requirements established by the health department.
- (K) No Mobile Food Trucks/Pushcart shall have a drive-through service.
- (L) Any Mobile Food Trucks/Pushcart shall provide and maintain a sanitary facility on site or shall provide and maintain a written agreement with a property and/or business owner allowing Mobile Food Trucks/Pushcart employees and customers to share the use of that properties existing sanitary facility. The structure containing shared sanitary facilities must be located within 750 feet from the location of the Mobile Food Trucks/Pushcart as identified on the approved site sketch.
- (M) Mobile Food Trucks/Pushcart permit, retail food license (if applicable), city business license and state sales tax license must be visible while Mobile Food Trucks/Pushcart is in operation.

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- (N) Prior to being issued permit, all Mobile Food Trucks/Pushcarts shall receive a fire inspection and must provide proof of fire inspection and proof of a certified working fire extinguisher being immediately accessible.
 - (O) All locations permitted for the placement of a Mobile Food Trucks/Pushcart must maintain a minimum distance of ten (10) feet from any structure (including roof eaves).
 - (P) Any Mobile Food Trucks/Pushcart operating on public or private property may be required to move at the request of City officials for health, sanitation, and safety reasons or for failure to comply with the requirements of this code.
 - (Q) Mobile Food Trucks/Pushcarts operating on private property must have written permission from the property owner.
 - (R) All Mobile Food Trucks/Pushcarts must provide proof of liability insurance naming the city as additionally insured.
 - (S) If a Mobile Food Trucks/Pushcart permit is not utilized at least once in any four-week period, the license may be revoked by the City. The City shall limit non-operational periods to no more than thirty (30) consecutive days.
 - (T) May not be of such size or other appearance that would present a public safety risk in or around the proposed location of the stand, in the sole and exclusive determination of the City Administrator after consultation with the Chief of Police, the Community Development Planner and such other City Staff and consultants as the Administrator deems appropriate.
 - (U) May not occupy any area in the historic district except with the express permission of the City Council.
 - (V) May not operate within five hundred (500) feet of another vending stand.
 - (W) No more than a single Mobile Food Truck/Pushcart License may be held by any person or by any one (1) entity or association.
 - (X) May not occupy any sidewalk.
 - (Y) Each permit shall be valid for not more than one (1) location and good for 1 calendar year
 - (Z) Special Event Food Vendors are exempt from the Mobile Food Truck/Pushcart application requirements under this section, however, still require applicable City Business license, State sales tax license, health department license and other required permits or licensure as required.

Sec. 9-217. Insurance.

No license shall be issued to an applicant who will operate from any moveable stand, mobile food truck, pushcart as defined in Section 9-212 above, unless the applicant furnishes proof to the City of a public liability bond or insurance policy in an amount not less than one hundred thousand dollars (\$100,000.00) per incident and three hundred thousand dollars (\$300,000.00) aggregate, for property damage and injuries, including injury resulting in death, caused by the operation of the vending business. The requirements of this Section shall not apply to registered participants in a special event approved by the City Council.

(Ord. 8 §1, 2006)

Sec. 9-218. Revocation/Suspension.

- (1) Conditions for suspension/revocation of license. Any license issued under these regulations may be suspended or revoked by the City Clerk for any of the following reasons:

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- (a) Fraud, misrepresentation or knowingly providing a false statement in the application for the license, false statement of material fact contained in the application.
 - (b) Fraud, misrepresentation or knowingly providing a false statement in the course of performing the activities regulated by this license.
 - (c) Conducting the operations regulated by this license in any manner contrary to the conditions of this license.
 - (d) Conducting the business of vending in such a manner as to create a public nuisance, cause a breach of the peace, constitute a danger to the public health, safety, welfare or morals, or interfere with the rights of abutting property owners.
 - (e) Cancellation of health department authorization for a food or beverage vending unit due to uncorrected health or sanitation violations.
 - (f) The licensee or any of its agents or employees interfere with an inspection of the mobile food truck/pushcart by a city representative.
- (2) *Notification of suspension or revocation.* This section shall be self-executing and the suspension or revocation shall be effective immediately. The city clerk or his/her designee shall provide written notice of the proposed suspension or revocation in a brief statement setting forth the complaint and the grounds for suspension or revocation. Such notice shall be mailed to the address shown on the permit holders application.
- (3) *Forfeiture of fee.* If the city revokes a mobile food truck/pushcart license, the fees already paid for the license shall be forfeited. A person whose license has been revoked under this section may not apply for a new license for a period of one (1) year from the date the revocation took effect.

Sec. 9-219. Appeals to City Council

In the event that any person desires to appeal any order, revocation or ruling of the city clerk, such aggrieved person shall file written notice of such appeal with the City Clerk and such matters will be added to the agenda for the next regular meeting of City Council. City Council shall hear and receive evidence, written and oral, upon all matters involved and render a decision upholding, vacating or modifying the order, revocation or ruling. The decision of City Council shall be in writing and considered final.

Sec. 9-220. Reserved.