

LEGISLATIVE #

110283c

Itinerant Food Vendors:

Jeff Babik

Current Problem and Proposals to be addressed:

1. The city of Gainesville's current ordinances on itinerant food vendors only allow operation from 7:00a.m. - 10:00p.m. with a one hour window to set up and take down. (6:00a.m – 7:00a.m, 10:00p.m. – 11:00p.m.) **'Article IV, Sec. 19-93. –Regulations'**. There is now current legislation on the agenda of the public safety committee to extend the shutdown time to 3:00a.m.
2. This proposal has been put forth in order to address multiple issues and problems associated with the current city ordinance. GPD currently loosely enforces this rule which is viewed by many as outdated. This new legislation would eliminate an obvious neglect of the current law. Many food vendors make the majority of their business after 10:00p.m. This new legislation would allow for the legal influx of revenue for these vendors whose annual income and livelihood in many cases depends on this business. One such vendor, owner of a hotdog cart alongside University Avenue in the midtown hospitality district, said, "I had to sell my restaurant and now this cart helps me bring money home to my family." This statement puts a deeper more personal face to a business we often see as one or two dimensional. Many of the itinerant vendors' clients are young adults who attend the bars in the downtown and midtown hospitality districts. It is debatable, but many would say that these food vendors help sober up intoxicated adults and potential drunk drivers by putting food in their stomachs to help absorb previously consumed alcohol and providing a time consuming activity; time away from being behind the wheel of a car while intoxicated.
3. Now this new legislation also raises new concerns however in direct relation to the potential effects on other businesses, specifically restaurants in the hospitality districts. There are also concerns on potential public safety risks and unforeseen consequences of allowing this legislation to pass. There are potential stresses that could be placed on the municipality in relation to permits available, limited number of locations, and competition that could result from these other legal standpoints. **'Article IV Sec. 19-92. –Annual Permit. Article IV, Sec. 19-93. – Regulations'**.
4. It should be noted that there are other vendors located around town that are not in the cities designated hospitality districts, the majority of which are located on the eastside of town in various neighborhoods. These neighborhood orientated vendors are more of a cultural mainstay for those living in the community.

Other Cities dealing with Itinerant Food Vendors:

5. Many larger cities such as New York, Los Angeles, Philadelphia, and Portland have found great ways to have a thriving food service industry made up of both street food and contemporary restaurants as well. Yet these cities have much larger populations than Gainesville and therefore a much larger clientele base. Gainesville's population currently sits at around 125,000 residents yet also boasts a large student population of around 70,000 students with the University of Florida and Santa Fe College combined. Gainesville was given the award of the #1 place to live in the 2007 edition of Cities Ranked and Rated as well as being rated as one the "best places to live and play" by National Geographic. Now if we look other college towns such as Austin, TX, Madison, WI, Burlington, VT, Boulder, CO, Oxford MI, Olympia, WA, Charlottesville, VA, Berkeley, CA, Ann Harbor, MI, and Chapel Hill, NC we see cities that have found a great balance of culture, food, and entertainment on the street and off of it. "America's Coolest College Towns", Travel and Leisure Magazine- By: C.J. Hughes. We need to strive to make Gainesville the "coolest college town" for students and permanent residents alike.
6. Austin, TX has relatively lenient regulations on food vendors as seen in their city ordinances, 'Title 8. Sec.8-3-4' and 'Title 8. Sec.8-3-4'. These ordinances allow for mobile food vendors to operate with simply a permit to operate on the property allotted them by the city of Austin or a written authorization letter from the director under which they are conducting their specific activities.
7. Madison Wisconsin is home to a population of roughly 233,000 permanent residents and is home to the University of Wisconsin which has a student population of 42,000 currently enrolled. Madison takes a two part approach to their thriving street food industry as stated in 'Sec. 9.13(6)(l)' and 'Sec. 9.13(6)(n)' wherein vendors are allowed to operate between the hours of 5:00a.m. and 8:00p.m. unless they have a Late night vending permit which allows for further operation from the hours of 9:00 p.m. to 6:00 a.m. In this sense those vendors who wish operate at night can do so freely with the application of this permit but may also conduct daytime operations with a normal vending license obtained separately. Currently the city of Gainesville, FL is considering voting merely on the extension of current operating hours under the same permit. This strategy implemented in Madison, WI would be addressed at a later date in order to deal with any problems that may arise in the application for permits and the potential competition to obtain open lots. Food Vendors, as does any business, have to take into account the cost of operation of their carts, the application of requiring a late night

permit may allow vendors to choose between the costs of one or two permits based on the hours in which they are most profitable. Adversely having the requirement of a late night permit may add a burden to an industry that is already fragile and may be harmed by more regulations and costs.

Recommendation:

Allow for the extension of the hours of operation for itinerant food vendors in the municipality of Gainesville

It is often easy for us to see food vendors at face value and not realize that a lot of these vendors are out there to make a living and bring in some much needed income for their family and to support themselves. We have to find a balance between established businesses, vendors, and the laws and ordinances that best benefits everyone. There will be questions and complaints as there is with the passing or changing of any new law, yet the benefits in this case are immediate and tangible, and any potential negative outcomes are far off, not currently present, and in most cases minor and easily dealt with.

City of Austin, Texas

Title 8. Sec.8-3-4'

Title 8. Sec.8-3-4'

City of Gainesville, Florida

Article IV, Sec. 19-93. –Regulations'

Article IV Sec. 19-92. –Annual Permit. Article IV, Sec. 19-93. – Regulations'

City of Madison, Wisconsin

Sec. 9.13(6)(l)

Sec. 9.13(6)(n)