

MINUTES OF THE HEALTH & HUMAN SERVICES COMMITTEE
January 7, 2019
East Conference Room

Present: Councilmembers Litten, George, Anderson

Also Present: Councilmember Bullock, Rader, Fire Chief Gilman, Clerk Bach, Director Gelsomino, and Clerk Bach taking minutes

Call to Order: 6:05 p.m.

ORDINANCE NO. 44-18 - AN ORDINANCE enacting Chapter 743, Mobile Food Service Operations, of the Lakewood Codified Ordinances to establish regulations on food trucks operating within the City.

At the invitation of the Chair, Ms. George introduced Ordinance 44-18 and explained her motivation for proposing it. She noted that she began to consider the need for common sense regulations after hearing about the proposed food truck/beer garden park. She stated that she has no intention to hinder that or any other food truck business but wants to ensure that food is safe and that food trucks are fire safe.

She noted that the ordinance requires a one-time \$150 permit fee for mobile food service operations. There is no fee for trucks associated with a brick and mortar Lakewood business. She expresses openness to other ideas about the amount of the fees. She explained what would be required to obtain the permit under the proposed ordinance, including proof of insurance and a certificate from the Fire Department.

Mayor Summers expressed support for the legislation. He stated that having some regulation and fees levels the playing field between fixed restaurants and food trucks. He noted that food truck employees don't pay income tax to the City because we do not know their schedules. He expressed support for a higher fee and urged the Committee to consider making the permit annual rather than one-time as proposed.

Councilmember George was agreeable to annual inspections but not necessarily an annual fee.

The Committee deliberated further on the most appropriate fee. Consideration was given to the burden of fees on food truck operators as well as the need for a fee to cover the expense of an inspection.

It was clarified through discussion that the ordinance as proposed does not apply to a food truck housed in Lakewood but that does business outside the City.

President O'Leary expressed interest in allowing food trucks to serve in places throughout the City where streets remain open. Chief Gilman discussed some logistical challenges to that approach.

Councilmember Bullock expressed support for the ordinance and suggested gathering feedback from the marketplace on the most appropriate fees.

Councilmember George mentioned the various folks in the industry to whom she has reached out. She emphasized that the intent of the legislation is not to make money, but to ensure safety.

Chief Gilman expressed support for the ordinance, stating that it gives teeth to the department's current practices of trying to inspect food trucks for fire safety. He noted that truck standards were unregulated until 2018 when the State Fire Code established fire safety standards. However, most trucks were built before 2018. He spoke of the many inspections and regulations that brick and mortar restaurants face compared to the relatively limited regulation on food trucks.

Councilmember Litten proposed that the Committee reconvene to focus on the question of fees.

Councilmember George and Mayor Summers agreed to work together until then.

President O'Leary expressed support for the ordinance.

Health & Human Services Committee adjourned at 6:30 p.m.