

ORDINANCE NO. 2021 - 12

AN ORDINANCE REQUIRING PREPARED FOOD VENDORS WITHIN THE CITY OF METROPOLIS TO OBTAIN A LOCAL LICENSE

WHEREAS, the City of Metropolis finds that it has the authority to pass all ordinances and make all rules and regulations proper or necessary to carry into effect the powers granted to municipalities; and

WHEREAS, this Ordinance is designed to protect and promote public health, sanitation, and the general well-being of the citizens of the City of Metropolis; and

WHEREAS, the Mayor and City Council have determined that the passage of this Ordinance is in the best interests of the citizens of the City of Metropolis

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR PRO-TEM AND CITY COUNCIL OF THE CITY OF METROPOLIS, as follows:

SECTION 1: That no vendor shall sell or offer to sell to the public, un-sealed, prepared foods that may be consumed either on or off of the vendor's premises, without first applying for and obtaining a local license from the City of Metropolis.

A. In order to receive a City of Metropolis Vendors License, an applicant must provide the following:

1. A \$25.00 license fee, which must be paid every year the business is in operation;
2. The permanent address, not a P.O. Box, of the owner of the vending establishment where the owner can be contacted;
3. An address for the location of said business establishment;
4. A sales tax identification number;
5. Adequate proof of public liability insurance which must:
 - a. be in an amount not less than \$100,000 per claim and \$225,000 in the aggregate;

- b. not be capable of being canceled without 10 days prior notice to the City;
 6. A copy of the public liability insurance must accompany the application for license and each renewal application;
 7. Any other pertinent information that the City may find to be reasonably necessary for the acquisition a Vendor's License.
- B. For the protection and promotion of public health and sanitation in the City of Metropolis, all vending establishments that serve un-sealed, prepared foods that can be consumed either on or off of said premises must meet the following requirements:
 1. The manager of the vending establishment must have a food handling license issued by the Illinois Department of Public Health.
 - a. This license must be prominently displayed where it can be viewed by all possible customers of the vending establishment.
 - b. No manager can be employed by the vending establishment or perform work at its location who is not so licensed by the Illinois Department of Public Health. At least one person so licensed must be on duty anytime the vendor is open.
 - c. A copy of each food handling license must be furnished annually when the license is renewed.
 - d. The renewed license must be displayed as before, where it can be viewed by all possible customers of the vending establishment.
 2. The food vending establishment must have hot and cold running water in the building, trailer, or other type of structure from which the business is conducted.
 3. The food vending establishment must be approved by the City of Metropolis Fire Department following a life-safety inspection and prior to the issuance of a license hereunder.

SECTION 2: All food vending licenses issued hereunder shall expire on June 30 of each year. Requests for renewal shall be made on the same forms as the original application.

SECTION 3: Vendors that must abide by this Ordinance include businesses that have a deli or bakery. Exempt from this Ordinance, are vendors that provide food at the Superman Festival, the Fort Massac Encampment, and any other City of Metropolis sponsored events.

SECTION 4: Any person, partnership, corporation, or other entity or firm violating any term or condition of this Ordinance shall, upon conviction, be fined not less than \$100.00 plus court costs and not more than \$500.00 plus court costs for a first offense and not less than \$250.00 plus court costs and not more than \$750.00 plus court costs for a second or subsequent offense. Each day that a violation of this ordinance occurs or exists shall be deemed a separate violation.

SECTION 5: If any provision of this Ordinance shall be deemed invalid, such determination shall not affect the remaining provision of said ordinance, which shall remain in full force and effect.

SECTION 6: This Ordinance shall be in full force and effect 30 days following its passage and approval, and publication, as required by law.

The above Ordinance was adopted this 28 day of June, 2021 by the following vote of the City Council:

Brian Anderson
Dylan Chambers
Jeremy Holley
Chad Lewis
Michele Longworth



Darryl Neill
Chuck Short
Al Wagner



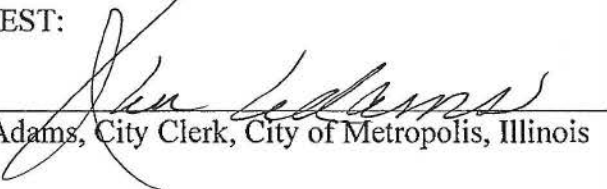
City Clerk



Approved this 28 day of June, 2021

BY 
Mayor Pro-Tem

ATTEST:


Jan Adams, City Clerk, City of Metropolis, Illinois