

(Summary Publish in the Leavenworth Times on September 29, 2017)

ORDINANCE NO. 8058

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
CITY OF LEAVENWORTH, KANSAS, CHAPTER 54 HEALTH &
SAFETY, ARTICLE III FOOD**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH,
KANSAS:**

Section 1. That the Code of Ordinances, City of Leavenworth, Kansas, Chapter 54, Health & Safety, Article III, Food, be amended to read as follows:

DIVISION 1. - GENERALLY

Sec. 54-131 License Required/Fees.

Except as otherwise provided in the Article, no person, whether as principal, officer, agent, servant or employee or otherwise, shall operate within the corporate limits of the City any food or drink establishment, mobile food vending business, ice cream vending business, whether temporary or permanent without having first obtained the required licenses/permits from the City Clerk. The fee for such licenses/permits shall be prescribed in Appendix F and are not prorated, refundable or transferable.

Sec. 54-132 Display of License.

All license issued under this Article shall be placed in plain view next to or below the State License if a state license is required and has been issued.

Sec. 54-133 Health Permit.

No food or drinking establishment shall operate within the City of Leavenworth without first obtaining a health permit. When a food or drinking establishment fails to qualify as provided in the referenced in Sec. 54-136 Regulations/Enforcement, the City Health Officer is authorized to suspend, or revoke the permit of the food or drinking establishment. Each owner or operator of a food or drinking establishment shall pay an annual health permit fee as set out in appendix F. The annual permit fee shall be payable to the City Clerk before the permit is issued. The health permit shall be renewed and the permit fee paid prior to January 1 each year. Proof of a valid Food Safety License issued by the State of Kansas Department of Agriculture must be provided to the City Clerk. The City Health Permit application shall be made upon a form prescribed by the City and submitted and filed with the City Clerk. Such form shall include the following:

- (1) Name and permanent address and contact information of the applicant and the business. If the applicant is not an individual, the names and permanent address of the officers of the corporation or the members of the partnership, firm association or other entity, as the case may be;

- (2) Valid Kansas Sales Tax ID number; and
- (3) Signature of applicant, individually and/or by its members and officers, and any agents or employees of the applicant who will be involved in the applied-for health permit certifying that all of the information provided in the application is true and correct.

Sec. 54-134 Food Service School/Food Handler Permit.

Such school shall be scheduled and conducted by the City Health Officer. Permittees may attend online food handler training from the City of Leavenworth's online food handler training provider. Attendance of similar training courses held in other cities may be accepted if of equal requirements and completion is evidenced by official documents. Upon payment of fee, completion of such school or evidence of training by another means approved by the City Health Officer or City Clerk, a food handler permit shall be issued by the Office of the City Clerk.

- (1) *Temporary permits.* A 30-day temporary food handler permit allowing an individual to be employed in a food or drink establishment, ice cream truck, mobile food truck, or any other such operation that require a food handler license until such time as a food service training school is conducted.
- (2) *Fees.* All persons attending food service school shall pay a fee to the City Clerk in the amount as set out in appendix F prior to attendance.

Sec. 54-135 Regulations/ Enforcement

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the regulation of food safety in food establishments and temporary food establishments within the City; the issuing, suspension, and revocation of licenses and temporary permits; the collection of fees; the making of inspections; the enforcement of Chapter 54 Article III of the City of Leavenworth Municipal Code and the fixing of penalties for violations thereof, the 2012 Kansas Food Code, as adopted and published by the Secretary of the Kansas Department of Health and Environment on July 1, 2012, which in turn was based upon the United States Public Health Services (PHS) 2009 Model Food Code. One (1) copies of the 2012 Kansas Food Code shall be marked "Official Copy as Adopted by Ordinance No. 8058", to which shall be attached a copy of this Ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

- (1) The enforcement official for the purpose of enforcing and interpreting the 2012 Kansas Food Code, shall be the city manager or his designee.

Sec. 54-136 Penalties.

Any person convicted of violating any provisions of chapter 54, article III, of the Code of Ordinances, City of Leavenworth, Kansas, for which another penalty is not specifically provided, is guilty of a public offense and punishable by a fine of not more than \$500.00 or imprisonment not to exceed six (6) months, or by both such fine and imprisonment.. Each person is guilty of a separate offense for each and every day during any portion of which any violation of any

provision of such division is committed, continued or permitted by any such person and shall be punished accordingly.

Sec. 54-137 Denial, Revocation and Appeal.

(1) If a license/permit is not issued, the City Clerk or designee shall indicate in writing the reason(s) for denial and inform the applicant of the applicant's right to an appeal of the denial in accordance with the provision of this Article.

(2) A license/permit may be revoked if the applicant fails to provide true and correct information on the application, the applicant fails to continuously maintain insurance in accordance with requirements of this chapter, or upon a violation by the applicant or any involved agents or employees of any provision of this Chapter, City Code or any federal, state, or local law, rule, or regulation applicable or related to the license/permit issued under this Article. Notice of such revocation shall be mailed by the City Clerk or designee to the applicant's address as shown on the registration application form, or to the applicant's last known address, indicating in writing the reason(s) for revocation and informing the applicant of the applicant's right to an appeal of the revocation in the same manner as a denied application; however, any appeal of a license/permit revocation shall not suspend the revocation during the pendency of the appeal.

(3) Upon the City's denial of an application for revocation of a license/permit under this Article, the applicant shall have the right to appeal such action within fourteen (14) days of the denial or revocation being mailed to the applicant's address as shown on the registration application form, or to the applicant's last known address. Such an appeal must be in the form of a written request, filed with the City Clerk, setting the grounds for the appeal. Upon receipt of such a written request, the City Clerk shall schedule the appeal hearing to take place during the next ten (10) calendar days, before the City Manager. Notice of the appeal hearing shall be given to the appellant in the same manner as provided for in the mailing of the notice of license/permit denial or revocation. The decision of the City Manager on the appeal shall be final and binding on all parties.

Sec. 54-138 – 54-146 Reserved

DIVISION 2. FOOD AND DRINKING ESTABLISHMENTS

Sec. 54-147 Definitions.

Food and drinking establishment shall mean restaurant, grocery store, convenience store, bakery, delicatessen, bar, cafe, coffee house, bed and breakfast, hotels, lodging establishments, concession stand, drinking establishment, food processors, food wholesalers, food warehouses,

food re-packers and food manufacturers and any similar non-temporary business or organization preparing or offering for sale food or beverage outside of its manufactured packaging.

Sec. 54-148 Registration Required.

It shall be unlawful for any owner or operator of a food or drinking establishment to operate within the corporate limits of the City of Leavenworth without first obtaining the required licenses/permits in accordance with this Section.

- (1) Health Permit. Food and drinking establishments shall make application and pay a fee to the City Clerk in the amount as set out in appendix F.
- (2) Food Handler Permit. Each employee or person engaged in the handling and or preparation of food and or beverage shall obtain a Food Handler permit.

Sec. 54-149 – 54-154 Reserved

DIVISION 3. TEMPORARY FOOD SERVICE

Sec. 54-155 Definitions.

- (1) *City Approved Event* shall mean any event open to the public within the City, held on any City property, park, street, alley or right-of-way; any event such as a community celebration, parade, run, walk, festival or similar event approved by the City by filing a Special Event application with the City Clerk, paying applicable fees, and approved by City Staff and/or the Governing Body of the City.
- (2) *Temporary Food Service Operations* shall mean any food establishment or vendor who does not possess a permanent location in the City of Leavenworth and/or has not obtained an annual license/permit in accordance with Division 2 of this Article or any mobile food vendor who does not possess an annual license/permit in accordance with Division 4 of this Article.
- (3) *Event Coordinator/Promoter* shall mean any person or entity responsible for and submitting a Special Event application with the City of Leavenworth.

Sec. 54-156 Registration Required.

All temporary food service operations in the City of Leavenworth that do not serve prepackaged foods, such as chips and candy bars, from an approved source need a temporary food service permit. Temporary food service application shall be reviewed by the City Health Officer for approval. The City Health Officer will take into consideration the food and/or drink prepared/served, how the food and/or drink items are prepared, temperature management procedures and enclosure from which the food and/or drink will be served from.

- (1) The event coordinator/promoter of a special event shall be responsible for submitting, the completed Temporary Food Service Application and fees to the City when food vendors are participating in a single event.

- a. Coordinator/promoter shall submit completed applications at least two weeks before an event to be reviewed and approved by the City Health Officer. No fee is to be paid to the City until the vendor has been approved by the City Health Officer.
 - b. Coordinator/promoter shall pay the Temporary Food Service Application fee, for applications approved by the City Health Officer, as set out in appendix F no later than 24-hours before an event. For weekend scheduled events, payment is expected by noon the Friday before the event.
 - c. Temporary Food Service permits shall be issued per special event and shall be valid for a period of no more than three (3) consecutive days.
 - d. Proof of a valid Food Safety License issued by the State of Kansas Department of Agriculture or any other state is required. In the event the Temporary Food Vendor does not possess a valid Food Safety License, the City of Leavenworth Health Officer shall provide an inspection for a fee set out in appendix F.
- (2) Temporary Food Service vendors shall be inspected by the City Health Officer during the event. The temporary food service vendor shall be available for inspection at the time specified upon approval of the application.

Sec. 54-157 Registration Application

All applications for a temporary food service application shall be made upon a form prescribed by the City and submitted and filed with the City Clerk.

License/permit is non-transferable and non-refundable. Such form shall include the following:

- (1) Name of the applicant and the business or vendor name and contact information. If the applicant is not an individual, the names and permanent address of the officers of the corporation or the members of the partnership, firm association or other entity, as the case may be;
- (2) Event information to include name of event, location of the event, event coordinator, scheduled dates and times of the event;
- (3) Valid Kansas Sales Tax ID number;
- (4) Information regarding any type of license held;
- (5) Information regarding the items to be served; and
- (6) Signature of applicant, individually and/or by its members and officers, and any agents or employees of the applicant who will be involved in the applied-for temporary food service license certifying that all of the information provided in the application is true and correct.

Sec. 54-158 Exclusions.

- Application fee shall be waived for non-profit 501(c)(3) organization with proof of registration as such.
- Application fee shall be waived for Mobile Food Vendors holding a current City of Leavenworth Mobile Food Vending license.

- Application fee shall be waived for Ice Cream Vendors holding a current City of Leavenworth Ice Cream Vendors License.
- Application fee shall be waived for Food Service Establishments holding a current City of Leavenworth Health Permit.

Sec 54-159 – 54-164 Reserved

DIVISION 4. MOBILE FOOD VENDING

Sec. 54-165 Definitions.

- (1) *Mobile Food Vending* shall mean to conduct, hold, carry on, pursue or operate a business of vending, peddling, hawking and/or selling any food and/or beverage from a mobile food unit or push cart.
- (2) *Mobile Food Unit or "Unit"* shall mean any self-contained vehicle, trailer, cart or other type of conveyance from which food and/or beverage is offered for sale, but does not include ice cream trucks/ice cream vendors (see Division 5 of this Article).
- (3) *Mobile Food Vendor or "Vendor"* shall mean any person, corporation, association, or other entity, however organized, that offers food and/or beverage for sale from a Mobile Food Unit.
- (4) *City Approved Event* shall mean any event approved or sponsored by the City, any event such as a community celebration, parade, run, walk, or festival approved by the City by filing a Special Event application with the City Clerk, paying applicable fees, and approved by City Staff and/or the Governing Body of the City.
- (5) *Public Property* shall include all city streets, alleys, right-of-ways, parking lots, and parking spaces, City parks and/or recreational areas.
- (6) *Push Cart* shall mean a non-self-propelled vehicle used from which food and/or beverage is offered for sale, but does not include ice cream trucks. (see Division 5 of this Article)
- (7) *Mobile Packaged Food Delivery Truck* shall mean an enclosed vehicle licensed to operate on public roads in which a person travels from place to place to deliver packaged food that has been previously ordered.

Sec. 54-166 Registration Required.

It shall be unlawful for any person to conduct Mobile Food Vending within the corporate limits of the City of Leavenworth without first obtaining required license/permits in accordance with this Article.

- (1) **Mobile Food Vending License.** All vendors shall make application with the City Clerk. All application shall be accompanied by a non-refundable registration fee. The amount of the fee shall be set out in appendix F.
- (2) **Health Permit.** All vendors shall make application and pay a fee to the City Clerk in the amount as set out in appendix F.
- (3) **Food Handler Permit.** Each employee or person engaged in the handling and or preparation of food and or beverage shall obtain a Food Handler permit.

Sec. 54-167 Registration Application.

All applications for new or renewal license for Mobile Food Vending shall be made upon a form prescribed by the City and submitted and filed with the City Clerk. All Mobile Food Vending License are for a period of March 1 – February 28. License fees are not prorated. All application shall be reviewed and approved by the City Health Officer prior to issuance of the license.

License/permit is non-transferable. Such form shall include the following:

- (1) Name and permanent address of the applicant and the business, showing proof of identification, If the applicant is not an individual, the names and permanent address of the officers of the corporation or the members of the partnership, firm association or other entity, as the case may be;
- (2) The name of the owner and the type, make and registration number and description of the vehicle to be used;
- (3) Valid Kansas Sales Tax ID number;
- (4) A statement as to whether or not the applicant has ever had a mobile food vending registration or other similar license or permit revoked or suspended by the City of Leavenworth or any other city. Such a revocation or suspension may result in the City's refusal to process the application;
- (5) A statement that the applicant understands and agrees that registration will not be used or represented in any way as an endorsement of the applicant by the City of Leavenworth or by any department, officer, or elected or appointed official of the City.
- (6) Proof of a valid driver's license for operation of the class of vehicle identified in the application for the applicant and any agent or employees of the applicant who will be involved in driving the identified vehicle;
- (7) Proof that the applicant has secured commercial general liability insurance for the mobile vending operation to be maintain for the entire length of the registration, written by an insurance carrier licensed to do business in Kansas, with minimum limits of \$500,000 combined, single limit for bodily and property damage, each occurrence and \$1,000,000 in the general aggregate. Evidence of compliance with these insurance requirements shall be in the form of a certificate of insurance that shall be submitted with the application. Such insurance certificate shall not be cancelled without prior written notice to the City; and
- (8) Signature of applicant, individually and/or by its members and officers, and any agents or employees of the applicant who will be involved in the applied-for mobile food vending certifying that all of the information provided in the application is true and correct.

Sec. 54-168 Operating Conditions.

All mobile food vending registration certificates shall be subject to compliance with the following conditions:

- (1) *Location:*
 - a. Mobile food vendors may not be located on property where the Unit or a line of customers would:

- Hinder the flow of traffic on any street;
- Hinder the flow of bicycles within any bike lane or route;
- Hinder the flow of pedestrians along any sidewalks;
- Block or reduce to less than five feet in width any accessible route to persons with disabilities;
- Block, hinder, or obstruct the vehicular flow within any parking lot; or
- Block or obstruct access to any driveway or access point to any property.

A Police Officer may order the vehicle moved by the operator to comply with these provision or have the vehicle towed at owner's expense to alleviate the problem.

- b. No more than three (3) mobile food units may locate on any zoning lot at any given time except as part of a City Approved Event;
- c. Mobile food vendors shall not operate within 100 feet of a permanent brick and mortar restaurant during posted hours of operations, without written permission from the restaurant owner;
- d. Mobile food vendors shall not operate within residential zoning district, unless at an approved block party event with an authorized temporary street closure, or other private event and parked on a private driveway;
- e. Mobile food vendors shall not operate in a public right-of-way along parade routes on the day of the parade;
- f. Mobile food vendors shall not locate on any public property or park without first obtaining permission from the City. Request shall be filed with the City Clerk for consideration and may be granted by the City Manager ; and
- g. Every unit shall be stationary while vending.

(2) Written Permission of Property Owner

All mobile Food Vendors operating on private property shall acquire and maintain the written permission of the property owner for the use of and location of the Unit on said property. Written permission of the property owner shall be kept in the Unit and produced upon request by the Chief of Police or designee or other public officer changed by the City Manager with enforcement of this Article.

(3) Prohibited Sales

Mobile food vendors are prohibited at all times from selling or offering for sale alcoholic beverages, cereal malt beverages, or tobacco products.

(4) Lights

No flashing lights or attention attracting devices are permitted on or in association with the use of the Mobile Food Unit. No direct light from a Mobile Food Unit may be shined on adjacent property or cause glare or distraction for vehicles, bicycles, or pedestrians.

(5) Sound Devices

Amplified music or chimes from a mobile food unit is not allowed.

(6) Signs

No sign on a Mobile Food Unit may be illuminated. A maximum of one (1) detached “A” frame/sandwich board sign may be permitted as per Sec. 8.10 of the City Development Regulations. “A” frame/sandwich board sign must be located within fifteen (15) feet of the associated Unit and may not interfere with vehicle access, pedestrian movement, or handicap-accessible routes to and around the Unit.

(7) Trash and Site Cleanup

All Mobile Food Vendors shall ensure that a trash receptacle shall be provided with each Mobile Food Unit. Such receptacle must be attached to the Unit or located within fifteen (15) feet of the Unit and cannot interfere with vehicle access, pedestrian movement or handicap-accessible routes to and around the Unit. Immediately upon the cessation of vending, the Mobile Food Vendor shall remove and properly dispose of all trash and litter accumulated at the vending site.

(8) License and Permits

All mobile food vendors shall acquire and maintain all required licenses and permits applicable to the use and operation of Mobile Food Units from all applicable jurisdictions. Evidence of such license and/or permits shall be kept in the Unit and produced upon request by the Chief of Police or designee, City Food Health Officer or other public official charged by the City Manager with enforcement of this Chapter.

Sec. 54-169 Exclusions.

The provisions of this section (Mobile food Vending) shall not apply to the following:

- Vendors selling as part of a City approved event;
- Vendors selling at the Leavenworth Farmers Market;
- Ice Cream Vendors licensed under Division 5 of this Article;
- Vendors selling on public or private school property with the permission of any such school;
- The sale of farm or garden products or fruit grown by the seller or his or her employer;
- Individuals providing catering services to a private event and not open for the sale of food and/or beverage to the general public;

- Mobile Packaged Food Delivery Trucks; or
- Neighborhood Refreshment Stands and other similar products.

Sec 54-170 – 54-175 Reserved

DIVISION 5. ICE CREAM VENDORS

Sec. 54-176 Definitions.

- (1) *Ice Cream Vendor* shall mean any person, firm, partnership or corporation who travels by any type of vehicle from house to house, or place to place, selling or offering for sale any prepackaged ice cream, ice cream novelties, or frozen treats intended for immediate consumption within the corporate limits of the City of Leavenworth; provided, however, that no person, firm, partnership or corporation shall be considered an ice cream vendor when orders are taken for ice cream food products to be delivered to the ultimate consumer on a prearranged day subsequent to the date of sale.
- (2) *Ice Cream vendor unit or “vehicle”* shall mean every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway for the purpose of vending ice cream, ice cream novelties or frozen treats intended for immediate consumption.
- (3) *Ice Cream Vending* shall mean the act of traveling by any type of vehicle from house to house, or place to place, selling or offering for sale any prepackaged ice cream, ice cream novelties, or frozen treats intended for immediate consumption within the corporate limits of the City of Leavenworth.

Sec. 54-177 Registration Required.

It shall be unlawful for any person to conduct ice cream vending within the corporate limits of the City of Leavenworth without first obtaining required license/permits in accordance with this Article.

- (1) **Ice Cream Vendor License/Permit.** All vendors shall make application with the City Clerk. All applications shall be accompanied by a non-refundable registration fee. The amount of the fee shall be set out in appendix F.
- (2) **Health Permit.** All vendors shall make application and pay a fee to the City Clerk in the amount as set out in appendix F.
- (3) **Food Handler Permit.** Each employee or person engaged in the handling and or preparation of food and or beverage shall obtain a Food Handler permit.

Sec. 54-178 Registration Application.

All applications for new or renewal license/permits as an Ice Cream Vendor shall be made upon a form prescribed by the City and submitted and filed with the City Clerk. All ice cream vendor license/permits are for a period of March 1 – February 28. License/permit fees are not prorated

or refundable. All application shall be reviewed and approved by the City Health Officer and Chief of Police prior to issuance of the license.

License/permit is non-transferable. Such form shall include the following:

- (1) Name and permanent address of the applicant and the business, showing proof of identification, If the applicant is not an individual, the names and permanent address of the officers of the corporation or the members of the partnership, firm association or other entity, as the case may be;
- (2) The name of the owner and the type, make and registration number and description of the vehicle to be used;
- (3) Valid Kansas Sales Tax ID number
- (4) A statement as to whether or not the applicant has ever had an Ice Cream vending registration or other similar license or permit revoked or suspended by the City of Leavenworth or any other city. Such a revocation or suspension may result in the City's refusal to process the application;
- (5) A statement that the applicant understands and agrees that registration will not be used or represented in any way as an endorsement of the applicant by the City of Leavenworth or by any department, officer, or elected or appointed official of the City.
- (6) Proof of a valid driver's license for operation of the class of vehicle identified in the application for the applicant and any agent or employees of the applicant who will be involved in driving the identified vehicle;
- (7) Proof that the applicant has secured commercial general liability insurance for the mobile vending operation to be maintain for the entire length of the registration, written by an insurance carrier licensed to do business in Kansas, with minimum limits of \$500,000 combined, single limit for bodily and property damage, each occurrence and \$1,000,000 in the general aggregate. Evidence of compliance with these insurance requirements shall be in the form of a certificate of insurance that shall be submitted with the application. Such insurance certificate shall not be cancelled without prior written notice to the City; and
- (8) Signature of applicant, individually and/or by its members and officers, and any agents or employees of the applicant who will be involved in the applied-for Ice Cream vendor license/permit certifying that all of the information provided in the application is true and correct.
- (9) No license shall be issued under this Division to any person who:
 - a. Is required to register pursuant to the Kansas Offender Registration Act, K.S.A. 22-4901 et seq., as amended, or pursuant to an offender registration act of any state; or,
 - b. Has been convicted of a felony; or,
 - c. Has been convicted in the past five (5) years of a misdemeanor or ordinance violation involving force, violence, deceit, or fraud; or,

- d. Has been convicted in the past three (3) year of any law prohibiting leaving the scene of an accident; driving under the influence of alcohol and/or drugs; reckless driving; fleeing or alluding a police officer; driving while license is suspended or revoked; failure to report an accident; or five or more traffic violations (not including parking violations).

Sec. 54-179 Operating Conditions.

It shall be unlawful for any Ice Cream Vendor to:

- (1) Vend on a street where the posted speed limit exceeds twenty-five (25) miles per hour, nor exceed a speed of fifteen (15) miles an hour when seeking sales or when attempting to make a sale;
- (2) Stop anywhere within twenty-five (25) feet of an intersection when making a sale or attempting to make a sale;
- (3) Double-park, or park in any manner contrary to any ordinance relating to parking when attempting a sale or when making a sale;
- (4) Make a U-turn on any block;
- (5) Drive the vehicle backwards to make or attempt any sale;
- (6) Sell or attempt to sell to any person who is standing in the street;
- (7) Permit any person to hang on the vehicle or permit any person to ride in or on the vehicle except a driver and a bona fide assistant or assistants authorized by the owner of the vehicle and/or the licensee;
- (8) Remain standing or stopped at any place for a period of time exceeding ten (10) minutes, or otherwise stop or park a vehicle on the public right-of-way for the purpose of making a sale or sales so as to obstruct the free flow of traffic;
- (9) Sell or attempt to sell along any particular route more than one time during a twenty-four hour period;
- (10) Sell or attempt to sell inside any City park or recreational area unless authorized by the City as part of a City-sponsored event or as authorized by the Parks and Recreation Director;
- (11) Sell or attempt to sell from a vehicle which is not equipped with a prominent sign visible to both the front and rear with the wording "Caution – Children," and flashing amber (yellow) caution lights on all four corners of the vehicle visible from front, rear and both sides;

(12) Use a sound device of any kind whatsoever, except bell, amplified music or chimes which are not audible any distance greater than three hundred (300) feet which are turned off when the vehicle is stationary for the purpose of seeking a sale or attempting to make a sale;

(13) Sell or attempt to sell or use amplified music or chimes outside the hours of 10:00 A.M. to thirty (30) minutes after sunset;

(14) Sell or attempt to sell while the vehicle is moving; or

(15) Sell or attempt to sell within five hundred (500) feet of an active school zone of a public or private school.

Sec. 54-180 Exclusions

The provisions of this Division (Ice Cream Vendor) shall not apply to the following:

- Vendors selling as part of a City approved event
- Vendors selling on public or private school property with the permission of any such school

Sec. 54-181 Vehicle Inspection.

The Chief of Police or designee or other public officer charged by the City Manager with enforcement of this Article may at any time cause any ice cream vendor unit to be inspected to determine that said unit is suitable from the standpoint of safety for the conduct of an ice cream business and that all provisions of this Division and any other City ordinances relating to safety are being complied with.


Sec. 54-182 – 54-185 Reserved

Section 2. That Sections 54-131 through 54-185 amended herein and all other sections in conflict herewith are hereby repealed.

Section 3. That this Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Passed by the Leavenworth City Commission on this 26th day of September, 2017.





Nancy D. Bauder, Mayor

ATTEST:

Carla K. Williamson, City Clerk, CMC