

Ordinance 0007-24 – MOBILE FOOD ESTABLISHMENTS

An ordinance to create Chapter 22, Article XIV. – Mobile Food Establishments of the Municipal Code of the City of Racine, Wisconsin.

Part 1: To create Article XIV, Chapter 22 of the Municipal Code to read as follows:

Sec. 22-451. – Definition.

For purposes of this article, a mobile food establishment shall mean a restaurant or retail food establishment wherein food is served or sold from a movable vehicle, pushcart, stand, trailer, truck, boat, or any other unit which may periodically or continuously change locations. The unit may require a service base to accommodate the unit for servicing, cleaning, inspection and maintenance. This does not include a vehicle which is used solely to transport or deliver food or a common carrier regulated by the state or federal government.

Sec. 22- 452. – Hours of operation.

No mobile food establishment may operate within city limits between the hours of 1:00 a.m. and 6:00 a.m.

Sec. 22-453. – Statutory provisions adopted.

The provisions of Wis. Stats. ch. 97, ATCP ch. 75 and the Wisconsin Food Code relating to mobile food establishments are adopted as a portion of this article in so far as applicable, unless otherwise provided by ordinance. A violation of any provision of such sections of the statutes shall constitute a violation of this article.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within 5 days, which fact shall be certified thereon by the clerk. If the mayor disapproves, the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective, notwithstanding the objections of the mayor.