

ORDINANCE NO. 18-06**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA, BY AMENDING CHAPTER 183 MOBILE FOOD UNITS**

WHEREAS, the City of Windsor Heights seeks to promote the public health, safety, general welfare and aesthetics of the community through consistent, content-neutral and nondiscriminatory enforcement within its city limits; and

WHEREAS, the City Council recognizes that State of Iowa licensed mobile food units perform a service in providing the citizen's with the option of new places to dine; and

WHEREAS, the City Council finds it in the best interest of the community to regulate mobile food units within the City limits; and

WHEREAS, the City Council finds that a high standard for the enforcement; and its intent to establish minimum standards for the uses of licensing in a manner that will provide for the health, safety, and welfare of the patrons, employees, the general public, that may utilize or be affected by use; and

WHEREAS, on May 23, 2018, following proper notice and publication of the proposed changes, the Planning and Zoning Commission held a public hearing on the proposed addition of Chapter 183 to the Windsor Heights Code or Ordinances; and

WHEREAS, on June 4, 2018, following proper notice and publication of the proposed changes, the City Council held a public hearing on the proposed amendments of Chapter 183 to the Windsor Heights Code or Ordinances; and

WHEREAS, the City Council of the City of Windsor Heights does hereby find and declare that the Chapter 183 amendments necessary and will promote the health, safety, general welfare and aesthetics of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, POLK COUNTY, IOWA:

SECTION 1. Purpose. The purpose of this ordinance is to amend the Windsor Heights Code or Ordinances by adding Chapter 183, in order to enhance the effectiveness of enforcement for City of Windsor Heights and promote the health, safety, general welfare and aesthetics of the community.

SECTION 2. Amending. Chapter 183 of the Windsor Heights Code of Ordinances, Mobile Food Units, is reflected in the attached Exhibit A and incorporated herein.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and Approved this ____ day of _____, 2018.

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Publish Date: _____

Dave Burgess, Mayor

(SEAL)

ATTEST:

Marcia Woodke, Interim City Clerk