

EXECUTIVE ORDER

No. 2022-01

NON-STATIONARY FOOD VENDORS

WHEREAS ARTICLE XXIII. STREET AND STATIONARY VENDORS and ARTICLE XIXa. MOBILE FOOD VEHICLE VENDORS do not clearly capture all of the known types of food sales that take place in the community; and

WHEREAS Article XIXa limits the number of mobile food carts that can be licensed; and

WHEREAS there are many non-stationary food service businesses that would like to be licensed, but are not technically mobile food vehicles; and

WHEREAS City council needs time to review and make changes to the above referenced ordinances; and

WHEREAS the City is open for business and wants to facilitate entrepreneurial ventures;

Therefore, pursuant to the authority granted to me by City Charter Section 4.101, *The Mayor*, which designates me as the Chief Executive Officer of the City of Pontiac, I hereby declare and order that all outdoor food vendors which are not clearly identified in article XXIII or article XIXa as “mobile food vehicles” shall be declared as a “non-stationary food vendor”. Until such time as the Pontiac City Council amends the ordinance to directly address this classification of vendors, they will be licensed as follows:

1. Non-stationary food vendors shall adhere to the same licensing standards as set forth for mobile food vehicle vendors;
2. This includes all of the regulations set forth in 26-1034, 226-1035, and 26-1037 with the exception of paragraph e of 26-1034. There shall be no limit to the number of “non-stationary food vendors” under this executive order
3. The food and drink establishment shall be properly licensed by federal, state, county, and local agencies to perform any activities, sales, and services;
4. Any sales and/or consumption of food and/or alcoholic beverages shall be in compliance with the provisions of any federal, state, and/or local laws and regulations governing same;

IT IS FURTHER ORDERED that, except as herein specifically provided, all ordinances of the City of Pontiac in effect at the time of the issuance of this Resolution, and as they may be subsequently amended, shall remain in force. Failure to comply with all the ordinances of the City may result in enforcement action.

IT IS FURTHER ORDERED that this Order is subject to suspension, modification, or amendment at any time with or without notice based on a determination that additional conditions or limitations shall be required to protect against adverse impacts associated with new “non-stationary vendors”. All approvals governed by this Order shall automatically expire on December 31, 2022 at 11:59:59 p.m., unless such approval is otherwise terminated, suspended, modified, amended, or extended in accordance with this Order or any subsequent Executive Orders.



Tim Greimel, Mayor
March 29, 2022