

ORDINANCE NO.: 5044

AN ORDINANCE to amend Sec. 10-425 and Sec. 10-426 of the Code of Ordinances of the City of La Crosse relating to Fire Prevention and Building Safety Inspections of Outdoor Food Stands and Mobile Food Units.

THE COMMON COUNCIL of the City of La Crosse does ordain as follows:

SECTION I: Section 10-425 is hereby amended to read as follows:

Sec. 10-425. - Licensing fee/duration.

- (a) *Fee.* At the time of the application, a nonrefundable fee in the amount established by resolution shall be paid to the Director of Finance/Treasurer to cover the costs of investigation, inspection of each stand/unit, when applicable, and processing such application.

SECTION II: Section 10-426 is hereby amended to read as follows:

Sec. 10-426. – Investigation/Inspection.

- (a) Upon receipt of each application from the City Clerk, the La Crosse Police Department shall conduct an investigation of the statements made on such application.
- (b) The City Clerk shall also report every application for which said stand or unit will use any cooking or heating appliance or propane to the Fire Department – Division of Fire Prevention and Building Safety who shall inspect or cause to be inspected each stand/unit, to determine whether it complies with all laws, ordinances, rules and regulations.
- (~~b~~c) The City Clerk shall refuse to license the applicant if it is determined, pursuant to the investigation referenced in subsection (a) or the inspection referenced in subsection (b) of this section or section 10-424 or section 10-425, that:
- (1) the application contains any material omission or materially inaccurate statement;
 - (2) complaints of a material nature have been received against the applicant by authorities in the last cities, villages and towns, in which the applicant conducted similar business;
 - (3) the applicant was convicted of a crime, statutory ordinance or ordinance violation the nature of which is directly related to the applicant's fitness to engage in the conduct for which the license is requested;
 - (4) applicant fails to comply with requirements of the Fire Department – Division of Fire Prevention and Building Safety;
 - (5) the applicant failed to comply with any applicable provision of section 10-424; or
 - (6) the applicant failed to pay the fees required for the license.

SECTION III: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION IV: This ordinance shall take effect and be in force from and after its passage and publication.

_____/s/_____
Timothy Kabat, Mayor

_____/s/_____
Teri Lehrke, City Clerk

Passed: 3/8/18
Approved: 3/13/18
Published: 3/17/18