

Council of the City of York, PA  
Session 2014  
Bill No.  
Ordinance No.

INTRODUCED BY: **David Satterlee**

DATE: **October 7, 2014**

**AN ORDINANCE**

Establishing Article 332 "Mobile Cart Vendors" of the York City Codified Ordinances.

WHEREAS, the general purpose of these regulations is to promote the health, safety, comfort, convenience, prosperity, and general welfare of the citizens of the City of York by requiring that new and existing mobile cart vendors provide residents and customers with a level of cleanliness, quality, and safety; and

WHEREAS, it is also the intent of these regulations to establish reasonable guidelines and restrictions for mobile carts and encourage the safe and convenient use of the city's public right-of-way;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania, that Article 332 "Mobile Cart Vendors" of the York City Codified Ordinances is hereby established as incorporated herein and made a part hereof.

PASSED FINALLY:

BY THE FOLLOWING VOTE:

YEAS: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

NAYS: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Carol Hill-Evans, President of Council

ATTEST:

\_\_\_\_\_  
Dianna L. Thompson-Mitchell, City Clerk

Presented to the Mayor for approval this \_\_\_\_\_ day of \_\_\_\_\_.

Approved: \_\_\_\_\_  
Mayor Date

Vetoed: \_\_\_\_\_  
Mayor Date

## AN ORDINANCE

Establishing Article 332 “Mobile ~~Food Carts~~ **Cart Vendors**” of the City of York Codified Ordinances.

BE IT ORDAINED by the City Council of the City of York, Pennsylvania, that the Article 332 “Mobile ~~Food Carts~~ **Cart Vendors**” of the City of York Codified Ordinances is hereby established as follows:

### 332.01 Purpose.

The general purpose of these regulations is to promote the health, safety, comfort, convenience, prosperity, and general welfare of the citizens of the City of York by requiring that new and existing mobile ~~food vendors~~ **cart vendors** provide residents and customers with a level of cleanliness, quality, and safety. It is also the intent of these regulations to establish reasonable guidelines and restrictions for mobile ~~food carts~~ and encourage the safe and convenient use of the city’s public right-of-way.

### 332.02 Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**"Applicant"** means any person or business who applies for a license/license renewal **and/or permit/permit renewal** under the provisions of this article.

**"Food Service Worker"** means a person who works for or under the direction of, on behalf of, or as an agent of a ~~food vehicle~~ **mobile cart vending** permittee and/or owner.

~~**"Food Cart District"** is an area bounded by Duke Street, King Street, Beaver Street and Philadelphia Street in the City of York.~~

***[Recommendation:** No district is being designated. A maximum of six licenses will be permitted in the Central Business District, issued by location point of which there are ten **(eleven\*)** ([map attached](#)). No more than 20 licenses can be issued outside the Central Business District.]*

**"License"** is an approval **from the York/Adams Tax Bureau** that enables the holder to **conduct business within the City of York**. ~~vend food items at authorized locations and times, for a specified period of time.~~

**"Licensee"** is the holder of a ~~mobile food vendor~~ **mercantile license from York/Adams Tax Bureau**. ~~business license.~~

~~**"Mobile food vehicle"**~~ **"Mobile Cart Vendor"** means a mobile, hand-operated food dispenser which can be hand-propelled by the operator, is built specifically for the purpose of dispensing the product sold by the vendor, and is properly licensed and meets the minimum standards set forth by the National Sanitation Foundation. ~~Motor vehicle type mobile food carts may not operate in the Central Business District.~~

“**Operator**” is the entity that is legally responsible for the operation of the mobile food cart such as the owner, the owner's agent, or other PERSON; and possesses a valid permit to operate a mobile food cart.

“**Operating Hours**” is the designated time frame ~~mobile food vehicles~~ **mobile cart vendors** are authorized to operate within the city right-of-way.

“**Owner**” is an individual or business entity who owns and/or operates the mobile cart used in business for the purpose of earning income.

“**Pedestrian**” is a person who is walking or otherwise traveling in the public right-of –way.

**“Permit”** means a written authorization, or permission to vend food items at authorized locations and times, for a specified period of time. ~~engage in or participate in some regulated or otherwise controlled activity.~~ Under the provisions of this Code section, a "permit" is not equivalent to a "license," and vice-versa.

**“Permittee”** is the entity, person, company or corporation which has been granted a permit by the City of York to operate mobile food carts ~~upon the streets of the~~ **within the city.**

“**Restaurant**” a brick and mortar establishment where meals are generally served and eaten on premises; prepares and serves food and drink to customers in return for money, either paid before the meal, after the meal, or with a running tab.

“**Person**” means any natural individual, firm, partnership, association, or corporation. Whenever the word “person” is used in any section in this article prescribing a penalty or fine as applied to a partnership or association, the word shall include the partners or members thereof; such word as applied to corporations shall include the officers, agents, or employees thereof who are responsible for any violation of such section.

“**Vendor**” means a person or agency that sells.

“**Vending**” means the act of selling.

***[Recommendation: items prohibited should remain in the ordinance; allowable items should be stricken.]***

### **332.03 Mobile Food Cart Vendors Committee.**

There shall be within the City of York a Mobile Food Cart Vendors Committee consisting of a member of the York Business Improvement District Authority, the York City Health Inspector, a member of the York City Traffic Safety Committee, the Director of Economic and Community Development or designee, a representative from the York City Police Department, **a representative from the Bureau of Permits, Planning & Zoning**, and the Director of Public Works or designee, established for the purpose of reviewing applications for mobile ~~food~~ **cart** vending permits, ~~awarding mobile food vending applications, approval of the locations for operation of mobile food carts,~~ and establishing rules and regulations, as appropriate, which shall be approved by Council.

### 332.04 License Requirements.

**Licenses are required to operate a business in the City of York.**

~~a) Upon the filing of a completed application, the non-refundable application fee for all applicants seeking a mobile food cart permit shall be \$100.00 **\$25.00**. This application fee shall be submitted with the application and shall apply to the cost of the permit only.~~

**a) A non-refundable application fee as determined by the City of York must accompany all mobile cart vendor applications.**

**b) A non-refundable license fee of \$25.00 will be required of all mobile cart vendor applicants to obtain a mercantile license from the York/Adams Tax Bureau.**

### 332.05 Permit Applications and Fees.

~~d) The annual fees set forth in this section shall be prorated starting with the date the permit is issued to December 31 of the first year of operation as needed.~~

**a) Applications for mobile cart vending permits will be accepted at City of York Bureau of Permits, Planning and Zoning no later than **June 30** of the calendar year.**

~~b) Upon approval of an application for a permit, the annual permit fee shall be \$500.00 **\$300.00** for the owner/operator of the mobile food cart, and \$25.00 for each food service worker.~~

~~c) Any duplicate permit may be issued upon payment of a fee of \$20.00 should a permit be lost or destroyed.~~

~~d) Applicant shall notify the Bureau of Permits, Planning and Zoning within fifteen (15) days of any changes to application information.~~

~~f) Any renewal permit must be applied for not later than five working days following the expiration date of an existing operator's permit, and for any such permit applied for after such expiration date there shall be a late fee of \$5.00 in addition to the annual fees stated above.~~

~~e) A single permit application shall be accepted and deemed complete on a first-come, first-served basis. **if received no later than close of business on June 30 and accompanied by:** Each application shall indicate on its face, in addition to other requirements as may be determined, that the following materials must be submitted:~~

**1) The applicant's first choice for location: CBD License locations are as follows and as notated on accompanying [map](#):**

- i. Northeast corner of Continental Square**
- ii. Southwest corner of Continental Square**
- iii. Mid-Unit Block of East Market Street (north side of the street)**
- iv. 100 Block of South George Street (east side of the street)**
- v. Corner of North George and Philadelphia Streets**
- vi. Mid-100 block of West Market Street (north side of the street)**
- vii. Bus Station between Mason Avenue and King Street**
- viii. Rail Trail at West Market Street (south side of the street)**
- ix. Rail Trail and north side W Market Street (north side of the street)**

- x. Mid-100 Block of West Philadelphia Street (north side of the street)
- xi. Mid-unit block of South George, west side of street\*

(\*xi: location at discretion of Council)

\*\*Interest by more than one vendor in a particular location will institute a bidding process provided all applications are submitted on or before June 30. License will be awarded to the highest bidder.

2) A copy of all necessary licenses, permits and/or other written proof of compliance with the regulations of the City of York for each ~~mobile food cart~~ mobile cart.

3) The full name; signature; address; and whether the applicant is an individual, firm, or corporation, and, if a partnership, the names of the partners; together with the addresses of all principals including the owner, licensee, and permittee.

3) A list of the names of all food service workers that will operate the ~~mobile food vehicle~~ mobile cart vendor(s).

5) The physical street address of the business. Post office boxes and other mail services will not be accepted.

6) A photograph of the permittee and/or food service worker applicant, e.g. driver's license, passport or similar.

7) A color photograph and/or accurate description of the ~~mobile food vehicle~~ mobile cart including the following data: The make, model and type of body; the number of cylinders; the vehicle identification number or any other identifying number as may be required by the Mobile Food **Cart** Vendors Committee. *(If this information is not known at the time of permit application, this requirement can be satisfied as a condition of obtaining a final effective permit.)*

9) A statement as to whether the application is for a new permit, renewal of an existing permit, a change in hours of operation, or the request for addition of a ~~mobile food cart location~~.

8) A statement that the applicant and/or owner, or any of its food service workers has not been convicted of any crime that involves any local, state or federal law or regulation arising out of the operation of a similar business.

9) A statement that the applicant and/or owner, or any of its food service workers has not been convicted of a crime as a result of having perpetrated deceptive practices upon the public within the last ten years.

10) A signed statement Hold Harmless and waiver of subrogation ([sample attached](#)) that the permittee shall hold harmless the City and its officers and employees, and shall indemnify the City, its officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit. Permittee shall furnish and maintain such public liability, food products liability, and property damage insurance as will protect vendor,

property owners, and the City from all claims for damage to property or bodily injury, including death, which may arise from the operations under the permit or in connection therewith. Such insurance shall provide coverage of not less than ~~Three Hundred Thousand dollars (\$300,000.00)~~ **One Million dollars** per occurrence. The policy shall further provide that it may not be cancelled except upon thirty (30) days written notice served upon the City of York Bureau of Permits, Planning and Zoning. A permit issued pursuant to the provisions of this section shall be invalid at any time the insurance required herein is not maintained and evidence of continuing coverage is not filed with the Bureau of Permits, Planning and Zoning.

11) A statement that the permittee shall hold harmless the adjacent property owner(s) for any claims for damage to property or injury to persons which may be the direct result of any activity of the permit holder.

**12) A statement that the permittee shall hold harmless any and all members and member organizations represented on the food cart committee.**

*[A sample document has been attached hereto: Insurance Requirements, Hold Harmless and Waiver of Subrogation for Mobile Cart Vendors]*

13) Provide such other additional information required by law, rule, ordinance, or that any department of the city, Mobile ~~Food~~ **Cart** Vendors Committee, City Council, or information reasonably deemed appropriate to assist the city in determining whether the permit should be granted. The applicant shall be provided reasonable time to supplement the application.

### **332.06 General Rules, Regulations, and Requirements**

Under this article, ~~licenses~~ **permits** shall be issued based on the same standards that the City Health Inspector would use to license Temporary Food Facilities, under the Pennsylvania Food Code, and licenses shall only be issued upon the City Health Inspector's passing grade of the commissary or storage facility of the vendor dispenser.

The applicant must obtain a valid and current ~~business~~ **mercantile** license prior to submitting an application for a mobile ~~food~~ **cart** vendor license **permit**.

~~Mobile food vendors~~ **mobile cart vendors** are permitted to operate a mobile, hand-operated food dispenser which can be hand-propelled by the operator, is built specifically for the purpose of dispensing the product sold by the vendor, and is properly licensed **and permitted**, and meets the minimum standards set forth by the National Sanitation Foundation. ~~Motor vehicle type mobile food dispensers may not operate in the Central Business District.~~

Retention of ~~the Central Business District~~ a mobile cart vendor license **permit** shall be contingent upon compliance with all requirements herein. A license **permit** holder who fails to comply with all conditions shall have their license revoked. The license **permit** fee shall be nonrefundable if revoked.

Vendor must submit proof of payment of mercantile tax and Pennsylvania sales tax to the City of York upon request.

a) Process

All mobile-foed **cart** vendors must submit an application for a permit annually from the Bureau of Permits, Planning and Zoning.

**Recommendation:** *[The application will then be forwarded to the Mobile Foed **Cart** Vendors Committee for review during the open application period. The application must receive approval from each Department represented within the committee prior to its submission to City Council for final approval and the subsequent issuance of a permit at the beginning of each calendar year.]*

- 1) Six permits will be made available for ten [eleven] locations in the Central Business District. Permits will be issued by location.
- 2) Twenty permits will be made available for locations outside the Central Business District.
- 3) No more than one CBD and one non-CBD permit shall be held by the same individual or entity at a time.
- 4) Application deadline: June 30 to be effective for the following calendar year.
- 5) All **mobile cart vendor permits** are effective from January 1 to December 31 of each calendar year. **Each year constitutes a new application and permitting cycle.**
- 6) The permits are not transferable. In the event that the holder of a permit is unable to use the permit for any reason, the permit must be returned to the City with no refund of any licensing or permit fees paid.
- 7) **Subletting of permits is strictly prohibited.**

b) Design/size

1. With the exception of trash bin receptacles, no mobile foed **cart** vendor shall use external signage, seating, or any other equipment not contained within the vehicle on the public sidewalks.
2. No mobile food cart operating within the city designated locations **shall exceed 34 square feet in expanse including the cart and any accessories** ~~be of a size as to interfere with the city or public's use of any public ways and must comply with the allowable dimensions set forth by the Food Vendors Committee containing all items to operate the cart.~~ No additional items will be permitted outside of the cart itself.

c) Product

~~Mobile dispensers shall be permitted to sell, consistent with other subsections of this ordinance, candies, such as ice cream, chocolates, mints and gum, food, such as, hot dogs, bratwurst, sausage, sandwiches, peanuts, potato chips, fruit, salads, and beverages such as soda, lemonade, juices, bottled water, coffee, hot chocolate and periodicals such as~~

newspapers and magazines, but shall be strictly prohibited from selling apparel, jewelry, movies, music, tobacco products, pornography, prophylactics, and/or other sundries.

**[Recommendation]:** Items prohibited from being sold by a mobile cart vendor should be stated, allowable items need not be listed.

d) Location

1. The Mobile Food **Cart** Vendors Committee shall not approve a location wherein a mobile food vehicle **mobile cart vendor** would substantially obstruct a public right-of-way, impair the movement of pedestrians or vehicles, or pose a hazard to public safety.

2. The Mobile Food **Cart** Vendors Committee shall not approve any location which is:

- i. On any sidewalk less than six (6') feet in width.
- ii. Within fifty (50') feet of the pedestrian crosswalk at any intersection, or designated pedestrian crossing point. **Within fifteen (15') feet of a bus stop.**
- iii. Within five (5') feet of any handicapped parking space or access ramp.
- iv. **Within any On private property without a notarized written approval of the property owner responsible for the maintenance of the sidewalk and/or right-of-way area to be obstructed.**

~~e) The permittee must engage in its vending within the Food Cart Vendor District in the area pre-determined by the Mobile Food Vendors Committee.~~

~~e) Location of vendors will be made available through assignment only by the Mobile Food Vendor Committee. No application will be accepted for a permit to operate at a location where a current permit has been issued or a complete application is pending.~~

~~(d) Proximity to similar mobile food carts. Mobile food carts shall not be operated within one hundred feet of another mobile food cart vending identical concessions.~~

~~1. During the license period, a mobile food vendor may stay at an assigned site regardless of the subsequent opening of an identical concessions mobile food vending cart within a one hundred foot (100 ft.) perimeter.~~

**3. Licenses issued by location inside the CBD; vendor choice outside the CBD.**

4. Mobile food dispensers shall not obstruct the passage of pedestrian travel, and a clear sight triangle, as referenced in the York City Zoning Ordinance, must be maintained.

5. Other than as permitted within the City Center, no mobile food vehicle **mobile cart vendor** and/or **pushcart** shall have any exclusive and/or perpetual right to any location upon the streets, alleys, or public grounds of the City.

e) Operation

1. Mobile food dispensers shall be attended by at least one operator **over the age of 18** at all times.

2. No mobile food **cart** vendor shall make or solicit any sales to occupants of vehicles or engage in any activities which impede vehicular traffic.

3. Any power required for the mobile food cart located on a public way shall be self-contained and shall not draw its power from the public right of way. No power cable or equipment shall be extended at grade or overhead across any public street, alley or sidewalk.

4. No mobile food cart shall use or maintain any outside sound amplifying equipment, lights, or noisemakers, such as bells, horns or whistles or similar devices to attract customers. A ~~mobile food vehicle~~ **mobile cart vendor** and/or pushcart may use battery operated lights with appropriate protective shields for the purpose of illuminating merchandise.

5. The mobile food cart shall not have drive-through service.

6. Hours of Operation

i. ~~Mobile food dispensers shall be removed from public property between 7:00 p.m. and 7:00 a.m. between the months of October through March and 9:00 p.m. and 7:00 a.m. between the months of April through September, except as outlined in Section 333.16.~~ **Mobile food dispensers shall be removed from public property between 7:00 p.m. and 7:00 a.m. 2:00 am and 7:00 am. between the months of October through March and 9:00 p.m. and 7:00 a.m. between the months of April through September, except as outlined in Section 333.16.**

ii. All mobile food carts operating under this article shall adhere to the designated time and day requirements and shall be allotted fifteen (15) minutes set-up and fifteen (15) minutes breakdown time before and after stated operating hours.

***[Recommendation]: Weather will be self-regulating thus requiring no seasonal limitations.***

f) Trash

1. Permittee ~~and/or Licensee~~ shall contain all refuse, trash, and litter within the mobile food cart or a small moveable trash can maintained by the permittee and located adjacent to the mobile food cart in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic. The owner/operator of the mobile food cart shall be responsible for properly disposing of such refuse, trash, and litter as would any business, and shall not place it in any public trash container or in any private container without proper permission.

2. Mobile dispensers shall **be required to operate under a carry in/carry out policy with regard to litter and to** clean all litter within twenty-five feet in all directions of the location of the mobile food cart ~~at the end of~~ **throughout** each business day. Dispensers shall properly remove all trash and litter from the site and at no time shall place said trash in any curbside receptacle.

**3. Permittee is prohibited from disposing of any liquids including but not limited to oil, grease, soaps or cleansers into the, storm sewers, gutters, drainage pits, tree wells, planters or any other public right of way.**

g) Special Events

~~Any applicant that wishes to operate within Continental Square shall pay an additional yearly fee of \$300.00 per location but does not give the Permittee express permission to operate their cart during City special events.~~

Any existing permit owner shall be allowed the right of first refusal to operate in their permitted location for any and all special events occurring in the Central Business District. Vendors will be required to meet any special requirements of the event including any additional fees and/or permits.

The permit shall contain additional limitations on hours and days that the City of York determines are appropriate, including limitations to prevent conflict with special events.

### **332.07 Enforcement.**

~~The Department of Economic and Community Development, Bureau of Permits, Planning and Zoning, shall be responsible for issuing the licenses and permits. The departments **Food Cart Committee shall develop procedures for control and monitoring of each permit.** A procedure shall be developed to provide City residents and businesses for first opportunity to purchase such permits before they are made available to the general public. The department **Food Cart Committee** shall file a copy of the procedures with the City Clerk. Applicants shall be in good standing with the City of York and the Commonwealth of Pennsylvania.~~

### **332.08 Denial, Revocation, Suspension.**

a) An application or approved permit may be denied, revoked, suspended, or not renewed for any of the following reasons:

- 1) The permittee and/or licensee or any of its principals fails to satisfy any qualification or requirement imposed by this article, or other local, state or federal laws or regulations that pertain to the particular permit/license; or
- 2) The permittee and/or licensee or any of its principals is or has engaged in a business, trade or profession without having obtained a valid license, permit or work card when such applicant or principal knew or reasonably should have known that one was required; or
- 3) The permittee and/or licensee or any of its principals has been subject, in any jurisdiction, to disciplinary action of any kind with respect to a license, permit or work card to the extent that such disciplinary action reflects upon the qualification, acceptability or fitness of the applicant or principal to conduct such a business; or
- 4) The permittee and/or licensee or any of its principals has been convicted of any crime that involves any local, state or federal law or regulation arising out of the operation of a similar business; or
- 5) The permittee and/or licensee or any of its principals has been convicted of a crime as a result of having perpetrated deceptive practices upon the public within the last ten years; or
- 6) The ~~motor~~ **mobile** food ~~vehicle~~ **cart** on which the business is proposed to be conducted does not satisfy all local, state or federal laws or regulations which relate to the activity that is to be licensed; or

- 7) The licensee or any of its principals is in default on any payments owed to the city; or
- 8) The application contains material omissions or false, fraudulent, or deceptive statements; or
- 9) The ~~motor~~ **mobile** food ~~vehicle~~ **cart** is operated in such a manner as constituting a public nuisance per the City of York codes or state statutes; or
- 10) The proposed operation is in violation of any federal, state, or local laws including, but not limited to, the provisions of this Ordinance pertaining to food, fire prevention, public health or safety; or
- 11) The licensee or his agents or employees interfere with an inspection of the food establishment by a Health Department; or
- 12) There are repeated or serious violations of the applicable portions of this article; or
- 13) There are repeated or serious violations of federal or state food laws or laws regulating food establishments as defined in this article; or
- 14) The City of York Health Inspector or Health Department denies, revokes or suspends the license of the ~~mobile food vehicle~~ **mobile cart vendor**; or
- 15) There is a violation of any section of this Ordinance, or

**16) There are more than three infractions relating to noise, nuisance, sanitation, civil, or criminal complaints.**

b) The provisions of this section are not exclusive. This section shall not preclude the enforcement of any other provisions of this Ordinance or state and federal laws and regulations. The City of York may impose additional requirements to protect against health hazards related to the operation of a ~~mobile food vehicle~~ **mobile cart vendor**.

### **332.09 Appeal to Council upon Denial, Revocation or Suspension.**

a) Upon any denial, revocation or suspension of a ~~mobile food vehicle~~ **mobile cart vendor** permit by the City of York or the Mobile Food **Cart** Vendors Committee, the applicant or permittee and/or licensee may appeal the denial to Council by filing a written statement of appeal with the City Clerk within 10 days following the denial, revocation or suspension and a hearing shall be held thereon by the Council. The applicant or permittee, during the appeal, may be represented by counsel.

- 1) Prior to revocation, the Mobile Food **Cart** Vendors Committee shall give written notice to the permittee and/or licensee or person in charge. The notice shall set forth:
  - i. The grounds upon which the city will seek denial, revocation or suspension of the permit and/or license;
  - ii. The specific violations of this article or of federal or state law upon which the city will rely in seeking denial, revocation or suspension of the permit and/or license;
  - iii. That a hearing will be held before the York City Council;

iv. That the permittee and/or licensee may appear in person and/or be represented by counsel and may present testimony.

2) The hearing shall be held in accordance with this section. If the permit and/or license holder fails to appear at the hearing at the time, place and date specified, the city shall present sufficient evidence to establish a prima facie case showing that an act or acts have been committed or omitted that constitutes grounds for denial, revocation or suspension of a permit.

3) After completion of the hearing, the City Council shall make written findings as to whether or not grounds exist for denial, revocation or suspension of the permit. If the City Council finds that grounds do exist for denial, revocation or suspension, it shall deny, revoke or suspend the permit and/or license temporarily or permanently.

4) A copy of the written findings and determination shall be sent by certified mail, return receipt requested, to the permittee and/or licensee. If the address of the permittee and/or licensee is unknown, or if the findings are returned undelivered, the findings shall be served on the person in charge of the commissary or ~~mobile food vehicle~~ **mobile cart vendor**.

5) Upon service of a written notice that the permit has been revoked as provided herein, all food operations shall cease immediately.

6) Whenever a permit is revoked, the Mobile ~~Food~~ **Cart** Vendors Committee, the City Health Inspector and the Bureau of Permits, Planning and Zoning shall be notified.

8) In the event a permit and/or license is revoked, the city shall not be liable to the permittee and/or licensee for any refund of any part of the permit and/or license fee. Reinstatement of a permittee and/or licensee that has been revoked shall require application and payment of a permit and/or license fee as if it were an initial application. No new permit and/or license application shall be considered for a mobile food cart where the permit and/or license have been revoked until the expiration of the revocation period.

### **332.10 Service of notices.**

Any notice provided for in this article may be served by personal delivery, regular mail or certified mail, return receipt requested.

### **332.11 Severability.**

If any provision of this article is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

This Ordinance shall become effective twenty days after approval by the Mayor.