

### ORDINANCE 385-2025-A

#### AN ORDINANCE AMENDING ORDINANCE 385-2025 – ARTICLE 6 – TEMPORARY VENDOR CONFORMING TO STATE LAW AND EFFECTIVE NOVEMBER 1, 2025.

WHEREAS, in order to fulfill the needs of the community, policies and regulations are necessary to provide a framework for care and safety of the citizens of the City of Stilwell; and

WHEREAS, a periodic update of fees and permits for facilities and activities within the City of Stilwell is of paramount importance for intelligent oversight and fiscal responsibility, and

WHEREAS, the responsibility for such is the lawful responsibility of the City of Stilwell,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:**

#### SECTION 1 – Ordinance 385-2025 – ARTICLE 6 – Temporary Vendor shall now read as follows:

Mobile Food Vendors, as defined in Oklahoma Statue, must request and receive a City of Stilwell vendor permit prior to vending within the City of Stilwell. The City of Stilwell must review and approve or disapprove the permit request within five(5) business days. The following requirements are required to receive a vendor permit.

- 1 Vending is only allowed within zoned commercial areas. The exception being vending is allowed in residential areas provided the mobile vendor has been invited by the resident, group of residents, or their guests; provided that the operation of the mobile vendors on the property does not exceed 12 days per year. And the mobile food vendor does/would not cause a nuisance.
- 2 Vending shall not operate in a manner that will interfere with the free passage of pedestrians or vehicles along any street, sidewalk, or parkway.
- 3 When operating, a mobile food vendor shall:
  - A Maintain a food vending vehicle in good operating order.
  - B Provide a waste receptacle for customers that is visible and request that customers use it.
  - C Remove and dispose of all refuse within a twenty-five-foot radius of the mobile food vendor's operating area at the conclusion of operation
  - D Display the mobile food vendor's food establishment license and permits in a conspicuous location for public view.
  - E If serving food at a temporary mass gathering, notify the State Department of Health and the local authority in the jurisdiction where the gathering is to be located of the dates the mobile food vendor will operate at the temporary mass gathering at least ten (10) business days prior to the gathering.

Mobile food vendors must adhere to the following

- 1 Cannot operate a noise making device that exceeds 75 decibels, measured at 23 feet from the vending vehicle between the hours of 9:00 p.m. to 7:00 a.m.
- 2 Cannot operate inside the City of Stilwell parks without receiving a park permit issued by the City of Stilwell, the fees will be in accordance with the current Ordinance 385-\*\*\*\*.



- 3 Location of the mobile food must be approved prior to placement to ensure it does not interfere with, block or restrict ingress or egress from private property.
- 4 Cannot receive a permit for vending at an event that has been permitted by special event, the permit must be granted through the organizer of the special event.

Permits will be issued in accordance with the following;

- 1 **State Permit Holders**
  - A Are required to show proof of a valid state permit
  - B Are required to show valid Health certificate
  - C Are required to show a valid Tax Commission License
  - D Are required to show proof of a state or local certified fire inspection within the past year.
  - E Are required to pay a \$5.00 administrative fee for a city permit.
- 2 **Vendors without a State permit**
  - A Are required to show valid Health certificate
  - B Are required to show a valid Tax Commission License
  - C Are required to show proof of a state or local certified fire inspection within the past year.
  - D Are required to pay a \$5.00 administrative fee for a city permit plus the following stated vending fee:
    - a. One Day License \$10.00 – Total fee \$15.00
    - b. Three Day License \$25. 00 – Total fee \$30.00
    - c. One Week (7 days) \$50. 00 – Total fee \$55.00
    - d. One Month (30 days) \$150. 00 – Total fee \$155.00
    - e. Three Months (90 Days) \$300. 00 – Total fee \$305.00
    - f. Six Months (180) days \$500. 00 – Total fee \$505.00

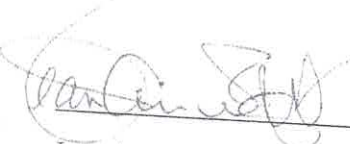
SECTION 3 – REPEAL AND SEVERABILITY


- 1 This Ordinance, and all within, shall be effective from November 1, 2025.
- 2 Any and all other existing ordinances or portions thereof in conflict herewith be and the same are hereby repealed.
- 3 The provisions of this ordinance shall be severable and, if any of the provisions shall be held in contravention of the Constitution and laws of the State of Oklahoma, the decisions of the court shall not affect the validity of the remaining portions.
- 4 It is the intent of this ordinance that the same would have been adopted had such unconstitutional or unlawful provisions, if any, not been included herein.

Passed by The Council This 4<sup>th</sup> day of August, 2025.

Approved by The Mayor This 4<sup>th</sup> day of August, 2025.

ATTEST:

  
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 Jean Ann Wright, Mayor

  
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 Larry A. Nettles, City Clerk-Treasurer

