



# City of North Port

## ORDINANCE NO. 2023 -20

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATED TO THE OPERATION OF MOBILE FOOD VENDORS AT THE WARM MINERAL SPRINGS PARK; AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, SECTION 34-1; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 34-1 of the Code of the City of North Port, Florida outlines the authorized locations for the operation of mobile food vendors on City-owned property; and

**WHEREAS**, on April 7, 2023 the City reopened the Warm Mineral Springs Park and held an *Experience Vintage Florida Welcome Back Celebration*, allowing mobile food vendors to operate onsite at the Warm Mineral Springs Park; and

**WHEREAS**, the City received positive feedback from patrons and vendors using Warm Mineral Springs Park regarding the positive impact of having mobile food vendors at the location; and

**WHEREAS**, the City Commission desires to include the Warm Mineral Springs Park as an authorized location for the operation of mobile food vendors; and

**WHEREAS**, the City Commission finds that these amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**

### **SECTION 1 – FINDINGS**

1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.

### **SECTION 2 – ADOPTION**

2.01 Chapter 34 of the Code of the City of North Port, Florida is hereby amended as follows:

**“Chapter 34 – LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS**

**ARTICLE I. – IN GENERAL**

**Sec. 34-1. – Mobile food vendor.**

...  
(c) *Location.* A mobile food vendor is authorized to operate in the following locations:

(1) *City-owned property.*

- a. *Location.* A mobile food vendor may operate on city-owned or public property and the total operation must be contained within the area designated for their operation by the city manager or designee:
1. Dallas White Park, a maximum of four designated spaces;
  2. The Garden of the Five Senses, a maximum of four designated spaces;
  3. Highland Ridge Park, a maximum of one designated space;
  4. City Center Green, a maximum of six designated spaces;
  5. Blue Ridge Park, a maximum of two designated spaces;
  6. McKibben Park, a maximum of two designated spaces; ~~and~~
  7. Atwater Park, a maximum of two designated spaces near the splashpad, except during Little League games; and
  8. Warm Mineral Springs Park, a maximum of two designated spaces.”

**SECTION 3 – CONFLICTS**

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

**SECTION 4 – SEVERABILITY**

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

**SECTION 5 – CODIFICATION**

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

**SECTION 6 – EFFECTIVE DATE**

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on \_\_\_\_\_, 2023.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on \_\_\_\_\_, 2023.

CITY OF NORTH PORT, FLORIDA

\_\_\_\_\_  
BARBARA LANGDON  
MAYOR

ATTEST

\_\_\_\_\_  
HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
AMBER L. SLAYTON, B.C.S.  
CITY ATTORNEY