

Good afternoon.

My name is Heather Yates, I live at 825 Texas Ave., 40217 and I am an owner of SmokN Cantina food truck. I am speaking today in opposition to proposed ordinance O-374-18.

I'm here today to discuss this proposed ordinance's broad impacts. It's been said by the sponsor of this ordinance that is it merely to

“clean up, simplify and streamline the existing regulations on itinerant vendors that were written several years ago, as she and her fellow sponsors have been working on it “for many months” to avoid any unintended consequences.”

However, this proposed ordinance does none of that, except impose consequences and unintended consequences. It is needlessly confusing, clearly demonstrates that the writer has little understanding of the mobile food industry, does not follow industry best practices and if implemented as proposed will do much to destroy food trucks in Louisville and hurt the families who depend on their food truck to earn a living. It is a solution in search of a problem.

Contrary to the introduction of this ordinance, cities all across the country have made great strides in crafting sensible vending ordinances that support small businesses, preserve public health and safety, and avoid protectionism. At the end of our remarks we will provide you with a copy of the booklet, *Food Truck Freedom, How to build better food truck laws in your city*.

Locally, vendors do not face “complex and confusing rules and regulations.” We understand how and where to get both a Permit and a License. We know how to register our company with the state and with Louisville Metro, and how to pay taxes. We know how to request a metered parking space and that we must pay for it. This new ordinance, however is tremendously confusing and complicated.

Let's look first at language.

Each food truck applies for and is issued a mobile Vending License. On the Form itself, an applicant has the choice of self-identifying as Stationary/Sidewalk, Mobile/Food Truck, Peddler or Temporary. Of course, everyone here applied for and received a Mobile/Food Truck License.

If we are mobile vendors then we have to move locations every ten minutes which is very dangerous given that many trucks have fryers full of hot oil, hot grills and large equipment that must be strapped down during transport. Additionally we have dry storage that has to be secured during driving. Mobile vendors are also prohibited from vending near hospitals which is where many food trucks park and where our customers want us to be.

If we are Stationary vendors then we are classified the same as hot dog carts and popsicle carts.

All stationary vendors including hot dog carts, popsicle carts, Italian ice carts and food trucks will be corralled into a stationary vending zone together. Where will these vending zones be? What will be the fees charged to vend in one? How many carts and trucks can be accommodated at one time? What are the vending hours? No one knows. These decisions will have a tremendous impact on our business and no one knows the answers to these very basic questions.

Let's now look at food trucks' need to park at meters.

This ordinance clearly states that it is a parking violation to park at a meter for the purpose of vending. This effectively prohibits food trucks from operating downtown, where our customers are. Additionally, the LFTA partners with the Louisville Convention and Visitors Bureau for large conventions where perhaps 10,000 convention attendees, who have an hour to an hour and a half for lunch need to be fed. Our

downtown restaurants can not accommodate a large group in that short a timeframe. The food trucks park near wherever the convention is held, at parking meters purchased by the CVB, and provide a quick grab and go lunch. We are essentially a relief valve to satisfy the needs of large conventions and keep visitors happy and fed. The LFTA also partners with large downtown hotels for similar reasons. When the hotel is full, and the restaurant can not reasonably serve all the guests within a short timeframe, they ask a truck to park outside their door, at a parking meter, to assist in feeding their guests. The LFTA has a great relationship as a partner to make sure Louisville's guests have a top-notch food experience.

Let's next look at needless, repetitive regulation.

This ordinance adds a layer of permits and fees to what exists today. Currently, once a food truck passes inspection by the Louisville Metro Health Department and pays a fee the truck is issued a state-wide Permit to Operate. Beginning in 2019, Louisville Metro Health will begin to collect a separate local fee. Then the food truck applies to Louisville Codes and Regulations for a Vending License and Vendor ID, pays a fee and is issued a License and ID. With this ordinance, Public Works will establish an additional Permit and a new Administrative fee in order to vend in a stationary vending zone. In addition to the fee, Public Works can limit both the number of vendors in a vending zone and can limit the number of people working for a vendor. The extra fees are bad enough, but telling us how many employees to have is absurd. (page 14 Paragraph D)

Let's look at an unintended consequence of curtailing a part of our business that has nothing to do with downtown parking.

Page 16 Paragraph C prohibits us from catering. Consumers love having a food truck come to their house, park in their driveway and serve food for birthday parties, graduation parties and summer picnics. Clearly we would be catering in a

residential zoned district by having the food truck in someone's driveway.

Vending on private property, perhaps for a wedding, and more often in office parks, is a big part of how we operate. When LFTA enters into agreements with an office park, we do so with the property owner or management company. We get written permission to be on their property so that we are not trespassing. The property owner or property manager specifies a space to park the trucks that they choose. Page 9 Section C is not reasonable. A property owner has the right to invite a vendor onto his property when he chooses without needing to get permission from Louisville Metro.

This proposed ordinance is harmful to food trucks, to the families that depend on them for their livelihood and to consumers and is full of unintended consequences. It should be withdrawn immediately.