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ORDINANCE NO. 27,833

AN ORDINANCE AMENDING THE OKLAHOMA CITY MUNICIPAL CODE, 2020, RELATING TO FOOD SALES FROM VEHICLES IN THE PUBLIC RIGHT-OF-WAY; AMENDING CHAPTER 21 – FOOD AND BEVERAGES, BY AMENDING ARTICLE VIII – FOOD SALES FROM VEHICLES, DIVISION I - GENERALLY, SECTION 21-395 - RESTRICTIONS ON FOOD SALES FROM VEHICLES; AND AMENDING CHAPTER 32 – MOTOR VEHICLES AND TRAFFIC, BY AMENDING ARTICLE II - ADMINISTRATION AND ENFORCEMENT, DIVISION 4 – IMPOUNDMENT OF VEHICLES, BY ENACTING A NEW SECTION 32-104.2 - IMPOUNDMENT OF FOOD SALES VEHICLE.

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. Section 21-395 of Division 1 of Article VIII of Chapter 21 of the Oklahoma City Municipal Code, 2020, is hereby amended to read as follows:

**CHAPTER 21
FOOD AND BEVERAGES
ARTICLE VIII. FOOD SALES FROM VEHICLES
Division 1. - Generally**

§ 21-395. - Restrictions on food sales from vehicles.

- (a) All operators of vehicles from which food is sold under the provisions of this article shall comply with all traffic regulations.
- (b) Except for sales associated with an Approved Revocable Permit, Administrative Revocable Permit, Special Event Permit or Activity Permit, no such sales shall be conducted within the following area: Beginning at the northeast corner of Hudson Avenue and Dean A. McGee Avenue; thence proceeding north along the east side of Hudson Avenue to the southeast corner of NW 7th Street; thence proceeding east along the south side of NW 7th Street to the center of the north/south alley in Block 16, Oklahoma City Addition located between Robinson Avenue and Broadway Avenue; thence proceeding south along the center of the alleys in Blocks 16, 17, 18 and 19 to the north side of Dean A. McGee Avenue; thence west along the north side of Dean A. McGee Avenue to the northeast corner of Hudson Avenue.

- (c) All food sales vehicle vendors shall be permitted to stop temporarily to sell food or beverages in the public right-of-way, other than in the areas designated in Subsection (b) above, or as described in this Subsection (c) or as further restricted by Subsection (f), but such stops must not impede the normal flow of traffic nor constitute a traffic hazard; provided, no sales of food or beverages from vehicles shall be permitted on any portion of any public right-of-way situated within 75 feet of the waterline of all portions of the MAPs Canal (also known as the "Bricktown Canal") located north of Interstate 40 ("I-40"), which Canal is located in or near the area of Oklahoma City, Oklahoma County, Oklahoma, known as "Bricktown"; provided further, however, the above stated prohibition against sales of food or beverages in the public right-of-way within 75 feet of all portions of the MAPs Canal located north of I-40 shall not apply to a landowner who has expressly reserved in a written easement agreement with the City the right to use defined portions of any public right-of-way for his or her business purposes or to the lawful successor(s) or assign(s) of any such landowner.
- (d) All vehicles which are used for food sales and which are equipped with any device designed for sound production, amplification or reproduction shall comply with the provisions of ~~Section 34-1 et seq.~~ Chapter 34 of this Code.
- (e) For purposes of this section, *public right-of-way* means any street or highway and property adjacent to streets and highways which is dedicated to public use and over which the Federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion; or any bridge, alley, sidewalk, canal, plaza, pedestrian bridge, pedestrian way, stairs or elevator which is dedicated to public use and over which the Federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion.
- (f) Restriction – All food sales vehicle vendors shall be prohibited from stopping temporarily to sell or distribute food or beverages in the public right-of-way in the defined restricted area in Subsection (f)(1) between the hours of 11:00 p.m. and 5:00 a.m.
1. Defined restricted area - an area bounded by the following streets: starting at the southwest corner of E K Gaylord Boulevard and East Oklahoma City Boulevard; thence generally north to the northwest corner of E K Gaylord Boulevard and NE 2nd Street; thence generally east to the northeast corner of Russell M Perry Avenue and NE 2nd Street; thence generally south to the northeast corner of Russell M Perry Avenue and East Sheridan Avenue; thence generally east to the northeast corner of Lincoln Boulevard and East Sheridan Avenue; thence generally south to the southeast corner of Lincoln Boulevard and East Reno Avenue; thence generally southwest along the railroad right-of-way for the Union Pacific Railroad tracks to the south side of East Oklahoma City Boulevard; thence generally west along the south side of East Oklahoma City Boulevard to the point of beginning at the southwest corner of E K Gaylord Boulevard and East Oklahoma City Boulevard.
2. Offense - It shall be unlawful and constitute a Class "a" offense for any food sales vehicle to be temporarily stopped to sell or distribute food or beverages in the public right-of-way in the defined restricted area set forth in Subsection (f)(1) between the hours of 11:00 p.m. and 5:00 a.m.

3. Impound - Any food sales vehicle temporarily stopped to sell or distribute food or beverages in the public right-of-way in the defined restricted area set forth in Subsection (f)(1) between the hours of 11:00 p.m. and 5:00 a.m. shall be subject to impound.

SECTION 2. A new Section 32-104.2 of Division 4 of Article II of Chapter 32 of the Oklahoma City Municipal Code, 2020, is hereby created to read as follows:

CHAPTER 32
MOTOR VEHICLES AND TRAFFIC
ARTICLE II. - ADMINISTRATION AND ENFORCEMENT
DIVISION 4. - IMPOUNDMENT OF VEHICLES

§ 32-104.2. - Impoundment of food sales vehicle.

- (1) In accordance with Chapter 21, Section 21-395(f), any food sales vehicle temporarily stopped to sell or distribute food or beverages in the public right-of-way in the defined restricted area set forth in Subsection 21-395(f)(1) between the hours of 11:00 p.m. and 5:00 a.m. may be impounded.
- (2) Any food sales vehicle may be impounded if otherwise in violation of any section of this Division.

INTRODUCED AND CONSIDERED in open meeting of the Council of the City of Oklahoma City the 8TH day of APRIL, 2025.

PASSED by the Council and **SIGNED** by the Mayor of the City of Oklahoma City this 22ND day of APRIL, 2025.


ATTEST: (Seal)

CITY CLERK



MAYOR

REVIEWED for form and legality.


Assistant Municipal Counselor