

(Published in the Journal Record November 23, 2022)

ORDINANCE NO. 27,218

EMERGENCY ORDINANCE RELATING TO FOOD AND BEVERAGES, AMENDING CHAPTER 21 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2020, BY AMENDING ARTICLE III, DIVISION 2, SECTION 21-91, SPECIAL EVENT FOOD LICENSE, SECTION 21-92, LICENSE FEES AND PENALTY, SECTION 21-93, EXEMPTIONS AND CHAPTER 60, ARTICLE VIII, SPECIAL EVENTS, SECTION 60-21-26 AND SECTION 60-21-56, FOOD SALE, VEHICLE.

EMERGENCY ORDINANCE

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

SECTION 1. That Sections 21-91, 21-92, and 21-93 of Article III of Chapter 21 of the Oklahoma City Municipal Code, 2020, are hereby amended to read as follows:

CHAPTER 21

FOOD AND BEVERAGES

* * *

ARTICLE III. FOOD HANDLING ESTABLISHMENTS GENERALLY

* * *

§ 21-91. Special event food certificate of registration ~~license~~.

- (a) ~~To participate in an event, a vendor shall pay the required fee and apply for a special event food Certificate of Registration at least 48 hours prior to the start of the event. The fee is non-refundable. A special event food license may be issued to any person whose facilities pass a health inspection performed by the Oklahoma City County Health Department.~~
- (b) The holder of a special event food Certificate of Registration ~~license~~ shall be authorized to sell or distribute to the public food or food products for consumption on the premises for which the Certificate of Registration is ~~issued~~ used.
- (c) A special event food Certificate of Registration ~~license~~ shall be valid for a period not to exceed 14 consecutive days.

- (d) The holder of a special event food Certificate of Registration ~~license~~ shall be required to comply with Oklahoma State Health Department Codes, as included in the Oklahoma Statutes related to Public Health and Safety for Sellers of Food, 63 O.S. §1-1118 et seq. ~~Section 21-56 of this article.~~
- (e) The ability of a special event food registrant ~~licensee~~, or an annual vehicle food sales licensee (as described in Section 416 of this Chapter), to sell or distribute food or food products at a special event, shall be conditioned upon the special event organizer notifying the Supervisor of Licenses ~~City County Health Department~~ ~~has been notified~~ of the food licensee's or registrant's participation in the event. Said notification shall be given ten business days prior to the start of the event ~~to ensure the ability to conduct necessary inspections.~~

§ 21-92. Certificate of Registration ~~License~~ fees and penalty.

- (a) No person shall operate a special event where any food or food products are manufactured, sold or distributed without first obtaining a Certificate of Registration ~~license~~ from the Supervisor of Licenses.
- (b) Persons required to obtain a Certificate of Registration ~~license~~ pursuant to the provisions of this Article shall pay a fee to the City in the amount established in Chapter 60, the General Schedule of Fees; provided, that a charitable or nonprofit organization qualified under Section 501(c) of the Internal Revenue Code shall not be required to pay the fee.
- (c) Any person who shall manufacture, sell or distribute food or food products without the Certificate of Registration ~~license~~ required by this section shall be guilty of a Class "b" offense. Each day's continued violation of any of the provisions hereof shall be chargeable as a separate offense.

§ 21-93. Exemptions.

Holders of annual vehicle food licenses with six special events and holders of annual vehicle food licenses with unlimited special events shall not be required to obtain a ~~special event~~ food Certificate of Registration to participate in events held within the Oklahoma City limits, unless the number of special events in which the licensee has participated exceeds the number of special events permitted by its license. ~~Inspections are pursuant to the provisions of the Oklahoma City County Health Department in accordance with the procedures set forth in Section 21-393.~~

Chapter 60

GENERAL SCHEDULE OF FEES

* * *

TITLE 21

FOOD AND BEVERAGES

* * *

ARTICLE III

FOOD HANDLING ESTABLISHMENTS GENERALLY

SECTION 2. That Chapter 60, Title 21, Article III, of the Oklahoma City Municipal Code, 2020, as amended is hereby amended to read as follows:

§ 60-21-26. Special events.

Sale of food and food products,
~~30-day license; renewable every 90 days~~
certificate of registration, per event \$30.00

* * *

§ 60-21-56. Food sale, vehicle.

- (a) vehicle license, annual with no special events \$100.00
- vehicle license, annual with six special events \$150.00
- vehicle license, annual with unlimited special events \$250.00

- (b) individual license, annual vehicle frozen dessert operator . . \$17.00

SECTION 3. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of The City of Oklahoma City, and the inhabitants thereof, that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

INTRODUCED AND READ in open meeting of the Council of The City of Oklahoma City this 22nd day of November, 2022.

ADOPTED by the Council of The City of Oklahoma City this 22nd day of November, 2022.

SIGNED by the Mayor of The City of Oklahoma City this 22nd day of November, 2022.

ATTEST:

Amy K Simpson
CITY CLERK



David Holt
MAYOR

REVIEWED for form and legality.

Rita E. Douglas-Tally
ASSISTANT MUNICIPAL COUNSELOR