

## Mobile Food & Temporary Food Fee Recommendations: First Reading

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The Health Department is recommending the following fee amendments to Chapter 18 ("Business Licensing"), Article 2 ("Fee Schedule") of the Oak Park Village Code.

Fee	Current	Proposed/Recommended	Potential Additional Annual Revenue
Temporary Food Establishment Fees	\$100/year	\$100 first event; \$50 per additional event	\$1,250.00
Temporary Food Establishment Late Fee	No Fee	\$50 if application and/or payment made within 10 calendar days of event date	\$1,200.00
Temporary Food Farmers' Market Fee	\$100/year	\$150/market season	\$950.00
**Mobile Food Establishment Fee	\$100/year	\$325/year (high risk), \$200/year (medium risk), \$150/year (low risk)	\$600

### Health Fee Recommendation Village Board Follow-up from November 5, 2019 Village Board Meeting

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The Health Department brought the original proposed fees to the Village Board at the November 5, 2019. At that meeting the Village Board directed the Health Department to: 1) Ensure that fees align with the actual Village costs to conduct the programs; and 2) Get the feedback of the Business Community regarding the proposed fees prior to returning to the Village Board. Below you will find cost estimate data and feedback received from the Business Association Council (BAC) on January 23, 2019.

#### Part 1: Cost Estimates to Manage Programs

The Health Department completed a cost analysis and that cost analysis showed the following costs to conduct the programs:

Fee	Cost Estimate	Proposed Fees
Temporary Food Fee	\$107/event	\$100 first event; \$50 per additional event
Temporary Food Farmers' Market Fee	\$150/market season	\$150/market season
Mobile Food Fee	\$325 (High Risk), \$203 (Medium Risk), \$163 (Low Risk)	\$325/year (high risk), \$200/year (medium risk), \$150/year (low risk)

#### Additional Information/Rationale for Fee Increases

**Temporary Food Establishment Fee:** The cost estimate shows that the Village cost per vendor per event is \$107/event. The Village would like to collect a larger portion of the costs via the proposed increase. The new fee structure of \$100 for the first annual license and \$50 for each subsequent license will increase revenue by approximately \$1,250/year.

**Temporary Food Establishment Late Fee:** This fee is being proposed to encourage food vendors to submit their applications and payment on time, so that the Health Department has sufficient time to review vendor applications and process payments.

**Farmers' Market Temporary Food Establishment Fee:** The Health Department conducts a minimum of two food inspections at the Farmers' Market annually. The cost to the Village for the two visits is

approximately \$150/market season. The new fee structure will increase revenues by approximately \$950/year.

**Mobile Food Establishment Fee:** The State of Illinois via the Local Health Protection Grant is requiring the Health Department to define each mobile food vendor by Illinois Department of Public Health Risk type and inspect at a rate according to the defined risk type. This requirement increases the required number of annual inspections for mobile food vendors. The proposed mobile food fee schedule collects the approximate cost for the Health Department to conduct those inspections. This new fee structure will increase revenues by approximately \$600/year.

## **Part 2: Business Community Feedback**

At the November 5, 2018 Village Board meeting, several Trustees inquired whether the ordinance was discussed with the Oak Park business community. The Health Department with the assistance of the Development Customer Services Department presented the proposed fee amendments to the Business Association Council (BAC) on January 23, 2019. The BAC is a group of the business district leaders that gather at Village Hall and is an important platform for the exchange of information between the business community and local government.

The BAC's responses to the fees included:

1. Temporary Food Establishment Fee: The BAC communicated that the Temporary Food Establishment fee of \$100 per event was too high. The BAC's primary concern was that the fee would detract from food vendors participating in Oak Park special events. The Health Department has adjusted the fee structure to accommodate the BAC's concerns.
2. Temporary Food Establishment Late Fee: The BAC expressed that they were not opposed to the \$50 Temporary Food Establishment Late fee.
3. Mobile Food Establishment fee: The BAC provided no positive and/or negative feedback to the proposed Mobile Food Establishment Fee schedule.

## **Additional Background information on Temporary Food vs. Mobile Food**

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**Temporary Food Establishment** means a food establishment that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration. Most temporary food establishments are not mobile food trucks. Vendors work under a pop-up tent, setting-up temporary handwashing, dishwashing and storage/cooking/cooling equipment. Temporary Food Licenses are obtained by mobile food vehicles or carts when they want to participate in one or more special events, but are not interested in selling foods from their vehicle or cart outside of scheduled special events.

The current fee for a temporary food license is \$100/year. Licenses expire on December 31.

The Health Department processes temporary food license applications, including reviewing incoming applications, processing payments and issuing the license. The Health Department also conducts on-site food inspections, primarily after-hours and on weekends. In 2018 the Health Department processed 107 temporary food license applications. There were 81 businesses that applied, with 65 businesses participating in only one special event and 16 businesses participating in more than one special event. One business participated in 6 total special events.

**Mobile Food Establishment** means a food establishment that sells prepared or pre-packaged food from some sort of vehicle. Mobile food can be performed using full-service motorized vehicles, trailers or non-motorized carts.

The current fee for a mobile food establishment license is \$100/year. There is a one-time initial \$50 application fee assessed from Business Services, however this fee is only assessed for the first application. Licenses expire on March 31.

The Health Department processes and manages incoming requests for mobile food licenses in collaboration with the Business Services Division of the Development Customer Services Department. The Health Department completes an annual/initial review of the mobile food establishments menu and base of operation details and schedules and conducts an annual inspection of the truck. If the truck passes the Health inspection the mobile food establishment owner/operator is then directed to Business Services to pay for and obtain the annual license.