

TO: James L. App, City Manager
FROM: Jim Throop, Director of Administrative Service
SUBJECT: Ice Cream Vendor Permits
DATE: July 21, 2009

NEEDS: For the City Council to consider permits for Jeny's Snow Cones and/or Americas Classic Ice Cream to conduct business within the City of Paso Robles.

FACTS:

1. The City municipal codes, written in 1956 (Ord. 197 N.S. Sec. 130) and 1959 (Ord. 223 N.S. Sec. 39), do not allow for vendors/peddlers within the city boundaries, *except by permit of the City Council.*
2. The vendors, Jeny's Snow Cones and Americas Classic Ice Cream, requested a permit hearing.
3. It is advisable to require a background check for any vendors/peddlers who may interact with minors.

ANALYSIS &

CONCLUSION: The City municipal codes, as it pertains to vendors/peddlers, were written in 1956 and 1959. At that time permits and licenses were not allowed for vendors/peddlers, *except by permit of the City Council.*

The City has received requests from two vendors/peddlers for permission to conduct business within the City. The vendors, Jeny's Snow Cones and Americas Classic Ice Cream, have requested and responded to requests for information pertaining to their business.

It is for the City Council to decide whether to permit such businesses within the city. Should the vendors be given approval it is recommended that (i) background checks be performed by the City of Paso Robles' Police Department, (ii) the vendors pay all applicable fees and permits, and (iii) vendors/peddlers not conduct business in commercial areas, except upon invitation to special events.

POLICY

REFERENCE: Municipal Code Section 5.04.390.

FISCAL

IMPACT: Potential minor increase to revenues due to business licensing and permits.

OPTIONS:

- A. Adopt Resolution No. 09-XXX allowing Jeny's Snow Cones and Americas Classic Ice Cream to conduct business from mobile ice cream units after successful completion of a background check by the City of Paso Robles Police Department and obtaining all necessary permits and licenses and paying all associated fees;
 - a. Amend, modify or reject above option.

RESOLUTION NO. 09-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
PERMITTING JENY'S SNOW CONES AND AMERICAS CLASSIC ICE CREAM TO
COMMENCE BUSINESS WITHIN THE CITY

WHEREAS, City municipal codes, written in 1956 and 1959, do not allow for vendors/peddlers within city boundaries except by permit of the City Council; and

WHEREAS, for any vendor/peddler wanting to do business within the City must appear before the City Council for permit; and

WHEREAS, the vendors Jeny's Snow Cones and Americas Classic Ice Cream have formally requested a hearing and have supplied all requested information;

THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of El Paso de Robles that permission to operate Jeny's Snow Cones and/or Americas Classic Ice Cream for the time remaining in Fiscal Year 2010 be granted after the applicant(s) successfully pass a background check with the City of Paso Robles Police Department and remit all associated fees related to doing business within the City of Paso Robles;

FURTHERMORE, BE IT HERBY RESOLVED by the City Council of the City of Paso Robles that permission to operate Jeny's Snow Cones and/or Americas Classic Ice Cream for the time remaining in Fiscal Year 2010 be granted for residential areas of the City only, and by invitation to special events occurring within other zones of the City Limits.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 21st day of July 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Cathy David, Deputy City Clerk

July 6, 2009

Mike D. McGranahan
5655 Silverado Rd
Paso Robles, Ca 93446

Dear Councilmen,

I would first like to say thank you for taking the time to review my proposal for the mobile business license. Also, special thanks to Jim Troop and Tina for all their help.

I retain all proper permits and insurance and can provide those documents upon request. I believe America's Classic Ice Cream would put a lot of smiles on people's faces.

The majority of my hours would be at Camp Roberts and events occurring on the weekends. However, this is my full time employment so there will be a couple days out of the week I would like to drive and sell products on the east side of Paso Robles. Depending on the schedule Monday and Fridays would be great.

The residential areas will be between Golden Hill to Niblick rd , west on Niblick to S Riverside North to hwy 46. Times will be from 4:30 to 6:30 and the music would be down to the minimum, to avoid being a nuisance.

Again, thank you very much for taking the time to consider a business license for America's Classic Ice Cream. Your efforts are greatly appreciated.

Sincerely



Mike D. McGranahan
President
America's Classic Ice Cream, Inc.



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★ Paso Robles, CA 93446



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