



Louisiana Restaurant Association

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February 28, 2013

The Honorable Stacy Head
City Hall, Room 2W40
1300 Perdido Street
New Orleans, LA 70112

Dear Council President Head,

We appreciate the leadership that you have provided in working to modify the mobile vendor ordinance for Orleans Parish. The evolution of the proposal has made significant progress and from our communication with the Department of Health and Hospitals (DHH), it appears they are engaged in providing process modifications in the near future. What they have shared with us to date will allow for unannounced inspections of mobile vendors, better identification of commissary operations while more closely aligning these practices with those of fixed location permittees.

Although noting the progress made to date, our careful review of the updated proposal we still have concerns with several elements which we will address below.

Proximity Restrictions & the Prohibited Zone – while the size of the prohibited zone has been expanded significantly the proposed setting of the proximity to 100 feet from the front door of an existing fixed location restaurant still is a concern. Remember the measurement is not from their curb or property line but is presented from the door. Perhaps a different measurement point to create the proximity could be discussed.

Mobile Vendor Employee Washroom access – this issue has yet to be addressed. In Seattle, food truck operators are required to have a written restroom agreement with another business located within 150 feet of the food truck location. At a rally location or park/multi operator setting, perhaps restrooms could be provided by the landlord or organizer and paid through their leases or participation fees.

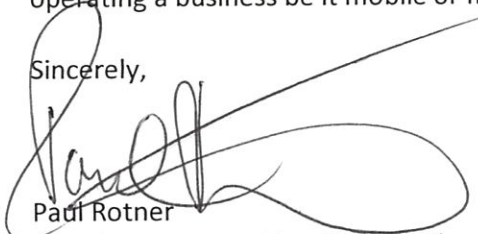
Insurance – while the requirement that the applicant provides proof of liability insurance is included, there is no mention of a minimum amount of coverage. We would suggest a minimum amount of \$500,000 per permit is a reasonable limit. As our research has illustrated Portland, Oregon requires a minimum limit of \$400,000 and Seattle, Washington requires a minimum limit of \$1 million.

Enforcement – as there are proposed time limits at a particular location, proximity, and removal of solid waste/trash etc. from the operating area, we are interested in learning which City department will be charged with this oversight and the process and resources they plan to use to meet this enforcement requirement.

Pilot Program—what is the proposed length of time for the program and who will be participating in the evaluation? We are interested in learning what metrics might be used to determine the program's success or failure.

This is an important issue to many of our members whether or not they are located in the prohibited area. We support consistent food safety regulations and oversight and are hopeful we can address the remaining open items expressed above. The investment made by brick and mortar operators is significant and we are seeking to insure the mobile operators are provided clarity in their operating proximities, geographic areas, employee sanitation and insurance needs that are commensurate with operating a business be it mobile or fixed.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Rotner", with a large, sweeping flourish extending to the right.

Paul Rotner
President, Greater New Orleans Chapter
COO, Acme Oyster House