

## **RESOLUTION NO.**

**WHEREAS**, the City of Austin continuously seeks to protect and improve the quality of life of its residents; and

**WHEREAS**, the City of Austin is committed to safeguarding the public's health and safety; and

**WHEREAS**, smoke emissions from restaurants and mobile food vendors are not currently regulated by the City; and

**WHEREAS**, the City of Austin is committed to finding reasonable solutions to quality of life issues that balance the interests of residents and business owners;  
**NOW, THEREFORE,**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

Council initiates an amendment to the City Code to require restaurants and mobile food vendors that utilize a wood or charcoal burning stove or grill located within 100 feet of the nearest property line of a property zoned as residential base district or property used for a residential use to take appropriate action to mitigate the impact of smoke emissions on the health and quality of life of surrounding residents by relocating smoke-emitting equipment to exceed the aforementioned distance or installing smoke-mitigating devices.

This requirement should exclude any restaurants and mobile food vendors that burn supplemental wood chips and chunks in stove-top box smokers using gas-powered stoves or grills that do not generate a significant amount of smoke.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to initiate a stakeholder input gathering process to provide an opportunity for affected residents and business owners to provide recommendations and to incorporate these recommendations into the draft ordinance.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to present the proposed ordinance and associated recommendations consistent with this resolution to the Planning Commission and the Planning and Neighborhoods Committee of Council for consideration no later than May 21, 2015.

**ADOPTED:** \_\_\_\_\_, 2015

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk