



## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager   **DATE:** April 12, 2021

**SUBJECT:** Discuss revisions to the city's Mobile Food Unit Ordinance.

**PRESENTER:** Stefanie Martinez, Director of Neighborhood Services

### **GENERAL DESCRIPTION:**

In October of 2020, Neighborhood Services discussed proposed changes to the Mobile Food Ordinance during the City Council Work Session. These changes were based on partial closures and/or limited capacity for occupancy caused by the COVID-19 pandemic. Although the occupancy limitations have since been lifted, several businesses and food truck operators continue to contact Neighborhood Services to obtain permits to vend within our city more frequently than the current occasional special event process allows. Neighborhood Services and the City Attorney's Office reviewed the current ordinance that pertains to food trucks or mobile food units. Staff is recommending the City Council consider adding a new division to the Mobile Food Unit ordinance that contains a sunset provision. This approach allows time for implementation of the new requirements, then provides for review and reconsideration of the new ordinance prior to the end of the 2 year period.

In general, the proposed new ordinance allows food trucks to operate more frequently without compromising safety standards. A new ordinance and section of the code is being proposed because the current food ordinance regarding mobile food vending references many other sections of the North Richland Hills Code of Ordinances. The adoption of a new ordinance and section of the Code with a sunset provision would implement the proposed changes to food truck operations within the City while specifying that the other sections of the city's ordinances and code remain in effect. The most significant change in the proposed ordinance is to allow mobile food units to operate throughout the City under an annual permit and inspection, as opposed to requiring a permit and inspection at each separate event and location as is the current requirement. The issuance of that annual permit would be based on an annual inspection by the Consumer Health Staff as well as the NRH Fire Department.

The proposed changes in the attached ordinance include:

- Allow for annual inspection and permit of mobile food units
- Revise the current definition of Mobile Food Unit
- Clarify the definition of Temporary Food Establishment
- Establish specific timeframes during which mobile food units may operate
- Establish specific locations where mobile food units may operate



- Establish a permission form to be utilized and completed by the property owner as well as the operator of the mobile food unit
- Limit the types of foods to be prepared on the mobile food unit
- Require vendor access to restroom facilities
- Require certain equipment to be provided by the mobile food unit
- Amend required fees to operate
- Create a sunset review timeframe of 2 years to re-evaluate the ordinance changes

We look forward to reviewing the proposed ordinance with the Council and receiving direction and feedback. Following this discussion, staff will finalize the ordinance for Council consideration at a future meeting.