



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** September 11, 2023
SUBJECT: Discuss H.B. 2878 and impacts to Ordinance No. 3792 Chapter 18, Article IV, Division 6, of the City of North Richland Hills Code of Ordinances.
PRESENTER: Stefanie Martinez, Director of Neighborhood Services

SUMMARY:

On June 13, 2023, H.B. 2878 was signed creating chapter 437A of the Texas Health and Safety Code which requires mobile food service establishments to obtain a permit from the county. H.B. 2878 is specific to counties with a population of more than 2.1 million in which is located partially or wholly: an airport operating under Subchapter D, Chapter 22, Transportation Code, and an airport owned by the principal municipality in the county that does not offer commercial air service. Creation of 437A impacts how the City of North Richland Hills enforces mobile food unit operations within the city limits.

GENERAL DESCRIPTION:

There are several items in Chapter 18, Article IV, Division 6 of the City of North Richland Hills Code of Ordinances which may continue to be enforced by the Consumer Health Division. Those items are as follows:

- Establishes specific timeframes during which mobile food units may operate.
- Establishes specific locations where mobile food units may operate.
- Authorizes only one mobile food unit per property unless operating under a City issued Special Event Permit or no less than 300 feet from another mobile food unit.
- Establishes a permission form to be utilized and completed by the property owner as well as the operator of the mobile food unit.
- Requires vendor access to restroom facilities at the vending location.
- Requires certain equipment to be provided by the mobile food unit.

The proposed ordinance adds the following provisions:



- Requires mobile food units to comply with the noise level restrictions in the City code to prevent disruptions to the community due to excessive noise.
- Adds waste discharge to the sanitation requirements.
- Clarifies the responsible parties that can be penalized for violating the ordinance.

RECOMMENDATION:

Approve Ordinance No. 3815.