

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** May 17, 2023

**SUBJECT:** Consider Ordinance No. 3792 restating and adopting Chapter 18, Article IV, Division 6, of the City of North Richland Hills Code of Ordinances, modifying the rules and regulations for Mobile Food Vendors, and amending Appendix A, Fee Schedule to establish an annual Mobile Food Unit permit fee.

**PRESENTER:** Kristin James, Assistant Director of Neighborhood Services

### **SUMMARY:**

On April 26, 2021, the City Council enacted a temporary ordinance to address changes affecting the mobile food vendor industry due to partial closures and/or limited capacity for occupancy caused by the COVID-19 Pandemic. City staff and vendors have been satisfied with the results produced by the temporary ordinance.

The permanent ordinance would allow Neighborhood Services to maintain a regulatory structure regarding Mobile Food Units, while continuing to allow food trucks to operate more frequently without compromising safety standards.

### **GENERAL DESCRIPTION:**

The following provisions were included in the temporary ordinance and are continuing in the proposed ordinance:

- Allows for an annual inspection and permit of mobile food units.
- 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.
- Limits the types of foods to be prepared on 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:

- Providing for fee exempt mobile food units for non-profit organizations and for mobile food units providing services to non-profit organizations.
- Allows for one temporary food establishment permit per calendar year for those mobile food units that are not operating on a regular basis in the city.
- Allows for a fee to be charged in the event a payment is canceled or voided by the applicant.
- Gives the Fire Marshall discretion to exempt mobile food units that do not prepare heated items from an annual fire inspection.
- Allows the regulatory authority to request information on the layout and operation of a mobile food unit and provides for a plan review fee
- 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.
- Allows the regulatory authority to impose additional requirements when necessary to protect against public health hazards or nuisances as allowed by law.
- Clarifies the responsible parties that can be penalized for violating the ordinance.
- Allows a reinspection fee to be charged by the regulatory authority in the amount of \$55, if required, to determine compliance with this ordinance.
- Reduces the annual permit fee in Appendix A, Fee Schedule, Section 18-193, Mobile Food Unit permit fee from \$250 to \$180.

**RECOMMENDATION:**

Approve Ordinance No. 3792.