

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** October 26, 2020
SUBJECT: Discuss revisions to the city's Mobile Food Unit Ordinance
PRESENTER: Stefanie Martinez, Director of Neighborhood Services

GENERAL DESCRIPTION:

Due to the partial closures and/or limited capacity for occupancy caused by the COVID-19 pandemic, several businesses and food truck operators have inquired into operating within our city more frequently than the occasional special event. With this in mind, Neighborhood Services and the City Attorney's Office reviewed the current city ordinance that pertains to food trucks or mobile food units. Staff determined that revisions can be made to the current ordinance to allow food trucks to operate more frequently without compromising safety standards. The purpose of this item is to review the proposed changes.

Local governments rely on the Texas Food Establishment Rules (TFER) to regulate all food establishments within their jurisdictions. This year the TFER was scheduled to be updated; however, for various reasons, the updates have the potential to impact more than just food trucks, and have therefore been delayed until 2021. To accommodate changes required by COVID-19 regulations, city staff recommends moving forward with revisions to the city's current food establishment ordinance at this time, and revisiting the ordinance after the TFER rules have been updated to ensure compliance.

The proposed changes that will come before Council for consideration at the next Council meeting are minor updates or changes in definitions that will allow mobile food units to operate more frequently, which helps them and other businesses during the pandemic.

The suggested updates include:

- Revise the current definition of Mobile Food Unit
- Clarify the definition of Temporary Food Establishment
- Allow for annual inspection of mobile food units
- 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 and mobile food unit
- Limit the types of foods to be prepared on the mobile food unit
- Require 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 to re-evaluate the ordinance changes

The purpose of this work session item is to review the proposed changes, and receive direction and feedback from City Council. Following this review, staff will finalize the revisions and bring the ordinance to Council for consideration and adoption.