

Project Background

- Food Truck strategic project created in FY16
 - A multi-departmental project
- Prompted overall assessment of Chapter 3, Article IV Code of Ordinances
 - Entails permitting of fixed, mobile & temporary food establishments
- Necessary to provide clarification and a more efficient, stream-lined process to better meet the needs of the community

Project Background

- Workshop conducted on July 17, 2018
 - Two separate presentations given by Planning and Environmental & Neighborhood Services staff
- Final stakeholder meeting was held on August 13, 2018. Staff reviewed ordinance verbiage with attendees.
- FYI went out to City Council on August 24, 2018

Ordinance and Policy Goals

- Protect health, safety and welfare of general public
 - To update and clarify food safety regulations
- Establish a uniform set of rules and regulations for mobile food vendors by:
 - Providing vendors as an asset to the public,
 - Ensuring private property owner permissions, and
 - Ensuring public right-of-way is not impeded or obstructed

Proposed Modifications

- Adoption of 2015 Texas Food Establishment Rules (TFER) with amendments
- Definitions revised & updated
- Clarification regarding the process to suspend or revoke permits
- Updated regulatory verbiage pertaining to Food Manager and Food Handler certifications
- Clarification of Retail Frozen Dessert Permit requirements

Proposed Modifications (cont.)

Dog Variance

- Creation of variance process for dogs on restaurant patios
 - Multiple restaurants in the City have been found to allow dogs on outdoor patios
 - TFER currently prohibits all animals on the premises with the exception of service animals and K-9 units
 - Variance granted following an inspection and submittal of fee
 - One – time fee, unless:
 - Property changes ownership; or
 - Variance is revoked for non-compliance

Proposed Modifications (cont.)

Temporary Permits

- Update & clarify regulations pertaining to Temporary Food Permits
 - Create Temporary Type II
 - Application and site plan review
 - Maintain vendor attendance records of each approved site
 - Maximum operating timeframe of 110 days per permit year
 - Monitor approved sites for compliance
 - Anticipate majority of mobile food units to operate with a City-issued medallion at sites under a Type II

Fees

| | Effective October 1, 2018 | Effective January 1, 2019 |
|--|---|---|
| New Fees (w/o CPI adjustment) | | |
| Temporary Type II | \$475 | \$475 |
| Temporary Vendor | \$20 | \$20 |
| Fire MFU Inspection | \$40 | \$40 |
| Dog Variance | \$200 | \$200 |
| Existing Fees (w/CPI adjustment of 2.6%) | | |
| Medallion | \$341.75 | \$350.75 |
| Expedited Review | \$25 | \$25.75 |
| Temporary Type I | \$34.50 (Base permit fee) \$22.75 (per day of operation) | \$35.50 (Base permit fee) \$23.25 (per day of operation) |

Mobile Food Locations

- **Active construction sites**
- **Professional Offices - Over 50,000 sq. ft., or Group of office buildings over 50,000 sq. ft. on single property**
- **Regional and Community Parks (Parks Policy)**
- **Single-family residential for catered private events**
- **City destination venues**
- **Homeowner Associations facilities**
- **Multi-family residential**
- **Public Schools**

Mobile Food Permitting

In order to legally operate at an approved site, mobile food unit operators are required to:

- Obtain a City of Sugar Land Medallion or become a participant of a permitted Special Event
- Meet state and local regulations
 - General Operational Requirements
 - Vehicle Design Requirements
 - Fire Safety Requirements

Vehicle Design

- **Mobile Food Units will be inspected annually by the Food Inspection Division**
 - **Meet external and internal requirements**
 - **Meet sewage tank standards**
 - **Converted and retrofitted vehicles require plan review**

Fire Safety

Vehicle Fire Safety Regulations:

- Fire inspection required
- On-board fire suppression system (effective October 1, 2019)
- Encourage countywide adoption of equivalent fire inspection standards.

Update

- **Private Schools**
 - Most require CUP, and food truck operations would not have been considered under existing CUPs
 - Most sites not well-suited for food truck operation
- **Collection of Sales Tax**
 - Required to collect sales tax like any other business
- **Stakeholder meeting**
 - Reviewed ordinance verbiage
 - Temporary Type II permit fee and property owner responsibility

Recommendation & Next Step

Recommendation:

- **Approve 1st Reading of Ordinance No. 2136 – 9/4/18**

Next Steps:

- **2nd Reading of Ordinance anticipated – 9/18/18**

Questions?