

ARTICLE 4.08 MOBILE FOOD COURTS

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4.08.001 Definition

Mobile food service establishment. An enclosed trailer or motor vehicle designed and operated for the sale of food and/or beverages, and which stays at one location for more than four (4) consecutive days. For the purpose of this article, two or more such establishments located on a single lot or parcel shall be known as a mobile food court. (Ordinance 17.12.11 adopted 12/11/17)

4.08.002 Mobile Food Court

- (a) No mobile food vendor/vehicle shall operate within a mobile food court that does not possess a valid permit.
- (b) All mobile food vendor requirements apply (see mobile food vendor article).

(Ordinance 17.12.11 adopted 12/11/17; Ordinance 18.06.11C adopted 6/11/18)

4.08.003 Location Standards

- (a) A mobile food court must meet all applicable zoning requirements applicable to the zoning district in which it is located and as required by this article.
- (b) Mobile food establishments shall operate only in zoning districts where eating establishments are allowed in the current city zoning ordinance.
- (c) Permitted mobile food vendors/vehicles located within the court shall be exempt from having to remove the vehicle from the site during nonoperating hours so long as such operation is in compliance with its use permit.
- (d) Mobile food courts shall not be located within fifty (50) feet of a building with a restaurant possessing a certificate of occupancy.
- (e) Mobile food courts must comply with the setback minimum of the zoning district which the site is located, unless a more restrictive setback is required by the city to mitigate any negative impacts to adjacent businesses, residents, or safety, health or welfare of the general public.
- (f) Mobile food establishment spaces shall be set back at least twenty-five feet from the front and fifteen feet from the rear lot lines, and set back from the side lot lines as specified for the zoning district where located.

(Ordinance 17.12.11 adopted 12/11/17; Ordinance 18.06.11C adopted 6/11/18)

4.08.004 Development Standards

- (a) Mobile food courts shall be allowed to engage in business only between the hours of 6:00 a.m. and 9:00 p.m. unless otherwise approved in writing by the city administrator or his/her designee.

- (b) The Texas Food Establishment Rules (TFER), section 229.167(d)(10) states a private home used as living or sleeping quarters may not be used for conducting food establishment operations.
- (c) Mobile food courts must provide a paved parking area (in accordance to current building code), at a ratio of two and one-half (2-1/2) parking spaces per individual vendor/vehicle.
- (d) Mobile food courts must provide outside seating consisting of a table and a seating capacity of four (4), per mobile food vendor/vehicle unit.
- (e) Restrooms must be provided within the mobile food court area. A minimum of at least one (1) restroom shall be provided within one hundred (100) feet from each vendor/vehicle. This requirement can be met through one (1) of the following methods:
- (1) Permanent ADA bathroom as required by the International Building Code.
 - (2) Bathroom facilities within a building(s) directly abutting the premises authorized by written consent of the building owner/tenant.
 - (3) Bathroom facility trailer, or mobile trailer with bathrooms and self-contained water and wastewater facilities within it, maintained by a licensed company. Facility shall not be located fronting the property, but to the rear of mobile food vendors and if necessary screened from the public right-of-way.
- (f) All vendors/vehicles selling food or beverages must provide at least one (1) appropriately sized trash receptacle adjacent to or as a part of their stand/operation.
- (g) Mobile food courts shall have access to a common dumpster and to a common grease disposal container, approved by the city. Common trash and grease disposal containers shall be enclosed within an area screened from view in accordance with city ordinances.
- (h) Each mobile food establishment shall obtain electricity from, and be within 50 feet of an individual main-disconnect breaker or central bank of multiple-disconnect breakers, as approved by the city.
- (i) Each mobile food establishment shall obtain water from, and be within 50 feet of a hose bib connected directly to the city water supply.
- (j) Mobile food establishments shall not be connected directly to the city wastewater system unless a grease trap is installed.
- (k) All mobile food vendors/vehicles situated on the property shall be located on a paved surface as required by city parking requirements.
- (l) Mobile food vendors/vehicles shall demonstrate that the vehicle or unit is readily moveable if required by the city. Any alteration, removal, attachment, placement or change in, under or upon the mobile food vehicle or unit that would prevent or otherwise reduce ready mobility is prohibited.
- (m) Vehicular drive-through service of food and/or beverage shall not be permitted.
- (n) No more than three individual mobile food vendor/vehicle units are permitted per mobile food court site. Additional mobile food vendor/vehicle units may be authorized by the city council with a specific use permit.
- (o) No mobile food vendor/vehicle unit, structures associated with the mobile food court use, not any seating areas shall be located in a required setback, buffer yard, access easement, drainage easement, floodplain, driveway, utility easement and/or fire lane unless written authorizations is provided by the city administrator or his/her designee.

- (p) Building official/fire marshal shall make the appropriate inspections of the location, equipment, vehicles/units and other reasonable inspections concerned with the mobile food court operation to assure compliance with the applicable adopted codes, ordinances, requirements of all state and federal statutes.
- (q) A minimum ten (10) foot wide apparatus access route shall be provided around the periphery of any mobile food vendor/vehicle.
- (r) One (1) permanent detached sign permitted in compliance with the current sign ordinance shall be allowed for the mobile food court. Individual vendors/vehicles shall be limited to one (1) sign attached to trailer or truck. Signs on mobile food establishments shall be mounted flat on the exterior, and not exceed 20 percent of the wall area to which they are affixed. No detached or temporary signs are authorized.
- (s) Residing and/or dwelling within a vendor/vehicle unit(s) overnight is prohibited.
- (t) The sale, distribution or consumption of alcoholic beverages is prohibited within mobile food courts.
- (u) Mobile food courts must provide current and complete contact information including but not limited to: address, phone number, and any other information reasonably required by the city administrator or his/her designee for a designated on-call person to be a principal point of contact for city staff and the individual vendors/vehicles.
- (v) Failure to comply with these standards may result in termination or suspension of the certificate of occupancy.

(Ordinance 17.12.11 adopted 12/11/17; Ordinance 18.06.11C adopted 6/11/18)

4.08.005 Site Plan

A site plan drawn to a conventional scale must be submitted to the planning department showing the location and surface type of the proposed mobile food establishment locations, location of customer table-seating and any associated shelter structures, location of water hose bibs and electrical service connections, location and surface type of parking spaces and driveways, location and surface type of pedestrian access, location and description of outdoor lighting, location of restrooms(s), location of individual trash receptacles and common trash/grease disposal facilities, and type and height of common trash/grease disposal screening. (Ordinance 17.12.11 adopted 12/11/17)

4.08.006 Design And Maintenance Guidelines

Mobile food vendor vehicle/structures design and maintenance guidelines:

- (a) All structures (vehicles) shall be free from defects including but not limited to peeling paint, rust, exposed metal or wood.
- (b) Tires must be fully inflated at all times.

(Ordinance 17.12.11 adopted 12/11/17)