

ORDINANCE NO. 24-102

AN ORDINANCE OF THE CITY OF SWEENY, TEXAS, AMENDING CHAPTER 115 OF THE CODE OF ORDINANCES OF THE CITY OF SWEENY ENTITLED MOBILE FOOD ESTABLISHMENTS; AMENDING SECTION 115.01 ENTITLED PERMIT REQUIREMENTS TO REMOVE THE REQUIREMENT THAT MOBILE FOOD UNITS MAKING APPLICATION FOR A PERMIT MAY NOT BE MORE THAN FIVE YEARS OLD; PROVIDING A SAVINGS CLAUSE: PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF CONFLICT ONLY; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AT THE DATE OF ITS PASSAGE.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF SWEENY, TEXAS:**

Section 1:

Section 115.01 of the Code of Ordinances of the City of Sweeny, Texas, which provides for permit requirements for mobile food establishment is hereby amended as follows:

“Section 115.01 PERMIT REQUIREMENTS

No person shall operate a mobile food establishment, whether temporary or permanent, without first obtaining a permit issued by the City. The fee for this permit shall be established by the permanently adopted fee schedule of the City.

The following regulations shall apply to all permits granted under this section.

(A) Removed and repealed

(B) All permits shall be issued on an annual basis and shall expire and/or renew upon the first day of each calendar year.

(C) Prior to issuing the permit, the City shall inspect the proposed food establishment to determine that it complies with state laws and regulations.

- (D) The regulating authority shall suspend the permit if violations of the Texas Health and Safety Code Chapter 437 and/or Texas Administrative Code, Title 25, Section 229.161 are found; and/or if the violation creates and immediate threat to the health and safety of the public.
- (E) The food vendor permit shall be displayed on the mobile food unit at all times.”

Section 2:

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 3:

If any part of portion of this ordinance shall be determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

Section 4: This ordinance shall be effective from and after the date of its passage.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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DUSTY HOPKINS, Mayor

ATTEST:

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KAYDI SMITH, City Secretary