



# AGENDA MEMO

## Business of the City Council

### City of Sweeny, Texas

<b>Meeting Date</b>	08/15/2023	<b>Agenda Item</b>	
<b>Approved by City Manager</b>		<b>Presenter(s)</b>	Kaydi Smith
<b>Reviewed by City Attorney</b>		<b>Department</b>	Developmental Services
<b>Subject</b>	Discussion/ Possible Action to Amend the Mobile Food Establishments Ordinance; Chapter 112		
<b>Attachments</b>	Mobile Food Establishments.REVISIONS07252023; City Comparisons		
<b>Financial Information</b>	Expenditure Required:		
	Amount Budgeted:		
	Account Number:		
	Additional Appropriation Required:		
	Additional Account Number:		

#### Executive Summary

Council's direction requested for amending/modifying the Mobile Food Establishment Ordinance, more specifically the Temporary Mobile Food guidelines and to amend/establish a fees to correlate.

Suggestion: to add additional permitting within the Temporary Section to include the Roadside Vendors/Push Carts (sno-cone trucks/ice cream stands) and update lengths of permits and fees for temporary usage. We will be modifying the Peddlers permit due to temperature related foods to exclude the sno-cones/ice cream trucks, as it is currently out of compliance. All temperature related foods are regulated by the Texas Health and Safety Code and the Texas Administrative Code, which are included as a mobile food unit now.

Ordinance attached shows proposed red lines/additions and/or suggestions for further discussion and direction. Preference is to establish fees for the fee schedule but not to notate in the ordinance, as fees change, codification does as well, incurring the city extra fees. Suggestion is to only update master fee schedule when determined.

Current Ordinance for Temporary usage is a 24-hour permit for \$75.00 + Fire Marshal Inspection Annually- \$80.00. First time registration in Sweeny is \$155.00. Then \$75.00 per day usage thereafter.

Brazoria County only has an annual permit, \$200.00, and a special event not to exceed 14 days, \$40.00. These are required per our current ordinance prior to being able to apply with the City of Sweeny. The City does not have a health inspector, Brazoria County is our inspecting agency. Mobile food units are not counting toward our Interlocal Agreement for services. [Forms & Permit Applications | Brazoria County, TX \(brazoriacountytx.gov\)](https://www.brazoriacountytx.gov/forms-permit-applications)

Suggestions:

- Special Event Permit not to exceed 3 days                      Fees? \$25
- Temporary Permit not to exceed 14 days                      Fees? \$35
- Semi Permanent/ Maximum of 180 days/6 months per calendar year at the same location Fees? \$50
- Push Cart/Roadside Vendor Only -Annual Permit – sno-cone trucks/vendors, ice cream trucks-/vendors. Fee? \$50

#### Recommended Action

Discussion/ Direction Requested to have updated ordinance prepared for future meeting.

Possible Action to be taken on establishing any fees associated to update the Master Fee Schedule.