



AGENDA MEMO

Business of the City Council City of Sweeny, Texas

Meeting Date	05/19/2026	Agenda Items	
Approved by City Manager	Yes	Presenter(s)	City Secretary
Reviewed by City Attorney	Yes	Department	Ordinances/Permitting
Subject	Discussion and possible action to the Mobile Food Establishments Ordinance, Chapter 115, pursuant to recent legislative changes.		
Attachments / Supporting documents			
Financial Information	Expenditure Required:	N/A	
	Amount Budgeted:	N/A	
	Account Number:		
	Additional Appropriation Required:		
	Additional Account Number:		

Executive Summary

The City's current mobile food vendor ordinance requires updates to reflect recent changes in Texas state statutes and regulatory oversight. The Texas Department of State Health Services (DSHS) has updated permitting requirements and guidance applicable to mobile food vendors operating within local jurisdictions. Additionally, recent legislation (House Bill updates) clarifies and outlines the authority of local municipalities in regulating and enforcing provisions related to mobile food vendors.

The purpose of this agenda item is to present proposed amendments to the City's mobile food vendor ordinance to ensure alignment with current state laws, DSHS permitting requirements, and best practices for public health and safety.

Under [HB 2844](#) (2025) and the new DSHS framework, cities still retain meaningful—but more limited—authority over mobile food vendors. The key concept is:

The State now controls licensing, food safety standards, and primary regulation, while cities retain authority over “time, place, and manner” (non-conflicting local regulations)

Essentially, the City would be repealing a majority of Chapter 115. Under current law, the City's regulatory authority is limited to zoning and land use, parking and right-of-way/traffic control, and fire and life safety. Local municipalities are no longer authorized to issue permits for mobile food vendors.

Recommended Action

Motion: To amend the City's Mobile Food Establishments Ordinance, Chapter 115, with recommended changes pursuant to HB 2844 for draft of ordinance, to be adopted at the following Regular meeting.