

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTIONS 22-48 and 22-48 APPENDIX “B” TO THE DEER PARK CODE OF ORDINANCES REGULATING MOBILE FOOD SERVICE UNITS WITHIN THE CITY OF DEER PARK, TEXAS; AND DECLARING AN EMERGENCY.

1. That Section 22-48 of the Deer Park Code of Ordinances be added to regulate Mobile Food Service Units.

2. Section 22-48 (a)

Definition of Mobile Food Service Unit “self-propelled vehicle designed for food preparation and/or distribution.”

3. Section 22-48(b)

Requirements of Mobile Food Service Units to operate in Deer Park, Texas.

a) Must obtain a ninety (90) day permit from the City of Deer Park City Secretary’s office.

Requirements for City Permit:

- 1) proof of valid insurance policy
- 2) valid vehicle registration sticker
- 3) copy of sales tax permit and requirement that City of Deer Park shall be reported for all sales within Deer Park
- 4) menu of food items sold
- 5) copy of a Federal or State government issued identification document or card for all persons working in Mobile Food Service Unit for registered sexual offenders check
- 6) application must be completed at least ten (10) days before start of operation in City

b) Must have a health permit from the Harris County Public Health Department for food establishment.

c) Must have written permission of property owner to locate on private property (City Parks or City Property require written permission from the City of Deer Park).

d) Must have access to flushable toilet within a facility with an occupancy permit on the same property as where the Mobile food service unit is located.

- e) Must be parked on a paved surface with adequate parking for patrons.
- f) Cannot serve products from the roads, streets or right of ways .
- g) Cannot operate for more than twelve (12) consecutive hours.
- h) Cannot park at any one location for more than forty-eight (48) hours without occupancy permit from the City of Deer Park.
- i) Cannot operate in a residential zoned area unless in a public park with the City of Deer Park's written permission.
- j) Cannot dispose of grease or grey-water on site.
- k) Shall not provide a drive through service of any kind.
- l) Must always have approved fire extinguisher and first aid kit in Mobile Food Service Unit.

4. That there be a \$25.00 fee paid to the City Secretary's office for the Mobile Food Service Unit permit per under Appendix B section. 22-48.

5. **Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clause, phrases and words of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

6. **Government Code.** It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

7. **Emergency Provision.** The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare, in that it is necessary to amend the provisions of the Code of Ordinances regulating Mobile Food Service Units within the City of Deer Park

in order to Protect the Citizens of the City, thereby creating an emergency, for which the Charter requirement providing for the reading of ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction; and, accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2019 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney