

## Ordinance #94

The Tuscola City Council desires to provide its residents and visitors with a variety of dining options by allowing food trucks to operate in Tuscola; and WHEREAS, the Tuscola City Council desires to establish regulations that will allow food trucks to operate within the city limits of Tuscola in an orderly, safe and healthful manner; and NOW THEREFORE BE IT ORDAINED by the City Council of the City of Tuscola, Texas that the following:

### Definitions

- 1) Food Truck - a self-propelled vehicle or self-contained trailer, that is readily mobile with no permanent fixed location, the vendor of which prepares all or most of its food on board the vehicle to serve or distribute to customers in a form suitable for immediate ingestion or consumption
- 2) Food Truck Park - an area on private property designated to accommodate two or more food trucks
- 3) Mobile Food Units - a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily moveable (including, but not limited to catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. Mobile units must completely retain their mobility at all times. A Mobile Food Unit does not mean a stand or a booth. A roadside food vendor and pushcart may be licensed as Mobile food unit

### Regulations

#### 1) Operations

- (a) Every food truck that conducts business within the Tuscola city limits shall obtain an annual permit
- (b) An application for a permit as required under this article shall be filed with the Tuscola City Secretary and shall contain such information as the city may require including but not limited to a valid Taylor County Health Inspection Report, a valid Tax Identification Number, a valid food handlers Certification
- (c) Sales Tax collected in association with transactions conducted within the City of Tuscola shall be paid and reported within the City of Tuscola regardless of the food truck operators home location
- (d) A non-refundable permit fee of \$100.00 shall accompany every application submitted
- (e) Permits for food trucks shall be valid for one year after the date of issuance
- (f) The permit shall always be displayed on the food truck in a conspicuous place where it can be readily viewed by the general public

#### 2) Zoning and location restrictions

Food trucks conducting business on private property shall not

- (a) Be parked on any property occupied by a single-family or two-family residence (a duplex)
- (b) Be parked on a property without the permission of the property owner. Food trucks must comply if asked to leave by the property owner

Food trucks conducting business from public streets shall not

- (a) Be parked on any public street designated as a no parking zone
- (b) Be parked on a public street where congestion or patrons pose a traffic hazard
- (c) No more than one food truck is allowed to operate on any lot at any given time unless located within an approved Food Truck Park or is part of a City sponsored public event

3) Duration of stay

- (a) Food trucks operating on private property shall not be parked on the property for a duration exceeding twelve hours per location per day
- (b) Food trucks operating from public streets shall not be parked in one location for a duration exceeding ten hours per location per day
- (c) No food truck shall operate between the hours of 1:00 a.m. and 6:00 a.m.

4) Other requirements

- (a) The food choices for Food Trucks shall be limited to those that can be served or prepared in compliance with the Texas Food Establishment Rules adopted by the city
- (b) Food trucks shall not serve alcoholic beverages
- (c) Each Food Truck shall be equipped with a covered portable trash receptacle placed near the unit and shall be responsible for proper disposal of solid waste. All areas must be cleaned following each stay to a minimum of 25 feet from the sales location. Liquid spills near the sales location shall be properly cleaned following each stay
- (d) The company name shall be displayed on at least two sides of the food truck
- (e) No food truck or operator shall allow trash, waste or debris to collect or remain on any site outside the times which the truck operates. All waste must be removed at the close of business or operation
- (f) A mobile food vendor may not be located within 100 feet of the property line of an open and operating fixed-location food service establishment. This requirement may be reduced upon receiving written permission from said establishments

5) Texas Food Establishment Rules

Food trucks must comply with all regulations that pertain to Mobile Food Units as set forth in the Department of State Health Services' Texas Food Establishment Rules 228 TFER as well as The Taylor County Public Health Authority

6) Violations

Any violation of the above regulations may result in the suspension of the permit for 1 year and will be reported to the State Health Authority or the Texas Comptroller Office