



BOARD/COMMISSION RECOMMENDATION

Zero Waste Advisory Commission

Recommendation Number: (20140409-004d): Sanitary Requirements for Food Trucks

WHEREAS Austin's Zero Waste Plan calls for all restaurants, including food trucks, to provide for composting and recycling; and

WHEREAS mobile food truck vendors and brick and mortar restaurants are key economic drivers and tourism destinations for Austin; and

WHEREAS Austin's Land Development Code is being rewritten and will eventually give permanent direction to mobile food truck vendors on recycling and composting rules; and

WHEREAS a simple language change in the Health Code would allow mobile food truck vendors the ability to comply with the Universal Recycling Ordinance by offering on-site recycling and composting while the permanent Land Development Code is being finalized; and

WHEREAS the current health code makes it difficult for many food trucks to offer composting or recycling services for their employees or guests; and

WHEREAS this issue can be addressed simply and easily by removing conflicts within Austin's code;

NOW, THEREFORE, BE IT RESOLVED;

That the Zero Waste Advisory Commission recommends that the Austin City Council update its code to reflect the attached code revisions as quickly as possible.

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 10-3 RELATING TO SANITARY REQUIREMENTS FOR MOBILE FOOD ESTABLISHMENTS. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

§ 10-3-93 SANITARY REQUIREMENTS.

(C) A mobile food establishment shall be equipped with an ~~attached~~ trash receptacle approved

by the health authority. The operator must hold, store, and dispose of solid and liquid waste in a receptacle approved by the health authority and comply with any other applicable City Code requirements.

(1) Receptacles for trash, recycling, compost, or used oil may be placed on the same property as the mobile food establishment, if a written agreement from the property owner permits it and the mobile food establishment or the property owner has a contract with a licensed hauler to remove the trash, recycling, compostable waste, or used oil. Otherwise, the receptacles must be attached to the vehicle; and,

(2) Nothing in this section shall be interpreted in a way that prevents a mobile food establishment from recycling or composting, including used oil, as required by the Universal Recycling Ordinance.

(D) A person who operates a mobile food establishment must meet all of the following requirements:

(1) A mobile food establishment shall provide single service articles for use by the consumer, or provide an appropriate wash station on-site or in a the vehicle for its employees to use to sanitize articles that can be re-used, or wash re-usable articles at a certified central facility, such as a commissary;

(2) A mobile food establishment shall comply with the regulations the health authority adopts regarding time, temperature, plumbing, operation and maintenance requirements for mobile food establishments;

(3) A mobile food establishment shall comply with the regulations the health authority adopts regarding a mobile food establishment's provisions, mandatory central preparation facility, serving area and operations;

(4) A mobile food establishment shall demonstrate that the vehicle is readily moveable if requested by the health authority;

(5) A mobile food establishment shall comply with all requirements of the health authority prohibiting alteration, removal, attachments, placement or change in, under, or upon the mobile food establishment that would prevent or otherwise reduce ready mobility of the mobile food establishment unit, except for receptacles allowed by § 10-3-93 (C);

(6) If at one location for more than two hours, a written agreement from a business within 150 feet of the mobile food establishment, allowing employees of the mobile food establishment to have use of flushable restrooms (or other facilities as approved by the health authority) during hours of operation;

(7) The health authority shall require a mobile food establishment to come, on an annual basis,

to a location designated by the health authority for an inspection;

(8) All food and supplies must be stored within the mobile unit, except for receptacles allowed by § 10-3-93 (C);

(9) A person who operates a mobile food establishment may not place food, equipment, or supplies that are part of its operations outside of the permitted unit and must conduct all of its operational activities within the mobile food establishment, except for receptacles allowed by § 10-3-93 (C); and,

(10) The health authority may require that mobile food establishments found to violate this section to come for a re-inspection at a location designated by the health authority.

Date of Approval: April 9, 2014

Record of the vote:

Attest: _____

(Staff signature)