



Recommendation for Action

File #: 19-2454, **Agenda Item #:** 39.

8/8/2019

Posting Language

Approve an ordinance amending the Fiscal Year 2018-2019 Schedule of Fees, Fines, and Other Charges to be set or charged by the City (Ordinance No. 20180911-002) by reducing all Farmers Market Fees (Class A, B and C) in compliance with Senate Bill 932 of the 86th Legislature.

Lead Department

Austin Public Health

Fiscal Note

This fee exemption will result in unrealized revenue estimated at \$4,025 in Fiscal Year 2018-2019 for the Austin Public Health Department.

Prior Council Action:

September 11, 2018 - Council approved the Fiscal Year 2018-2019 Fee Schedule (Ordinance No. 20180911-002) on a 10-1 vote with Council Member Troxclair voting no.

For More Information:

Stephanie Y. Hayden, Director, 512-972-5010; Don Hastings, Assistant Director, APH Environmental Health Services, 512-978-0303; Nga Dao, Administrative Manager, 512-978-0301; Denise Estrada, Customer Solutions Coordinator, 512-978-0339; Lucy Thompson, Agenda Coordinator, 512-972-5045.

Additional Backup Information:

On May 31, 2019, Governor Abbot signed Senate Bill 932 establishing a \$100 maximum fee for the issuance or renewal of annual permit fees for food sales at farmers' markets, farm stands and farmer's farms, effective on September 1, 2019. Currently, the City's Fee Schedule includes three farmers market related permit fees:

Class A: \$177 Sale of pre-packaged foods and beverages

Class B: \$333 Sale baked goods, bulk food items and beverages; sampling of foods; and all Class A foods.

Class C: \$622 Sale of foods cooked and prepared on-site; and Class A and Class B foods.

Reducing farmers' market annual permit fees from the current schedule of \$177/ \$333/ \$622 to a flat fee of \$100 will reduce general fund revenues by an estimated \$4,025 in FY 2018-2019 due to the law taking effect on September 1, 2019. The estimated annual impact from this change is \$41,485 in unrealized revenue.

In addition to the \$100 permit fee cap found in Senate Bill 932, both Senate Bill 932 and House Bill 1694 amended other provisions of State law regarding food production and sales at farms, farmers' markets, and cottage food businesses. Staff of both Austin Public Health and Law are currently reviewing both Bills to determine necessary amendments to Chapter 10-3 (Food & Food Handlers) of the City Code that will be required in order to conform to these new State laws.