

AN ORDINANCE 2015-11-19-0968

**AMENDING CHAPTER 13, OF THE CITY CODE OF SAN ANTONIO, TEXAS ENTITLED "FOOD AND FOOD HANDLERS" TO REMOVE DISTANCE REQUIREMENTS FROM FIXED FOOD ESTABLISHMENTS FOR MOBILE FOOD ESTABLISHMENTS.**

\* \* \* \* \*

**WHEREAS**, in 1983, at the request of stakeholders, a provision was added to City Code Chapter 13 which prohibited a mobile food establishment from parking within 300 feet of a permitted food establishment without obtaining a certified letter from the owner; and

**WHEREAS**, based on recent input from stakeholders, the San Antonio Metropolitan Health District is recommending removal of the 300 foot parking prohibition from City Code Chapter 13, Section 13-63(a)(10); **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Section 13-63 of the current Chapter 13 entitled "Food and Food Handlers" of the City Code of San Antonio, Texas is amended by adding language that is underlined (added) and deleting language that is stricken (~~deleted~~) to the existing text as follows:

**Sec. 13-63. - Operation requirements and restrictions.**

(a) Mobile food establishments are subject to the following requirements and restrictions unless specifically addressed otherwise:

...

(10) ~~Mobile food vending operations shall not be carried on within three hundred (300) feet of the property line of any permitted food establishment as defined under article I. A mobile food establishment may be exempt from this provision if written, notarized permission is given by the food establishment owner with regards to a mobile food establishment operating within three hundred (300) feet of his establishment. The written permission shall be kept with the mobile food establishment unit at all times that the unit is located within three hundred (300) feet of said food establishment~~ Reserved.

...

(b) Subsections (a)(2), (a)(4), (a)(5), (a)(6), (a)(9), ~~(a)(10)~~ and (a)(22) shall not apply to mobile food establishments while operating at a special event.

**SECTION 2.** All other provisions of Chapter 13 of the City Code of San Antonio, Texas

shall remain in full force and effect unless expressly amended by this ordinance.

**SECTION 3.** The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 4.** This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

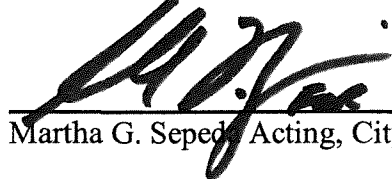
**PASSED AND APPROVED** this 19<sup>th</sup> day of November, 2015.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Martha G. Sepeda, Acting, City Attorney

<b>Agenda Item:</b>	<b>15</b>
<b>Date:</b>	11/19/2015
<b>Time:</b>	01:22:23 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	An Ordinance amending chapter 13, of the City Code of San Antonio, Texas entitled "Food and Food Handlers" to remove distance requirements from fixed food establishments for mobile food establishments. [Erik Walsh, Deputy City Manager; Dr. Vincent Nathan, Interim Director, Health]
<b>Result:</b>	Passed

<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				