



City of San Antonio

Agenda Memorandum

File Number: 15-6139

Agenda Item Number: 17.

Agenda Date: 12/17/2015

In Control: City Council A Session

DEPARTMENT: Human Services

DEPARTMENT HEAD: Melody Woosley

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Proposed revisions to Chapter 13 *City Code: Food and Food Handlers*

SUMMARY:

This item proposes revisions to City Code Chapter 13: Food and Food Handlers with regards to establishing exceptions to facilitate charitable feeding.

BACKGROUND INFORMATION:

On April 21, 2015 and May 17, 2015 City staff presented to the Quality of Life Committee on current regulations governing charitable feeding. At the request of the Quality of Life Committee, City Staff researched best practices, policies, and regulations of homeless feeding in public locations. In addition, on July 28, 2015, City of San Antonio held a discussion with local feeding organizations and other community stakeholders to gather their input and information on the locations and frequency of charitable feeding occurring in the community.

On October 6, 2015 the Department of Human Services (DHS) presented proposed revisions to Chapter 13 of the City Code to facilitate homeless charitable feeding activities to the Housing Council Committee. The Committee requested staff obtain input on preliminary recommendations from stakeholders and bring a proposal to City Council at a B Session. During the months of October, November and early December City staff met with charitable feeding organizations and with downtown stakeholders to review proposed revisions to Chapter 13 of the City Code and gather feedback. Recommendations reflecting the input received at these sessions were presented to the City Council at the December 9 "B" Session.

ISSUE:

Chapter 13 of the San Antonio City Code regulates all food establishments, including mobile food establishments, consistent with the Texas Food Establishment Rules. Currently these regulations do not include provisions specifically addressing charitable feeding.

This item recommends revisions to *City Code Chapter 13: Food and Food Handlers*, which outlines

provisions, intended to facilitate charitable feeding and reflecting feedback provided by charitable feeding organizations and downtown businesses.

The revision would create a Charitable Feeding section in the City Code that specifically addresses the safety of prepared food and outlines minimum requirements for outdoor feeding of five or more people. The proposed revisions include:

- A Charitable Feeding definition: *Charitable feeding* shall mean the provision of food to individuals without charge, payment, or other compensation to benefit those in need at an outdoor location not owned, leased or controlled by the individual or organization providing food
- Applies to Charitable feeding of five (5) or more individuals in one instance
- No permit or fee for charitable feeding, except as required for park reservations
- Notice to Health Department within 24-hours of event
- Removal of undistributed food from site
- Proper trash and waste disposal occur on site
- One person on site with a food handler's or food manager's certification (waiver of City's fee for certification)
 - Food handler's or food manager's certification not required if distributing prepackaged foods or whole uncut fresh fruit and vegetables

Charitable Feeding must comply with all established rules and regulations regarding traffic, the use of the right of way, and the use of City parks. DHS will coordinate with the South Alamo Regional Alliance for the Homeless (SARAH) and other service providers to provide outreach and social services to individuals attending Charitable Feeding events.

Downtown Requirements

In addition to the above, charitable feeding in the downtown city center will require organizations to comply with established rules and programs for the reservation of parks and right of way. Parks in the downtown area include: Travis, Milam, Madison Square, Main Plaza, Riverwalk, Hemisfair and Alamo Plaza (Note: Alamo Plaza currently has a moratorium in place for all events pending development of a master development plan for the Alamo area).

ALTERNATIVES:

Should the City Council not recommend approval of the proposed revisions to Chapter 13 City Code: Food and Food Handlers, the current Chapter 13 City Code will remain in effect and not specifically address charitable feeding.

FISCAL IMPACT:

There is no fiscal impact to the general fund as this is not a source of revenue for Metro Health.

RECOMMENDATION:

Staff recommends approval of proposed revisions to *City Code Chapter 13: Food and Food Handlers*.