

**Amended Notice of City Council Workshop Meeting
AGENDA**

September 30, 2021 at 6:00 PM

NOTICE TO THE PUBLIC IS HEREBY GIVEN the City Council will conduct its City Council Workshop Meeting scheduled for **6:00 PM on Thursday, September 30, 2021**, at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

Members of the public may view the meeting live on the City's website www.montgomerytexas.gov under Agenda/Minutes and then select **Live Stream Page (located at the top of the page)**. The Meeting Agenda Pack will be posted online at www.montgomerytexas.gov. The meeting will be recorded and uploaded to the City's website.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must be recognized by the Mayor. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

WORKSHOP MEETING:

Discussion regarding Food Trucks in the City of Montgomery.

1. Discussion regarding Food Trucks in the City of Montgomery.

ADJOURNMENT

/s/Susan Hensley

Susan Hensley, City Secretary

I certify that the attached notice of meeting was posted on the bulletin board at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas, on September 27, 2021 at 9:30 a.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.

Montgomery City Council
AGENDA REPORT

Meeting Date: September 30, 2021	Budgeted Amount: N/A
Department: Administration	Prepared By: Richard Tramm

Subject

Discussion regarding Food Trucks in the City of Montgomery.

Recommendation

Receive public comments (written and verbal) on this topic and participate in City Council discussion on this item.

Discussion

This is the workshop City Council called for on July 13, 2021, to discuss the food truck topic in a specific setting and to receive public comments on this item. Written comments have been received since the decision was made to hold this workshop and will continue to be collected at least until following the workshop. Those received by noon Wednesday September 29, 2021, will be provided to City Council that afternoon ahead of the workshop. Written comments received after the workshop will also be provided to City Council.

Approved By

City Administrator	Richard Tramm	Date: September 27, 2021

Mobile Food Vendor Summary

Definition

Mobile food unit has the same meaning as assigned to that term by rules adopted by the state board of health under the Texas Food, Drug and Cosmetic Act, V.T.C.A., Health and Safety Code ch. 431.

Permitting Requirements

Mobile food vendors are required to have a valid Mobile Food Vendor permit issued by Montgomery County. Implicit in the City-issued permit is that the vendor comply with all county regulations. Vendors may apply for a 1-month permit for \$20 or a 6-month permit for \$50.

Operating Regulations

Sec. 64-33. - Special requirements for mobile food units and roadside food vendors.

- (a) In addition to the requirements of section 64-31, each applicant for a permit to operate a mobile food unit, including a mobile unit for the sale of frozen desserts, or to engage in roadside food vending, shall provide a copy of a current food service permit issued by the county health department.
- (b) Each applicant for a permit to operate a mobile food unit shall, in addition to any other requirements, provide proof of financial responsibility as required by the Texas Motor Vehicle Safety Responsibility Act, V.T.C.A., Transportation Code § 601.051 et seq. for each person who shall drive or operate the mobile food unit.
- (c) Each permit for operation of a mobile food unit or to engage in roadside food vending shall be conditioned upon continuous compliance with all federal, state and local laws or rules adopted under such laws relating to food service, and the permittee shall at all times prominently display a current food service permit issued by the county health department.
- (d) Each permit for operation of a mobile food unit shall be conditioned upon continuous compliance with the following:
 - 1. Each driver or operator of a mobile food unit shall maintain financial responsibility as required by the Texas Motor Vehicle Safety Responsibility Act, V.T.C.A., Transportation Code ch. 601;
 - 2. No sales shall be made on any street or roadway where posted speed limits are in excess of 30 miles per hour;
 - 3. No mobile food unit shall be parked within 50 feet of any street corner or crosswalk;
 - 4. No person shall sell or solicit sales of merchandise from a mobile food unit within 1,000 feet of any public or private school between the hours of 9:00 a.m. and 5:00 p.m.;
 - 5. No person shall sell or solicit sales of merchandise from a mobile food unit except between the hours of 9:00 a.m. and 9:00 p.m. unless operating under a street festival permit in accordance with section 64-6; and
 - 6. The permit issued pursuant to this article shall at all times be conspicuously posted upon the mobile food unit.



**MONTGOMERY COUNTY
ENVIRONMENTAL HEALTH SERVICES**

501 N. THOMPSON, SUITE 101
CONROE, TEXAS 77301
(936) 539-7839 • (281) 364-4200, EXT 7839 • FAX (936) 539-7961

MOBILE FOOD SERVICE RULES AND REGULATIONS

The term “**MOBILE FOOD UNIT**” means a vehicle mounted on wheels that are designed to be readily movable. Any “**MOBILE FOOD UNIT**” that removes such wheels or becomes stationary will be classified as a food establishment and must meet the criteria of a food establishment.

“**RESTRICTED MOBILE FOOD UNIT**” is a vehicle that is restricted to selling only pre-packaged, pre-labeled merchandise that was obtained from an approved source and/or from an approved inspected commissary.

1. Restricted mobile food units must have an approved cold unit to keep all potentially hazardous food that must be refrigerated below 41° Fahrenheit or below, and /or an approved hot unit to keep all potentially hazardous food at 135° Fahrenheit or above.
2. Thermometers must be installed in all cold units. An additional thermometer must be available to check the temperature of hot foods. All thermometers must be properly calibrated within (plus or minus) two degrees.
3. All food must be prepackaged and labeled: no unwrapped, unprotected food is allowed on the unit.
4. All single service equipment, including the vehicle, must be kept in good repair. No food will be allowed to be stored in the driver cab area.
5. The only food allowed to be dispensed from the unit is hot coffee and hot tea obtained from an approved source, and served properly from a cleaned urn made as part of the vehicle.

“**UNRESTRICTED MOBILE FOOD UNIT**” is a vehicle mounted food establishment that is readily moveable.

1. A water sample from inside the mobile unit must be submitted to an approved laboratory for analysis, and results must be available at the time of inspection. Water tests are required monthly.
2. Floors must be smooth, non-absorbent, free of cracks, crevices, and easily cleanable.
3. All lights are required to have light shields. All open windows and walls must be covered with a 16” mesh screen, excluding service window.
4. Potentially hazardous food must be kept at required temperatures.
5. All walls and ceilings must be smooth, easily cleanable, light color, and non-absorbent.
6. Unit must be supplied with a hand lavatory.
7. Units shall have a three (3) compartment sink. The size of each compartment is dictated by the size of the equipment and utensils used.
8. Sinks shall be equipped with mixing valve type faucets. Hot and cold running water, under pressure, must be available at all times during operation.

Revised 09.16 JE

- 9. Potable water tank shall be equipped with a 3/4" inlet for the purpose of filling with potable water. The size of the tank shall supply enough water for daily operations. All water supplied to mobile unit must be through food grade hoses. Water hoses are not considered food grade.
- 10. Wastewater tanks shall be a minimum of 15% larger than the potable water tank and shall have a 1" to 2" valve for easy discharge of wastewater.
- 11. A certified food manager is required during all hours of operation. A state approved certification must be provided at time of inspection. In addition to a certified food manager, all other employees are required to have a food handler certification within 90 days of employment.
- 12. Thermometers are required in all refrigeration/freezer units. An additional thermometer must be readily available to check the temperature of hot foods. All thermometers must be calibrated within (plus or minus) two degrees.
- 13. Mobile food units shall be located within 300' of a restroom. Portable toilets of any kind are not allowed. If a restroom is provided on a mobile unit, an additional hand washing facility will be required in the room where toilet is located and an additional separate waste tank.
- 14. Wastewater shall be disposed of at an approved dump site. Documentation is required indicating permission to use site and/or receipts for each visit shall be required.
- 15. All food must be stored, prepared, and cooked on the mobile unit.

ALL MOBILE UNITS (RESTRICTED & UNRESTRICTED)

All mobile units must move every 48 hours to dump waste and refill fresh water tanks.

- 1. Must have the name of the company on both sides of the unit in three (3) inch letters or larger. Only one (1) name should appear on the unit. The name must be the same as specified on the health permit.
- 2. All mobile units must be fully operational at time of inspection. The county will provide one 110 and 220 electric outlet not to exceed 30 amps. **MOBILE UNITS OPERATORS MUST SUPPLY ALL NECESSARY EXTENSION CORDS AND/OR GENERATORS.**
- 3. A garbage container attached to the mobile food unit must be provided for patron use. Each unit shall have a litter receptacle attached to the unit available, clearly marked, and maintained.

RECEIVED BY: _____

INSPECTOR: _____