

Memorandum



DATE October 22, 2021

CITY OF DALLAS

TO The Honorable Mayor and City Councilmembers

SUBJECT **Proposed Amendments to: Chapter 17, Article VIII. Mobile Food Establishments**

On September 20, 2021, the Better Block Mobile Food Vending Taskforce appeared before the Quality of Life, Arts, and Culture Committee and recommended amendments to Chapter 17, Article VIII of the Dallas City Code (*Mobile Food Code*). Staff committed to providing this update via memorandum and to offer a two-step plan for items that can be implemented in the near-term and those that require more research.

As outlined below, staff will recommend two of four items, as well as develop a pilot program, by December 2021. The remaining two requested changes will require additional research for recommended changes in early 2022.

The changes as proposed by the Better Block Mobile Food Vending Taskforce include:

1. Amending “Mobile Food Preparation Vehicle” to “Mobile Food Unit” (*MFU*), defined as: “*any vehicle that is self-propelled or can be pulled or pushed safely down a sidewalk, street, or highway that is readily mobile on wheels and complies with all health and transportation safety standards.*”
2. Better defining MFUs & Permitting: Issue one annual permit (*current procedure*) and process with four classes of specific mobile food units, each with varying levels outlining what can be sold, cooked, prepared, etc. (*Food handling increases at each Class Level*).
 - **Class I:** Allows only the sale of pre-packaged foods and beverages.
 - **Class II:** Allows hot or cold food holding display for unpackaged foods. No cooking or preparation allowed onboard.
 - **Class III:** Units allowed to cook in an external covered area (*BBQ pit, wood-fired pizza oven, seafood boils*), where all food preparation, assembly, and service would be done in an enclosed health code compliant area.
 - **Class IV:** Units fully “enclosed” with no restrictions because all safety equipment and standards as with brick and mortar are incorporated (restaurant on wheels)

Note: These classifications exist under the current code with different naming.

3. Allowing preparation of all foods on health-qualified MFUs, and allowing all food to be prepared and served in enclosed MFUs, provided they meet the same health code standards as a brick-and-mortar restaurant (*Listed above as Class III, IV*).
4. Reducing commissary visit to once per week, or as necessary, for Qualified MFUs. Minimum of one commissary visit per week (or as needed) to properly change and replenish water and oil, the MFU must be an enclosed MFU that adheres to the same

Health and Safety standards of a brick and mortar restaurant (*Class III & IV*); All cleaning supplies must be disposable and discarded each night.

5. Pilot 1: *Create Mobile Food Vending Zones*. Staff proposes the City of Dallas pilot this concept, setting parameters and guidelines on the locations of the Mobile Food Vending Zones on city/county public right-of-ways and testing public and vendor reception of the concept. Staff has reviewed the above proposed amendments to the current Chapter 17 Food Code and concur with changes to items 2 and 4, as well as the pilot (item 5). Staff found that items 1 and 3 need additional research and/or additional allowances if approved.

Staff is currently drafting recommended amendments for items 2 and 4 for City Council action by December 2021. Additionally, staff will begin development of a pilot program by identifying potential sites and identifying partners and stakeholders for input. We will continue to provide updates on these items to the Committee through memorandums and upcoming meetings.

Please contact Carl Simpson, Director of Code Compliance, if you have questions.



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Assistant City Manager

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Chris Caso, City Attorney
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