

Memorandum



CITY OF DALLAS

DATE November 21, 2025

TO Honorable Mayor and Members of the City Council

SUBJECT **Follow-Up to November 17, 2025, Quality of Life, Arts and Culture Committee Meeting (Briefing D – Aligning Dallas City Code Chapter 17 with Senate Bill 1008 and the Texas Food Establishment Rules)**

The purpose of this memorandum is to provide additional information related to Briefing Item D. *Aligning Dallas City Code Chapter 17 with Senate Bill 1008 and the Texas Food Establishment Rules*. On December 10, 2025, the City Council will consider an ordinance amending Chapter 17, “Food Establishments”, of the Dallas City Code to align local provisions with Senate Bill 1008 and the Texas Food Establishment Rules (25 TAC Chapter 228), as administered by the Texas Department of State and Health Services (DSHS).

1. Background and Current Framework

- In 2016, the City Council amended Chapter 17 to incorporate the 2015 Texas Food Establishment Rules (TFER), which aligned with the 2013 FDA Food Code.
- Pursuant to SB 1008, the proposed ordinance amendment level-sets Dallas City Code, Chapter 17, by moving away from the outdated 2015 TFER to the current statewide standards of 2021 TFER, aligning with the State model.

2. Operational Impact on Food Operators

- No change to Dallas’s risk-based inspection program.
- No change to inspection methods, scoring, or reinspection protocols.
- No change to customer service practices, complaint response, or educational support.
- No new City-created requirements; the update aligns Dallas with the State-adopted 2021 TFER and 2017 FDA Food Code.

3. Benefits of Adopting the 2021 Texas Food Establishment Rules (TFER)

- Aligns Dallas with the most current State-adopted food safety standards, ensuring consistency across Texas jurisdictions.
- Incorporates updated, science-based public health best practices from the 2017 FDA Food Code.
- Reduces regulatory confusion by eliminating obvious discrepancies between Dallas’s 2015-based code and the State’s current 2021 requirements.
- Strengthens legal defensibility of inspections and enforcement actions through reliance on the State’s most up-to-date regulatory framework.
- Enhances inspector training and field standardization through modernized definitions and clarified provisions.

- Supports risk-based inspection workflows by refining regulatory gaps present in the 2015 version.
- Retires outdated definitions and variances, creating a cleaner, clearer, and more enforceable “Food Establishment” code.
- Improves consumer confidence by demonstrating the City’s commitment to current, science-based food safety practices.
- Positions Dallas for future “dynamic adoption,” allowing seamless incorporation of subsequent State updates without delay, ordinance revisions, or need for Omnibus.
- Affirms Dallas’s existing structure in which standard food establishment permits are issued on an annual basis, while aligning the underlying framework of those annual permits with State requirements.
- Introduces a new annual Temporary Event Permit that provides a cost-effective option for operators who participate in multiple events each year, for one low cost.
- Provides a single-event temporary food permit at a substantially reduced cost, representing a 76% decrease from the current City rate and lowering financial barriers for small and emerging vendors, to include no daily charges up to 14 days.
- Expands access to temporary food operations and supports neighborhood events, festivals, and local entrepreneurship.

4. Fees, SB 1008, and Stakeholder Impact

- Dallas will assess all permit fees annually at the State’s base fee level, consistent with SB 1008 and the 2021 TFER framework.
- The 120% fee option remains available but may only be invoked when the City determines that public safety and staffing needs justify the increase after documented public input, or one annual meeting.
- Dallas’s primary food establishment permits—Retail Food Establishment Permits—will transition to the State’s income-based structure, which assigns fees according to gross annual sales:
 - **\$0–\$49,999**: lower base fee tier
 - **\$50,000–\$149,999**: middle fee tier
 - **\$150,000+**: upper fee tier
- This replaces Dallas’s square-footage and risk-based fee model, which can result in inequitable scaling for small or emerging establishments.
- The State’s income-based model provides greater equity for small operators, aligns Dallas with statewide norms, ensures transparent fee calculations, and reduces administrative complexity for businesses operating in multiple jurisdictions.

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Servic+B2:E28e Name	Current City Fees	Texas DSHS Fees	
7490- Annual Inspection Fee Level I 1-2,000 sq. ft. -	\$284	\$258	Assume annual sales between \$0 and \$49,999.99.
7490- Annual Inspection Fee Level I >2,000 sq. ft. -	\$311	\$258	Assume annual sales between \$0 and \$49,999.99.
7490- Annual Inspection Fee Level II 1-2,000 sq. ft. -	\$284	\$515	Assume annual sales of \$50,000 to \$149,999.99.
7490- Annual Inspection Fee Level II >2,000 sq. ft. -	\$309	\$515	Assume annual sales of \$50,000 to \$149,999.99.
7490- Annual Inspection Fee Level III 1-2,000 sq. ft. -	\$469	\$773	Assume annual sales of \$150,000 or more.
7490- Annual Inspection Fee Level III >2,000 sq. ft. -	\$514	\$773	Assume annual sales of \$150,000 or more.
7527 – Mobile Kiosk/Coffee Cart Inspection Fee	\$407	\$258	
7493 – Temporary Food Vendor Permit - Single Event	\$217	\$52	
7493 – Temporary Food Vendor Permit - Multiple Events	\$0	\$200	
7493 – Temporary Food Vendor Permit (each Event Day) -	\$28	\$0	
7493 – Temporary Food Vendor Permit (Neigh. Farmers' Market) -	\$100	\$100	
7493 – Temporary Food Vendor Permit (P&R Concessionaire) -	\$356	\$200	
7493 – Temporary Food Vendor Permit (School Stadium Concess.) -	\$388	\$125	
7468 – Food Permit Application Fee -	\$198	\$0	
7486 – Food Permit (Name Change Fee) - same ownership	\$220	\$125-\$375	
Late Fee	\$200	\$100	
Re-Inspection Fees	\$192	\$150	
Pre-Closure Fee	\$158	\$0	

5. Ordinance Mechanics: Redline, Additional Requirements, Dynamic Adoption

- Removes duplicative or outdated “additional requirements” in the existing Chapter 17.
- Adopts the 2021 TFER and 2017 FDA Food Code by reference, enabling dynamic adoption of future State updates.
- Maintains Dallas’s authority to administer inspection and enforcement programs within the boundaries of State law.

6. Summary

- This update moves Dallas from the 2015 TFER (2013 FDA Food Code) to the 2021 TFER (2017 FDA Food Code), with dynamic adoption to remain current henceforth.
- Operators will see no operational changes; the update modernizes standards while preserving existing delivery service.
- Fees remain aligned with SB 1008 and DSHS through the State’s income-based permit structure.
- New, cost-affordable temporary event permit options.
- The updated ordinance and fee schedule streamline Chapter 17 while maintaining strong public health protections.

If there are additional questions, please contact Code Compliance Director, Chris Christian at 214-670-3118 or chris.christian@dallas.gov

Service First, Now!



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