

CITY OF SEGUIN

ORDINANCE NO. _____

STATE OF TEXAS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 22- BUSINESSES, ARTICLE II- FOOD SERVICE ESTABLISHMENTS; PROVIDING A SEVERABILITY CLAUSE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Seguin regulates food service establishments located within the city limits in accordance with the Texas Food Establishment Rules as published by the Texas Department of State Health Services (DSHS); and

WHEREAS, the City of Seguin requires permits for permanent and temporary food establishments that operate within the city limits of Seguin; and

WHEREAS, the Seguin City Council desires to establish new categories for retail shops that sell only prepackaged foods and for multi-event temporary food establishments; and

WHEREAS, the Seguin City Council desires to establish new fees for permits issued for retail shops and multi-event temporary food establishments.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Seguin, Texas, as follows:

PART ONE. Chapter 22- Businesses, of the Seguin Code of Ordinances is hereby amended by adding Section 22-34, Definitions, to read as follows (underlining indicates added text):

Article II. Food Service Establishments.

Sec. 22-34. - Definitions.

Terms defined and adopted by the most current Texas Food Establishment Rules have the same meaning in this section. Additional terms shall be defined for this section as follows:

Multi-event temporary food establishment means a food establishment that operates for a set number of events under conditions defined by the local health authority. A multi-event temporary food establishment permit may not exceed 180 days, and each event may not last longer than four (4) days.

Retail shop shall mean an establishment that offers only prepackaged foods that are not Time/Temperature Control for Safety (TCS) foods.

PART TWO. The Seguin Code of Ordinances, Appendix C, Fees, is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Chapter 22. Businesses

| <i>Article II. Food Service Establishments</i> | | |
|--|---|---------------|
| (a) | The annual food service establishment fee shall be based on the number of employees <u>or establishment type</u> at each facility and as follows: | |
| | 1—5 employees | 250.00 |
| | 6—19 employees | 350.00 |
| | 20 + employees | 550.00 |
| | <u>Retail shops (prepackaged foods only)</u> | <u>100.00</u> |
| | Nonprofits | No fee |
| | Late fee (in addition to above fees) | 50.00 |
| (b) | Reserved | |
| (c) | Fee for variance application to allow dogs in outdoor dining area | 25.00 |
| (d) | Annual fee to renew variance for dogs in outdoor dining area | 25.00 |
| (e) | Temporary food establishment permit per vendor per event | 25.00 |
| <u>(f)</u> | <u>Multi-event food establishment permit per vendor (for up to 180 days)</u> | <u>150.00</u> |

PART THREE. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

PART FOUR. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

PART FIVE. This ordinance shall be published in a newspaper of general circulation.

PART SIX. This ordinance shall be effective on **July 1st, 2024** following passage on second reading and shall be published in a newspaper of general circulation.

PASSED AND APPROVED on the first reading this 4th day of June, 2024.

PASSED AND APPROVED AND ADOPTED on the second reading this 18th day of June, 2024.

DONNA DODGEN
Mayor

ATTEST:

KRISTIN MUELLER
City Secretary