

Frequently Asked Questions about the City of Austin's Mobile Food Establishment Ordinance

Intent of the Ordinance and Overview:

Q: What is the intent of the Mobile Food Establishment Ordinance?

The intent of this ordinance is to regulate mobile food establishments most often trailers located in parking lots or vehicles that drive from one location to another.

Overview of the Mobile Food Establishment Ordinance

- A mobile food establishment must be licensed by the Health Department.
- Is allowed in a commercial zoning (LR, GR, CS, CS-1, DMU, and CBD) and industrial zoning (LI) districts except Neighborhood Office (NO), Limited Office (LO), or General Office (GO).
- May not be located within 50' of a building that contains both residential and commercial uses.
- May not operate between the hours of 3:00 AM and 6:00 AM.
- May not be located within 20' of a restaurant located in a building.
- The mobile food establishment may not have a drive-through.
- Lighting must be shielded so as to not be directly visible to a residential use.
- All signs must be mounted flat against the mobile food establishment.
- A trash receptacle must be available during business hours and the area around the mobile food establishment must be kept free of litter and debris.
- Permanent water and waste water lines are not allowed.

Q: What additional regulations can be adopted by neighborhoods?

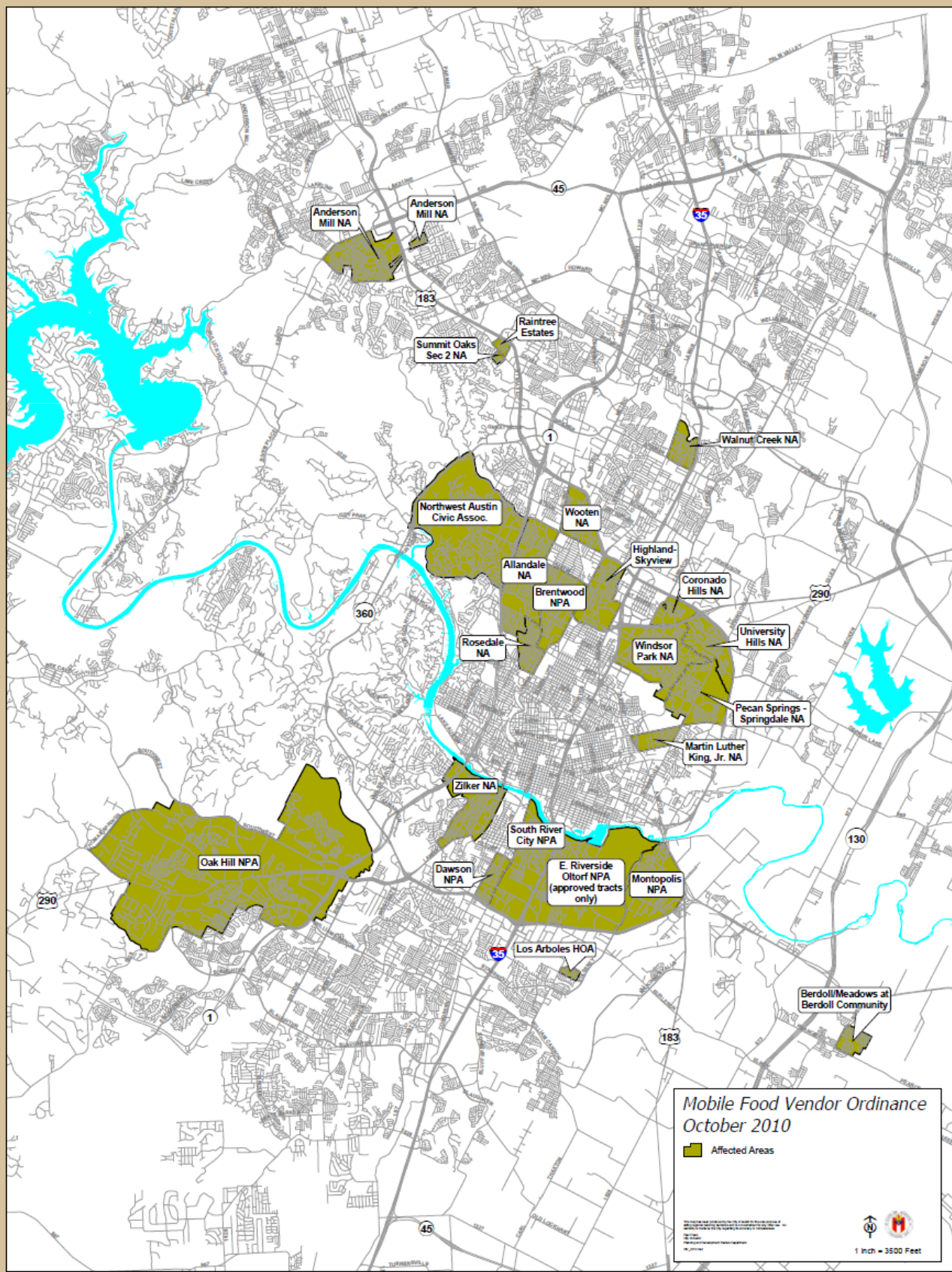
These additional regulations govern the location and hours of operation for mobile food establishments. A neighborhood or neighborhood planning area may choose to apply the following set of regulations:

- A mobile food establishment must be located 50' or further from property zoned SF-1 through SF-5 or further than 50' from where townhouses, duplexes, or single-family houses are located.
- A mobile food establishment may operate between the hours of 6:00 AM and 10:00 PM if it is further than 50' and not more than 300' from a property zoned SF-1 through SF-5.
- A mobile food establishment may operate between the hours of 6:00 AM and 10:00 PM if it is further than 50' and not more than 300' from a property where townhouses, duplexes, and single-family houses are located.
- A mobile food establishment may operate between the hours of 6:00 AM and 3:00 AM if it is located more than 300' from property zoned SF-1 through SF-5 or further than 300' from where townhouses, duplexes, or single-family houses are located.

Once these additional regulations are recommended to the City Council and the City Council votes to adopt them for the specific areas of the city, the mobile food vendor has 60 days to comply.

Q How can I find out what neighborhoods have been approved for these additional regulations?

The City of Austin shall maintain a map that depicts the areas to which these additional regulations apply. Please see next page.



Q How can I find out the zoning on a property in order to comply with the mobile food ordinance?

For information on the zoning district for a certain property, visit the following City of Austin website : <http://www.ci.austin.tx.us/development/default.htm>
Under the Geographic Information title, click on the map (GIS) viewer. For additional information regarding zoning information, please call the Development Assistance Center at 974-6370.

Q Can I park my mobile food push cart on city sidewalks & sell food?

Units selling on City easements or sidewalks require an additional permit from the Right of Way Management Office. For additional information regarding vending on sidewalks and City owned property, call 974-7180.

Q: Can I park my mobile food push cart on city park property and sell food?

Vending on city park property is administered by the Parks and Recreation Department. Please contact the main office at 974-2300 for more information.

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Enforcement and Penalties Associated with this Ordinance

Q: What do I do if I see someone violating the Mobile Food Establishment Ordinance? In addition, who enforces the Mobile Food Ordinance?

The City of Austin Code Enforcement Division is the enforcement agency for this ordinance. This ordinance is complaint driven and citizens are required to call to report a violator of the Mobile Food Ordinance. Please call 311 and ask for Code Enforcement.

Q: What are the penalties given for violating the Mobile Food Ordinance?

Typically, one warning is given. If the mobile food vender is a repeat offender, then a warning is no longer required and charges are filed at the Municipal Court if they fail to comply.

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Application Process

Q: Who can submit an application to the city requesting additional mobile food regulations?

For an area with an adopted neighborhood plan, the chair of the official planning area contact team or an officer of a neighborhood association if there is no official planning area contact team. For an area without an adopted neighborhood plan, an officer of a neighborhood association. The neighborhood association must be registered with the Public Information Office. Applications can be submitted during the open filing period in February of each year to the City of Austin Neighborhood Planning And Zoning Department offices at 505 Barton Springs Road, 5th floor.

Q: How can my Neighborhood Association or Neighborhood Planning Area Contact Team apply to be placed on the Mobile Food Area Map?

There are two ways a neighborhood association or planning area contact team may request that these additional regulations apply to their area:

- 1) During the neighborhood planning process; or
- 2) Submit an application during the open filing period in February of each year.

A Mobile Food Establishment application can be found at the following website:

https://www.ci.austin.tx.us/zoning/library/mobile_food/mobile_food_application3_18_08.pdf

Applications may be hand delivered or mailed to the Neighborhood Planning and Zoning Department Offices at 505 Barton Springs Road, 5th Floor 78704.