

ORDINANCE NO. 2022-12

AN ORDINANCE AMENDING PORTIONS OF SECTION 4.03.009 “MOBILE FOOD VENDORS”, OF THE CODE OF ORDINANCES OF THE CITY OF BRIDGEPORT, TEXAS, REGARDING REQUIRED DOCUMENTATION AND LIMITING THE NUMBER OF MOBILE FOOD UNITS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bridgeport is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Bridgeport, Texas, previously adopted Article 4.03.009 of the Code of Ordinances in 2010 establishing comprehensive regulations for mobile food units within the City; and

WHEREAS, the City Council deems it necessary to amend the existing regulations for mobile food units to include more comprehensive required documentation and to restrict the number of mobile food units per premise as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS:

SECTION 1

That Section 4.03.009 “Mobile Food Vendors” of the Code of Ordinances of the City of Bridgeport is hereby amended by amending subsection (b) “Required Documentation” and adding a new Section (r) “Restrictions” to read as follows:

Sec. 4.03.009 Mobile food vendors.

...

“(b) Required Documentation. To obtain a mobile food vendor permit, a mobile food vendor must submit a list of foods and beverages to be served on the unit, stating the source of the item and when and where it will be prepared, a copy of Food Manager’s Training Certificate, a copy of the permit issued by the Texas Department of State Health Services for the mobile food unit, a copy of the state sale tax certificate showing their physical address within the city limits and a copy of driver’s license or other state approved identification. Additionally, a mobile food vendor must submit written permission from any property owner who owns property on which the mobile food unit will be parked, regardless of the time period associated with parking the mobile food unit on

said property.”

...

“(r) Restrictions. Mobile food units will only be permitted on commercially or industrially zoned property. A maximum of two (2) mobile food units will be permitted per premise. Each mobile food unit shall have a minimum of 2,000 square feet of accessible space.”

The remaining provisions of Section 4.03.009 are not amended hereby and remain in full force and effect.

SECTION 2

This ordinance shall be cumulative of all ordinances and of the Code of Ordinances, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of the Code of Ordinances, as amended, or any other ordinances relating to mobile food vendors which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6

The City Secretary of the City of Bridgeport is hereby directed to publish a descriptive caption, penalty clause, and the effective date clause in the official City newspaper one time as authorized by Section 3.11 of the City Charter and Section 52.013 of the Texas Local Government Code.

SECTION 7

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 4 TO 0, ON THIS THE 8th DAY OF August, 2022.



APPROVED:

Randy Singleton

Randy Singleton, Mayor

ATTEST:

Jean Dwinnell

Jean Dwinnell, City Secretary