

428
**SUBMITTAL TO THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Department of Environmental Health

SUBMITTAL DATE:
 November 14, 2013

SUBJECT: Revision of Ordinance No. 580 Relating to Mobile Food Facilities and Findings of California Environmental Quality Act (CEQA) Exemption. Countywide. (0); Funded by permits, service fees, and potential fines for non-compliance.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and set for public hearing on December 10, 2013, a revision to Ordinance No. 580 relating to mobile food facilities; and
2. Authorize the Clerk of the Board to place an advertisement for public hearing in the appropriate publications; and
3. Upon the close of the public hearing, find that Ordinance No. 580 is exempt from CEQA pursuant to CEQA Guidelines 15061(b)(3) based on the findings set forth below; and
4. Upon the close of public hearing, adopt the revision to Ordinance No. 580; and
5. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk for filing and posting.

BACKGROUND:

(continued)

SVS:LW

Steve Van Stockum
 Name: Steve Van Stockum
 Title: Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Expanded program will be funded by permits, service fees, and potential fines for non-compliance.
 Budget Adjustment: Yes
 For Fiscal Year: 13/14

C.E.O. RECOMMENDATION:

APPROVE
 BY: *Steven C. Horn*
 Steven C. Horn, MPA

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of the reading and is set for hearing on Tuesday, December 10, 2013 at 9:30 a.m.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: November 26, 2013
 xc: Env. Health, COB

KeCIA Harper-Ihem
 Clerk of the Board
 By: *KeCIA Harper-Ihem*
 Deputy

Prev. Agn. Ref.: | District: | Agenda Number:

3-29

FORM APPROVED COUNTY COUNSEL
 BY: *Eric Stopfer*
 DATE: 11/13/13

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Revision of Ordinance No. 580 Relating to Mobile Food Facilities. Countywide. (0);
Funded by permits, service fees, and potential fines for non-compliance.**

DATE: November 14, 2013

PAGE: 2 of 2

BACKGROUND (continued):

Summary

Ordinance 580 currently limits the operation of mobile food preparation vehicles such as food trucks to approved and permitted community events. Food carts are also currently limited to sell prepackaged items, hot dogs, popcorn, shaved ice, coffee, cocoa, churros, pretzels, and nuts.

This revision will allow the Department to expand opportunities for mobile food facility operators to include full service food preparation and sales on a daily basis as outlined in the California Retail Food Code. The ordinance eliminates the current restriction of a mobile food facility and allows operation in Riverside County and its 28 cities without the need for a special events permit. It will be up to city governments and other appropriate agencies of the County to assert local authority for additional requirements concerning public safety, including reasonable time, place, and manner restrictions.

Some of the additional health and safety considerations for mobile food facility operators will include Food Handler and Food Manager Certifications; posting of letter grades to inform the public of operational conditions; enhanced enforcement and penalties for major violations; requirements for commissary use; and use of available technology options for locating and inspecting during operation. All mobile food facilities which operate in Riverside County will be required to meet current California Health and Safety Code standards and be permitted annually. A one year phase-in period will allow the option for food trucks to continue to operate at community events with permits for temporary food facilities.

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Approval of the proposed amendment to Riverside County Ordinance 580 establishes a food truck permit and grading system and does not approve any development project. The proposed amendment would not individually or cumulatively result in the possibility of creating significant effects on the environment.

Impact on Citizens and Businesses

The expected impacts on citizens would be an increase in retail food options and regulatory oversight of mobile food operations. The proposed changes will provide expanded business opportunities for mobile food operations within the County. Potential negative fiscal impacts on business that have been raised include the competition with brick-and-mortar retail food facilities (such as lower overhead and staffing costs). However, these fiscal impacts cannot be determined until there is an understanding of the number of food truck operators within the County and the useful locations to operate mobile food facilities.

SUPPLEMENTAL:

Additional Fiscal Information

The Department will collect permit fees, service fees, and potential fines to fund the expanded program. Initially, current staffing will be diverted to handle the anticipated influx of new applicants. A future Budget Adjustment will be necessary to request additional positions based upon revenue and workload.