

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

428c



**FROM:** Department of Environmental Health

**SUBMITTAL DATE:**  
November 26, 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. Open the public hearing regarding the adoption of Ordinance No. 580.5 and the related finding of exemption from CEQA; and
2. Upon the close of the public hearing, find that Ordinance No. 580.5 is exempt from CEQA pursuant to CEQA Guidelines 15061(b)(3) based on the findings set forth below; and
3. Upon the close of public hearing, adopt Ordinance No. 580.5 as revised.
4. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk for filing and posting.

**BACKGROUND:**

(continued)

Name: Steve Van Stockum  
Title: Director

SVS:LW

Departmental Concurrence

FORM APPROVED BY COUNTY COUNSEL  
DATE 11/27/13  
BY: ERIC STOPNER

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, MPA

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as amended to tentatively approve Ordinance 580.5 to come back December 17, 2013 for final adoption.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: December 10, 2013  
Environmental Health

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

9-2

- A-30
- 4/5 Vote
- Positions Added
- 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:**

**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. 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.



COUNTY OF RIVERSIDE  
DEPARTMENT OF ENVIRONMENTAL HEALTH

Steve Van Stockum, Director

Date: December 12, 2013

To: Mary Ann Meyer, Office of the County Clerk

From: *SV* Steve Van Stockum, Director of Environmental Health

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

12/12/13      *lcb*

Date                      Initial

Subject: Ordinance No. 580.5 an Ordinance of the County of Riverside Amending Ordinance 580 relating to Mobile Food Facilities and Commissary requirement and Incorporating by Reference Riverside County Ordinance No. 725.

The Riverside County Department of Environmental Health is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

**After posting, please return the document to Mail Stop #3001 Attention: Keith Jones, Deputy Director, Environmental Health Department, 4065 County Circle Drive, Riverside, CA 92503. If you have any questions, please contact Keith Jones at 358-5172.**

Attachment

Cc: file

RIVERSIDE COUNTY CLERK & RECORDER

AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER

**Project Name: Ordinance No. 580.5 an Ordinance of the County of Riverside Amending Ordinance 580 relating to Mobile Food Facilities and Commissary requirement and Incorporating by Reference Riverside County Ordinance No. 725.**

**Accounting String: 10000-4200430000-95800-526420**

**DATE: December 12, 2013**

**AGENCY: Riverside County Department of Environmental Health**

**THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).**

**NUMBER OF DOCUMENTS INCLUDED: One (1)**

**AUTHORIZED BY: Steve Van Stockum, Director, Department of Environmental Health**

Signature:



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**PRESENTED BY: Keith Jones, Deputy Director, Department of Environmental Health**

**-TO BE FILLED IN BY COUNTY CLERK-**

ACCEPTED BY: -

DATE: -

RECEIPT # (S): -

NOTICE OF EXEMPTION

To: \_\_\_\_\_ Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: County of Riverside  
4080 Lemon Street  
Riverside, CA 92501

To: X Office of the County Clerk & Recorder

**Project Title:** Ordinance No. 580.5 An Ordinance of the County of Riverside Amending Ordinance No. 580 relating to Mobile Food Facilities And Commissary Requirement and Incorporating by Reference Riverside County Ordinance No. 725.

**Project Location:** The unincorporated area and all incorporated Cities within Riverside County.

**Project Description:** Ordinance No. 580.5 amends Ordinance No. 580 to allow for annual permits and standards for food trucks expanding operations beyond the current operational limitations at permitted community events. In addition, Ordinance No. 580.5 adopts new fees for the plan reviews and permits for Mobile Food Facilities.

**Name of Public Agency Approving Project:** County of Riverside

**Project Sponsor:** Department of Environmental Health of the County of Riverside

**Exempt Status:** (check one)

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption
- Statutory Exemption (State CEQA Guidelines Sec. 15273)
- Other: (State CEQA Guidelines Sec. 15061(b)(3))

**Reasons Why Project is Exempt:**

The adoption of Ordinance No. 580.5 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), the "General Rule" exemption, in that the amending of Ordinance 580 pertains to the inspection and permitting requirements related to mobile food truck operations and with the adoption of the amendments it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. Approval of the proposed amendment to Riverside County Ordinance 580 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.

Eric Stopher, Deputy County Counsel  
County Contact Person

(951) 955-6300  
Phone Number

Signature: Kaunmington Title: Board Assistant Date: 12/10/13

**For County Clerk's Use Only**

1 ORDINANCE NO. 580.5

2  
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

4 AMENDING ORDINANCE NO. 580 RELATING

5 TO MOBILE FOOD FACILITIES

6 The Board of Supervisors of the County of Riverside ordains as follows:

7 Section 1. Ordinance No. 580 is amended in its entirety to read as follows:

8  
9 "ORDINANCE NO. 580

10  
11 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

12 RELATING TO MOBILE FOOD FACILITIES AND COMMISSARY

13 REQUIREMENTS AND INCORPORATING BY REFERENCE

14 RIVERSIDE COUNTY ORDINANCE NO. 725

15  
16 Section 1. PURPOSE AND INTENT. It is the purpose and intent of this ordinance  
17 to ensure the safe and sanitary operation of mobile food facilities and commissaries in Riverside  
18 County.

19 Section 2. DEFINITIONS. As used in this ordinance, the following terms shall  
20 have the following meanings:

21 a. Annual Permit. A yearly permit to operate as defined in Ordinance No.  
22 640.

23 b. Commissary. A food facility that services mobile food facilities, mobile  
24 support units, or vending machines where any of the following occur:

25 1) Food, containers, or supplies are stored.

26 2) Food is prepared or prepackaged for sale or service at other  
27 locations.

28 3) Utensils are cleaned.

1 4) Liquid and solid wastes are disposed, or potable water is obtained.

2 c. Community Event. An event that is of civic, political, public or  
3 educational in nature, including state and county fairs, city festivals,  
4 circuses and other public gatherings events approved by the local  
5 enforcement agency, and which occurs 25 days or less in a 90-day period.

6 d. Department. The Riverside County Department of Environmental Health.

7 e. Enforcement Officer. The Director of the Riverside County Department  
8 of Environmental Health or his/her designee.

9 f. Food Preparation. As defined in Health and Safety Code Section  
10 113790, as now adopted or hereafter amended.

11 g. Limited Food Preparation. As defined in Health and Safety Code Section  
12 113818, as now adopted or hereafter amended.

13 h. Mobile Food Facility. Any vehicle used in conjunction with a  
14 commissary or other permanent food facility upon which food is sold or  
15 distributed at retail.

16 i. Mobile Food Preparation Unit. A Mobile Food Facility that engages in  
17 food preparation, beyond the scope of limited food preparation.

18 j. Mobile Support Unit. A vehicle used in conjunction with a commissary  
19 or other permanent food facility that travels to, and services,  
20 Mobile Food Facilities as needed to replenish supplies, including food and  
21 potable water, clean the interior of the unit, or dispose of liquid or solid  
22 wastes.

23 k. Non-prepackaged Food. Any food which is removed from its original  
24 packaging material for the purpose of preparation or service to the customer.

25 l. Non-prepackaged Food Vehicle. A Mobile Food Facility that engages in  
26 limited food preparation.

27 m. Prepackaged Food Push Cart. A Mobile Food Facility limited to the sale  
28 of 100% prepackaged foods from non-motorized vehicles that are obtained

1 from an approved source.

- 2 n. Prepackaged Food. Any properly labeled processed food, prepackaged to  
3 prevent any direct human contact with the food product upon distribution  
4 from the manufacturer, food facility, or other approved source.
- 5 o. Produce Vehicle. A Mobile Food Facility limited to the sale of whole,  
6 uncut produce obtained from an approved source.

7 Section 3. PERMIT APPLICATION REQUIREMENTS.

- 8 a. No person shall operate a Mobile Food Facility without a permit issued  
9 pursuant to the provisions of this ordinance.
- 10 b. Nothing in this ordinance shall prevent the Department from denying any  
11 permit application for any Mobile Food Facility if, in the opinion of the  
12 Department, such Mobile Food Facility poses a real or potential risk to the  
13 health and welfare of the public.
- 14 c. A person may operate a Mobile Food Facility if such person has a valid  
15 permit issued by the Department. Application for a permit shall be  
16 made to the Department on a form supplied by the Department and shall  
17 be accompanied by a fee(s) as required by Ordinance No. 640. A permit  
18 shall only be issued by the Department if the proposed Mobile Food  
19 Facility meets the requirements of the Federal and State laws and regulations  
20 and provisions of this ordinance. A permit shall be valid for not more than  
21 one year.
- 22 d. All Mobile Food Facilities proposing to operate in the County of Riverside  
23 in any capacity must obtain an annual mobile food facility permit pursuant  
24 to this section. There shall be a one year phase-in period from the effective  
25 date of this ordinance, for Mobile Food Facility categories 3, 4, and 5, as  
26 identified in Section 4.a. of this ordinance, to come into compliance  
27 through the plan check process to meet all Health and Safety Code  
28 requirements for annual permitting. During this phase-in period Mobile



1 Food Facilities not compliant with current construction standards, but still  
2 meeting the requirements for temporary food facilities pursuant to Health  
3 and Safety Code sections 114335 through 114363, as now adopted or  
4 hereafter amended, will be allowed to operate at approved community  
5 events, with proper permits. After the phase-in period all Mobile Food  
6 Facilities must meet current Health and Safety Code standards and obtain  
7 annual permits to operate as Mobile Food Facilities.

8 Section 4. MOBILE FOOD FACILITY OPERATIONS.

9 a. Mobile Food Facility Categories: There are five categories of Mobile Food  
10 Facilities that may be permitted within Riverside County by the  
11 Department:

- 12 1) Produce Vehicle (typically produce trucks)
- 13 2) Prepackaged Food Push Cart (typically ice cream pushcarts)
- 14 3) Prepackaged Food Vehicle (typically catering trucks and ice cream  
15 vans)
- 16 4) Non-prepackaged Food Vehicle and Mobile Support Unit  
17 (typically hot dog carts)
- 18 5) Mobile Food Preparation Unit (typically food trucks)

19 b. The sale of food from an aircraft, watercraft, bicycle or golf cart is not  
20 allowed.

21 c. Mobile Food Facility categories 1-3 shall be inspected one time per year.  
22 Mobile Food Facility categories 4 and 5 shall be inspected two times per  
23 year. Nothing in this section precludes the Department from inspecting  
24 and re-inspecting the Mobile Food Facilities with greater frequency if it is  
25 determined by the Director that such inspections or re-inspections are  
26 necessary to ensure the health and welfare of the public.

27 d. Proper labeling of all foods per California Department of Public Health  
28 (CDPH) and Food and Drug Administration (FDA) standards shall apply

1 to all Mobile Food Facilities.

2 e. The following information shall be provided by the Mobile Food Facility  
3 operator, on forms supplied by the Department, prior to the issuance of an  
4 initial permit or the renewal of a permit of any Mobile Food Facility:

- 5 1) Commissary agreement letter;
- 6 2) Commissary schedule;
- 7 3) Written operational procedures;
- 8 4) Current route sheets for Mobile Food Facilities that operate in  
9 multiple locations or other reporting/tracking method as approved  
10 by the Department;
- 11 5) Provide proof of annual water tank testing;
- 12 6) Provide documentation that all water has been supplied solely from  
13 an approved commissary or Mobile Support Unit;
- 14 7) Provide a Department approved plan for waste grease and trash  
15 disposal to the Department;
- 16 8) Provide proof that the Mobile Food Facility has been stored at  
17 approved commissaries on a daily basis;
- 18 9) Provide proof of issuance of Food Manager and Food Handler  
19 Certifications, pursuant to Ordinance No. 567 and Health and  
20 Safety Code sections 113947 through 113947.6, as now adopted or  
21 hereafter amended.
- 22 10) Category 4 and Category 5 Mobile Food Facilities shall provide the  
23 Department a statement as to the list of general food items to be  
24 sold from the Mobile Food Facility; and,
- 25 11) Proof of valid driver's licenses for all proposed drivers along with  
26 current vehicle registration shall be maintained on the Mobile Food  
27 Facility or Mobile Support Unit at all times, and shall be presented  
28 at the time of inspection.

1 f. Mobile Food Facilities shall not have external access to sewer and water  
2 lines, except at approved community events. Mobile Food Facility must be  
3 fully self-contained and able to operate as such; servicing of water and  
4 wastewater tanks shall take place at the commissary or by an approved  
5 Mobile Support Unit (for Mobile Food Facility categories 1-4), as specified  
6 and on record as approved by the Department. External electrical supply  
7 is allowed via a power supply cord as long as there is no permanent  
8 wiring.

9 g. All Mobile Food Facilities from categories 4-5 must ensure availability of  
10 one conspicuous trash receptacle within 20 feet of the place of operation.

11 Section 5. GRADING.

12 a. Only Mobile Food Preparation Units shall be graded. Each Mobile Food  
13 Preparation Units shall be inspected and graded uniformly using an official  
14 inspection form. The grade of each Mobile Food Preparation Units shall be  
15 evidenced by the posting of a grade card/decal bearing the letter "A", "B",  
16 or "C".

17 1) The letter "A" shall indicate a score of ninety percent or higher, and  
18 indicates that the Mobile Food Facility passed the inspection by  
19 meeting minimum health standards as set forth by the California  
20 Health and Safety Code. Grade "A" cards/decals shall be printed in  
21 blue on a white background.

22 2) The letter "B" shall indicate a score of less than ninety percent but  
23 not less than eighty percent, and indicates the Mobile Food Facility  
24 has not passed the inspection and does not meet minimum health  
25 standards. Grade "B" cards/decals shall be printed in green on a  
26 white background.

27 3) The letter "C" shall indicate a score of less than eighty percent and  
28 indicates that the Mobile Food Facility has failed the inspection and

1 has conditions existing which may pose a potential or actual threat  
2 to public health and safety. The Mobile Food Facility may also be  
3 ordered closed with its permit being suspended or revoked by the  
4 Department. Grade "C" cards/decals shall be printed in red on a  
5 white background.

- 6 b. The grade card/decals shall be provided by the Department and shall be 5  
7 inches by 7 inches in size.
- 8 c. The grade card/decals shall be posted in a conspicuous place near the  
9 ordering window, as selected by the Department, and shall be removed  
10 only by the Department.
- 11 d. It shall be unlawful to operate a Mobile Food Facility unless the grade  
12 card/decals is in place as posted by the Department.
- 13 e. Mobile Food Facilities shall post a notice provided by the Department,  
14 advising consumers that a copy of the most recent routine inspection report  
15 is available for review by any interested party. The most recent inspection  
16 report must be kept with the Mobile Food Facility at all times.

17 Section 6. MOBILE FOOD FACILITY INSPECTIONS.

- 18 a. The Department shall inspect each Mobile Food Facility at random  
19 intervals within the specified time frames listed in Section 4 of this  
20 ordinance. All Mobile Food Facilities shall comply with the requirements  
21 set forth in Health and Safety Code sections 114294 through 114327, as  
22 now adopted and hereafter amended.
- 23 b. No food shall be displayed or sold from any place other than the permitted  
24 Mobile Food Facility at any time. No additional tables shall be allowed for  
25 sales, storage, preparation or distribution in the area adjacent to the Mobile  
26 Food Facility except when operating at an approved community event, or  
27 with prior Department approval.  
28

- 1 c. Mobile Support Units shall only be used to service Produce Vehicles,  
2 Prepackaged Food Carts, Prepackaged Food Vehicles, and Non-  
3 prepackaged Food Vehicles. Mobile Support Units shall not be used in  
4 conjunction with Mobile Food Preparation Units. Mobile Support Units  
5 shall require a separate permit from the supported Mobile Food Facility, as  
6 defined in Ordinance No. 640.
- 7 d. Food preparation and storage equipment and sanitation requirements for  
8 each Mobile Food Facility shall be inspected and based on the food service  
9 activity to be conducted, the type of food that is to be prepared or served,  
10 and the extent of food preparation that is to be conducted at the Mobile  
11 Food Facility.
- 12 e. A copy of the Official Inspection Form shall be provided to the owner,  
13 operator, or person in charge of the Mobile Food Facility.
- 14 f. Any Mobile Food Preparation Unit that has received a non-passing grade  
15 (“B” or “C”) and all Mobile Food Facilities that do not meet the minimum  
16 health and safety requirements shall be re-inspected within five (5)  
17 business days of the initial inspection, or as otherwise arranged, to assure  
18 that the violations have been corrected. The grade card shall remain posted  
19 on the Mobile Food Facility as placed by the Department, indicating to the  
20 public that the particular Mobile Food Facility failed to maintain minimum  
21 health standards during its most recent routine inspection.
- 22 g. If, after a re-inspection, the Mobile Food Facility does not meet minimum  
23 health and safety standards or attain a score a 90% or higher, any or all of  
24 the following legal actions may ensue:
- 25 1) Administrative hearing for the suspension or revocation of the  
26 permit pursuant to Health and Safety Code section 114405, et seq.,  
27 as now adopted or hereafter amended.  
28

- 2) Issuance of a citation.
- 3) Initiation of civil, criminal or other legal proceedings.

- h. Notwithstanding the foregoing, the Department may order immediate closure of a Mobile Food Facility pursuant to Health and Safety Code section 114409, as now adopted or hereafter amended, whenever the Department reasonably believes the Mobile Food Facility presents an immediate danger to the public health or safety unless the violation is immediately corrected.
- i. Any re-inspections following an Administrative Hearing pursuant to section 6.g.i., may result in the operator being charged an hourly on-site fee as set by Ordinance No. 640.

Section 7. CONSTRUCTION AND PLAN REVIEW REQUIREMENTS FOR NEW MOBILE FOOD FACILITIES.

- a. Prior to issuing permits for Mobile Food Facility categories 3, 4, and 5, as referenced in section 4.a., plans are required to be submitted and reviewed by the Department.
- b. A physical inspection of the Mobile Food Facility shall be conducted by the Department prior to operation of the Mobile Food Facility even if plans are not required.
- c. All Mobile Food Facilities permitted in Riverside County must meet the minimum requirements set forth in the California Health and Safety Code sections 114294 through 114327, as now adopted or hereafter amended.
- d. Mobile Food Facilities permitted prior to the effective date of this ordinance that undergo a change of ownership or a change in menu and/or equipment shall be required to obtain approval from the Department prior to making the modifications, and plan submittal shall be required.
- e. At a minimum, submitted plans shall consist of:
  - 1) Two (2) sets of identical plans, drawn to scale;

- 2) Full views of the Mobile Food Facility, from each viewpoint, drawn to scale (top down, front, back, employee and customer views);
- 3) A full plumbing diagram showing the flow of water from fresh water tank through sinks and/or equipment to waste tank. Plans shall include and identify all sinks, water heaters, water pumps, and any other water using piece of equipment;
- 4) A complete finish schedule detailing construction material information;
- 5) A complete equipment list showing the make, model, and commercial certification of all pieces of equipment, and their location on the Mobile Food Facility; and,
- 6) Identification of all gas and electric lines.

Section 8. REQUIREMENT FOR COMMISSARIES.

- a. All Mobile Food Facilities must operate from a permitted commissary, or other Department approved facility. All approved facilities must be located within Riverside County unless otherwise approved by the Department.
- b. Each commissary is required to have facilities specific to the type of Mobile Food Facility to be serviced and stored.
- c. Commissaries are limited as to the number of Mobile Food Facilities that may be serviced and stored at the facility by the available space at the commissary. The number of Mobile Food Facilities allowed will be determined by the Department for each commissary.
- d. The commissary and Mobile Food Facility hours of operation must match for accessibility purposes.
- e. All commissaries must be built per construction standards set forth in the Health and Safety Code.
- f. Commissaries must obtain a permit to operate, as per Ordinance No. 640.
- g. Evaluation of commissary locations may require onsite inspection, and/or

1 plan submittal to the Department, per the fee schedule set forth in  
2 Ordinance No. 640.

3 h. Commissary operators must maintain current sign in sheets for all Mobile  
4 Food Facilities indicating the date, time, DBA and operator name, each time  
5 the Mobile Food Facility leaves and returns to the commissary.

6 i. Commissary operators must notify the Department within thirty (30) days if  
7 a Mobile Food Facility discontinues using the commissary as described in  
8 this ordinance.

9 Section 9. REQUIRED FEES. The fees listed in this section shall be valid until such  
10 time as Ordinance No. 640 is revised to incorporate these new fees therein. Any annual permit or  
11 registration shall be valid for no more than one year from the month of issue.

12 a. Annual permit fees.

13	1) Category 1 (Produce Vehicle)	\$199.00
14	2) Category 2 (Prepackaged Food Push Cart)	\$128.00
15	3) Category 3 (Prepackaged Food Vehicle)	\$329.00
16	4) Category 4 (Non-prepackaged Food Vehicle and Mobile Support	
17	Unit)	\$464.00
18	5) Category 5 (Mobile Food Preparation Unit)	\$653.00

19 b. Plan review fees.

20	1) Category 3 (Prepackaged Food Vehicle)	\$247.00
21	2) Category 4 (Non-prepackaged Food Vehicle and Mobile Support	
22	Unit)	\$493.00
23	3) Category 5 (Mobile Food Preparation Unit)	\$580.00

24 Section 10. CRIMINAL PENALTIES.

25 a. Any person violating any provision of this ordinance shall be guilty of an  
26 infraction or misdemeanor as hereinafter specified. Such individual shall  
27 be deemed guilty of a separate offense for each day during which any  
28 violation of this ordinance is committed or allowed to exist.



- 1                   b.     Any individual convicted of a violation of this ordinance shall be:
- 2                   1)     Guilty of an infraction and punished by a fine of not less than
- 3                             fifty dollars (\$50.00), but not exceeding one hundred dollars
- 4                             (\$100.00) for the first offense.
- 5                   2)     Guilty of an infraction and punished by a fine of not less than one
- 6                             hundred dollars (\$100.00), but not exceeding two hundred dollars
- 7                             (\$200.00) for the second offense.
- 8                   3)     The third and subsequent offenses shall constitute misdemeanor
- 9                             and shall be punishable by a fine of not less than five hundred
- 10                            dollars (\$500.00) but not to exceed one thousand dollars
- 11                            (\$1,000.00), imprisonment of up to six months in the county jail, or
- 12                            both.
- 13                   4)     Notwithstanding subsections a. and b. above, the first or second
- 14                            offense may be charged and prosecuted as misdemeanor
- 15                   c.     Payment of any penalty herein shall not relieve any individual
- 16                            from the responsibility of correcting the violations as found by the
- 17                            enforcement officer.
- 18                   d.     Any person found not in compliance with state law and/or this ordinance is
- 19                            subject to citation, permit suspension/revocation, lien, or other legal action
- 20                            as deemed necessary by the Department.

21                   Section 11.    CIVIL AND ADMINISTRATIVE PENALTIES.    In addition to the

22 criminal penalties stated above, the Department may enforce the provisions of this ordinance through the

23 procedures provided for in Riverside County Ordinance No. 725, which is incorporated herein by

24 reference.

25                   Section 12.    PUBLIC NUISANCE DECLARATION.    Any violation of this

26 ordinance is hereby declared to be unlawful and a public health nuisance and may be abated by the

27 Department, irrespective of any other remedy provided in this chapter.

28

1            Section 13.    RIGHT OF INSPECTION.    Pursuant to the Health and Safety Code, the  
2 Department shall have the right to inspect any Mobile Food Facility or commissary, or any facility  
3 suspected of being a Mobile Food Facility or commissary, at any reasonable time.    Unless the  
4 Department fails to provide proper identification, refusing an inspection may result in the permit being  
5 suspended or revoked, and/or the owner or operator shall be guilty of an infraction or misdemeanor  
6 offense.    The Mobile Food Facility must remain stationary and available for inspection once an official  
7 inspection has been initiated by the enforcement officer.

8            Section 14.    SEVERABILITY.            If any provision, clause, sentence or paragraph of  
9 this ordinance or the application thereof to any person or circumstances shall be held invalid, such  
10 invalidity shall not affect the other provisions of this ordinance which can be given effect without the  
11 invalid provision or application and, to this end, the provisions of this ordinance are hereby declared to be  
12 severable.”

13            Section 2.            This ordinance shall take effect on April 8, 2014.

14  
15            BOARD OF SUPERVISORS OF THE COUNTY  
16            OF RIVERSIDE, STATE OF CALIFORNIA

17            By: \_\_\_\_\_  
18            Chairman

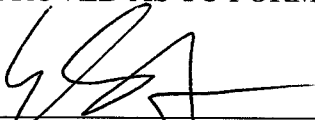
18            ATTEST:

19            CLERK OF THE BOARD:

20  
21            By: \_\_\_\_\_  
22            Deputy

23            (SEAL)

24  
25            APPROVED AS TO FORM

26            By:   
27            ERIC STOPHER  
28            Deputy County Counsel

SUMMARY OF PROPOSED ORDINANCE NO. 580  
(AS AMENDED THROUGH 580.5)

AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 580 RELATING TO MOBILE FOOD FACILITIES AND  
COMMISSARY REQUIREMENTS AND INCORPORATING BY REFERENCE RIVERSIDE  
COUNTY ORDINANCE NO. 725

This summary is presented pursuant to California Government Code Section 25124(b); a certified copy of the full text of Ordinance No. 580.5 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside located at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

Ordinance No. 580.5 amends Ordinance 580, regulating Mobile Food Facilities and Commissaries, in order to allow for expanded 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. Additionally, it includes posting of letter grades to inform the public of operational conditions; requirements for commissary usage; use of technology options for locating and inspecting the mobile units during operation; requirements for food handler and food manager certifications; and enforcement actions and penalties for violations. This ordinance allows a one-year phase-in period for food trucks to continue to operate at community events with temporary food facility permits before requiring an annual permit to operate per California Health and Safety Code standards with an annual mobile food facility permit.

Ordinance 580 was adopted by the Board of Supervisors of Riverside County on August 14, 1980, and last amended June 14, 2007. The Riverside County Board of Supervisors approved a Form 11 initiating revisions to the ordinance for Riverside County Environmental Health Department on June 25, 2013.

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

428



**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

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, 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:   
Deputy

Prev. Agn. Ref.:

District:

Agenda Number:

**3-29**

FORM APPROVED COUNTY COUNSEL  
BY: ERIC STOPPER  
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.

1 ORDINANCE NO. 580.5

2  
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
4 AMENDING ORDINANCE NO. 580 RELATING  
5 TO MOBILE FOOD FACILITIES

6 The Board of Supervisors of the County of Riverside ordains as follows:

7 Section 1. Ordinance No. 580 is amended in its entirety to read as follows:

8  
9 “ORDINANCE NO. 580

10  
11 AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
12 RELATING TO MOBILE FOOD FACILITIES AND COMMISSARY  
13 REQUIREMENTS AND INCORPORATING BY REFERENCE  
14 RIVERSIDE COUNTY ORDINANCE NO. 725

15  
16 Section 1. PURPOSE AND INTENT. It is the purpose and intent of this ordinance  
17 to ensure the safe and sanitary operation of mobile food facilities and commissaries in Riverside  
18 County.

19 Section 2. DEFINITIONS. As used in this ordinance, the following terms shall  
20 have the following meanings:

21 a. Annual Permit. A yearly permit to operate as defined in Ordinance No.  
22 640.

23 b. Commissary. A food facility that services mobile food facilities, mobile  
24 support units, or vending machines where any of the following occur:

- 25 1) Food, containers, or supplies are stored.  
26 2) Food is prepared or prepackaged for sale or service at other  
27 locations.  
28 3) Utensils are cleaned.

1 4) Liquid and solid wastes are disposed, or potable water is obtained.

2 c. Community Event. An event that is of civic, political, public or  
3 educational in nature, including state and county fairs, city festivals,  
4 circuses and other public gatherings events approved by the local  
5 enforcement agency, and which occurs 25 days or less in a 90-day period.

6 d. Department. The Riverside County Department of Environmental Health.

7 e. Enforcement Officer. The Director of the Riverside County Department  
8 of Environmental Health or his/her designee.

9 f. Food Preparation. As defined in Health and Safety Code Section  
10 113790, as now adopted or hereafter amended.

11 g. Limited Food Preparation. As defined in Health and Safety Code Section  
12 113818, as now adopted or hereafter amended.

13 h. Mobile Food Facility. Any vehicle used in conjunction with a  
14 commissary or other permanent food facility upon which food is sold or  
15 distributed at retail.

16 i. Mobile Food Preparation Unit. A Mobile Food Facility that engages in  
17 food preparation, beyond the scope of limited food preparation.

18 j. Mobile Support Unit. A vehicle used in conjunction with a commissary  
19 or other permanent food facility that travels to, and services,  
20 Mobile Food Facilities as needed to replenish supplies, including food and  
21 potable water, clean the interior of the unit, or dispose of liquid or solid  
22 wastes.

23 k. Non-prepackaged Food. Any food which is removed from its original  
24 packaging material for the purpose of preparation or service to the customer.

25 l. Non-prepackaged Food Vehicle. A Mobile Food Facility that engages in  
26 limited food preparation.

27 m. Prepackaged Food Push Cart. A Mobile Food Facility limited to the sale  
28 of 100% prepackaged foods from non-motorized vehicles that are obtained

1 from an approved source.

- 2 n. Prepackaged Food. Any properly labeled processed food, prepackaged to  
3 prevent any direct human contact with the food product upon distribution  
4 from the manufacturer, food facility, or other approved source.
- 5 o. Produce Vehicle. A Mobile Food Facility limited to the sale of whole,  
6 uncut produce obtained from an approved source.

7 Section 3. PERMIT APPLICATION REQUIREMENTS.

- 8 a. No person shall operate a Mobile Food Facility without a permit issued  
9 pursuant to the provisions of this ordinance.
- 10 b. Nothing in this ordinance shall prevent the Department from denying any  
11 permit application for any Mobile Food Facility if, in the opinion of the  
12 Department, such Mobile Food Facility poses a real or potential risk to the  
13 health and welfare of the public.
- 14 c. A person may operate a Mobile Food Facility if such person has a valid  
15 permit issued by the Department. Application for a permit shall be  
16 made to the Department on a form supplied by the Department and shall  
17 be accompanied by a fee(s) as required by Ordinance No. 640. A permit  
18 shall only be issued by the Department if the proposed Mobile Food  
19 Facility meets the requirements of the Federal and State laws and regulations  
20 and provisions of this ordinance. A permit shall be valid for not more than  
21 one year.
- 22 d. All Mobile Food Facilities proposing to operate in the County of Riverside  
23 in any capacity must obtain an annual mobile food facility permit pursuant  
24 to this section. There shall be a one year phase-in period from the effective  
25 date of this ordinance, for Mobile Food Facility categories 3, 4, and 5, as  
26 identified in Section 4.a. of this ordinance, to come into compliance  
27 through the plan check process to meet all Health and Safety Code  
28 requirements for annual permitting. During this phase-in period Mobile



1 Food Facilities not compliant with current construction standards, but still  
2 meeting the requirements for temporary food facilities pursuant to Health  
3 and Safety Code sections 114335 through 114363, as now adopted or  
4 hereafter amended, will be allowed to operate at approved community  
5 events, with proper permits. After the phase-in period all Mobile Food  
6 Facilities must meet current Health and Safety Code standards and obtain  
7 annual permits to operate as Mobile Food Facilities.

8 Section 4. MOBILE FOOD FACILITY OPERATIONS.

- 9 a. Mobile Food Facility Categories: There are five categories of Mobile Food  
10 Facilities that may be permitted within Riverside County by the  
11 Department:
- 12 1) Produce Vehicle (typically produce trucks)
  - 13 2) Prepackaged Food Push Cart (typically ice cream pushcarts)
  - 14 3) Prepackaged Food Vehicle (typically catering trucks and ice cream  
15 vans)
  - 16 4) Non-prepackaged Food Vehicle and Mobile Support Unit  
17 (typically hot dog carts)
  - 18 5) Mobile Food Preparation Unit (typically food trucks)
- 19 b. The sale of food from an aircraft, watercraft, bicycle or golf cart is not  
20 allowed.
- 21 c. Mobile Food Facility categories 1-3 shall be inspected one time per year.  
22 Mobile Food Facility categories 4 and 5 shall be inspected two times per  
23 year. Nothing in this section precludes the Department from inspecting  
24 and re-inspecting the Mobile Food Facilities with greater frequency if it is  
25 determined by the Director that such inspections or re-inspections are  
26 necessary to ensure the health and welfare of the public.
- 27 d. Proper labeling of all foods per California Department of Public Health  
28 (CDPH) and Food and Drug Administration (FDA) standards shall apply

1 to all Mobile Food Facilities.

2 e. The following information shall be provided by the Mobile Food Facility  
3 operator, on forms supplied by the Department, prior to the issuance of an  
4 initial permit or the renewal of a permit of any Mobile Food Facility:

- 5 1) Commissary agreement letter;
- 6 2) Commissary schedule;
- 7 3) Written operational procedures;
- 8 4) Current route sheets for Mobile Food Facilities that operate in  
9 multiple locations or other reporting/tracking method as approved  
10 by the Department;
- 11 5) Provide proof of annual water tank testing;
- 12 6) Provide documentation that all water has been supplied solely from  
13 an approved commissary or Mobile Support Unit;
- 14 7) Provide a Department approved plan for waste grease and trash  
15 disposal to the Department;
- 16 8) Provide proof that the Mobile Food Facility has been stored at  
17 approved commissaries on a daily basis;
- 18 9) Provide proof of issuance of Food Manager and Food Handler  
19 Certifications, pursuant to Ordinance No. 567 and Health and  
20 Safety Code sections 113947 through 113947.6, as now adopted or  
21 hereafter amended.
- 22 10) Category 4 and Category 5 Mobile Food Facilities shall provide the  
23 Department a statement as to the list of general food items to be  
24 sold from the Mobile Food Facility; and,
- 25 11) Proof of valid driver's licenses for all proposed drivers along with  
26 current vehicle registration shall be maintained on the Mobile Food  
27 Facility or Mobile Support Unit at all times, and shall be presented  
28 at the time of inspection.

1 f. Mobile Food Facilities shall not have external access to sewer and water  
2 lines, except at approved community events. Mobile Food Facility must be  
3 fully self-contained and able to operate as such; servicing of water and  
4 wastewater tanks shall take place at the commissary or by an approved  
5 Mobile Support Unit (for Mobile Food Facility categories 1-4), as specified  
6 and on record as approved by the Department. External electrical supply  
7 is allowed via a power supply cord as long as there is no permanent  
8 wiring.

9 g. All Mobile Food Facilities from categories 4-5 must ensure availability of  
10 one conspicuous trash receptacle within 20 feet of the place of operation.

11 Section 5. GRADING.

12 a. Only Mobile Food Preparation Units shall be graded. Each Mobile Food  
13 Preparation Units shall be inspected and graded uniformly using an official  
14 inspection form. The grade of each Mobile Food Preparation Units shall be  
15 evidenced by the posting of a grade card/decal bearing the letter "A", "B",  
16 or "C".

17 1) The letter "A" shall indicate a score of ninety percent or higher, and  
18 indicates that the Mobile Food Facility passed the inspection by  
19 meeting minimum health standards as set forth by the California  
20 Health and Safety Code. Grade "A" cards/decals shall be printed in  
21 blue on a white background.

22 2) The letter "B" shall indicate a score of less than ninety percent but  
23 not less than eighty percent, and indicates the Mobile Food Facility  
24 has not passed the inspection and does not meet minimum health  
25 standards. Grade "B" cards/decals shall be printed in green on a  
26 white background.

27 3) The letter "C" shall indicate a score of less than eighty percent and  
28 indicates that the Mobile Food Facility has failed the inspection and

1 has conditions existing which may pose a potential or actual threat  
2 to public health and safety. The Mobile Food Facility may also be  
3 ordered closed with its permit being suspended or revoked by the  
4 Department. Grade "C" cards/decals shall be printed in red on a  
5 white background.

- 6 b. The grade card/decals shall be provided by the Department and shall be 5  
7 inches by 7 inches in size.
- 8 c. The grade card/decals shall be posted in a conspicuous place near the  
9 ordering window, as selected by the Department, and shall be removed  
10 only by the Department.
- 11 d. It shall be unlawful to operate a Mobile Food Facility unless the grade  
12 card/decals is in place as posted by the Department.
- 13 e. Mobile Food Facilities shall post a notice provided by the Department,  
14 advising consumers that a copy of the most recent routine inspection report  
15 is available for review by any interested party. The most recent inspection  
16 report must be kept with the Mobile Food Facility at all times.

17 Section 6. MOBILE FOOD FACILITY INSPECTIONS.

- 18 a. The Department shall inspect each Mobile Food Facility at random  
19 intervals within the specified time frames listed in Section 4 of this  
20 ordinance. All Mobile Food Facilities shall comply with the requirements  
21 set forth in Health and Safety Code sections 114294 through 114327, as  
22 now adopted and hereafter amended.
- 23 b. No food shall be displayed or sold from any place other than the permitted  
24 Mobile Food Facility at any time. No additional tables shall be allowed for  
25 sales, storage, preparation or distribution in the area adjacent to the Mobile  
26 Food Facility except when operating at an approved community event, or  
27 with prior Department approval.  
28

- 1 c. Mobile Support Units shall only be used to service Produce Vehicles,  
2 Prepackaged Food Carts, Prepackaged Food Vehicles, and Non-  
3 prepackaged Food Vehicles. Mobile Support Units shall not be used in  
4 conjunction with Mobile Food Preparation Units. Mobile Support Units  
5 shall require a separate permit from the supported Mobile Food Facility, as  
6 defined in Ordinance No. 640.
- 7 d. Food preparation and storage equipment and sanitation requirements for  
8 each Mobile Food Facility shall be inspected and based on the food service  
9 activity to be conducted, the type of food that is to be prepared or served,  
10 and the extent of food preparation that is to be conducted at the Mobile  
11 Food Facility.
- 12 e. A copy of the Official Inspection Form shall be provided to the owner,  
13 operator, or person in charge of the Mobile Food Facility.
- 14 f. Any Mobile Food Preparation Unit that has received a non-passing grade  
15 (“B” or “C”) and all Mobile Food Facilities that do not meet the minimum  
16 health and safety requirements shall be re-inspected within five (5)  
17 business days of the initial inspection, or as otherwise arranged, to assure  
18 that the violations have been corrected. The grade card shall remain posted  
19 on the Mobile Food Facility as placed by the Department, indicating to the  
20 public that the particular Mobile Food Facility failed to maintain minimum  
21 health standards during its most recent routine inspection.
- 22 g. If, after a re-inspection, the Mobile Food Facility does not meet minimum  
23 health and safety standards or attain a score a 90% or higher, any or all of  
24 the following legal actions may ensue:
- 25 1) Administrative hearing for the suspension or revocation of the  
26 permit pursuant to Health and Safety Code section 114405, et seq.,  
27 as now adopted or hereafter amended.  
28

- 2) Issuance of a citation.
- 3) Initiation of civil, criminal or other legal proceedings.

- h. Notwithstanding the foregoing, the Department may order immediate closure of a Mobile Food Facility pursuant to Health and Safety Code section 114409, as now adopted or hereafter amended, whenever the Department reasonably believes the Mobile Food Facility presents an immediate danger to the public health or safety unless the violation is immediately corrected.
- i. Any re-inspections following an Administrative Hearing pursuant to section 6.g.i., may result in the operator being charged an hourly on-site fee as set by Ordinance No. 640.

Section 7. CONSTRUCTION AND PLAN REVIEW REQUIREMENTS FOR NEW MOBILE FOOD FACILITES.

- a. Prior to issuing permits for Mobile Food Facility categories 3, 4, and 5, as referenced in section 4.a., plans are required to be submitted and reviewed by the Department.
- b. A physical inspection of the Mobile Food Facility shall be conducted by the Department prior to operation of the Mobile Food Facility even if plans are not required.
- c. All Mobile Food Facilities permitted in Riverside County must meet the minimum requirements set forth in the California Health and Safety Code sections 114294 through 114327, as now adopted or hereafter amended.
- d. Mobile Food Facilities permitted prior to the effective date of this ordinance that undergo a change of ownership or a change in menu and/or equipment shall be required to obtain approval from the Department prior to making the modifications, and plan submittal shall be required.
- e. At a minimum, submitted plans shall consist of:
  - 1) Two (2) sets of identical plans, drawn to scale;

- 1 2) Full views of the Mobile Food Facility, from each viewpoint, drawn
- 2 to scale (top down, front, back, employee and customer views);
- 3 3) A full plumbing diagram showing the flow of water from fresh
- 4 water tank through sinks and/or equipment to waste tank. Plans
- 5 shall include and identify all sinks, water heaters, water pumps, and
- 6 any other water using piece of equipment;
- 7 4) A complete finish schedule detailing construction material
- 8 information;
- 9 5) A complete equipment list showing the make, model, and
- 10 commercial certification of all pieces of equipment, and their
- 11 location on the Mobile Food Facility; and,
- 12 6) Identification of all gas and electric lines.

13 Section 8. REQUIREMENT FOR COMMISSARIES.

- 14 a. All Mobile Food Facilities must operate from a permitted commissary, or
- 15 other Department approved facility. All approved facilities must be located
- 16 within Riverside County unless otherwise approved by the Department.
- 17 b. Each commissary is required to have facilities specific to the type of Mobile
- 18 Food Facility to be serviced and stored.
- 19 c. Commissaries are limited as to the number of Mobile Food Facilities that
- 20 may be serviced and stored at the facility by the available space at the
- 21 commissary. The number of Mobile Food Facilities allowed will be
- 22 determined by the Department for each commissary.
- 23 d. The commissary and Mobile Food Facility hours of operation must match
- 24 for accessibility purposes.
- 25 e. All commissaries must be built per construction standards set forth in the
- 26 Health and Safety Code.
- 27 f. Commissaries must obtain a permit to operate, as per Ordinance No. 640.
- 28 g. Evaluation of commissary locations may require onsite inspection, and/or

1 plan submittal to the Department, per the fee schedule set forth in  
2 Ordinance No. 640.

- 3 h. Commissary operators must maintain current sign in sheets for all Mobile  
4 Food Facilities indicating the date, time, DBA and operator name, each time  
5 the Mobile Food Facility leaves and returns to the commissary.  
6 i. Commissary operators must notify the Department within thirty (30) days if  
7 a Mobile Food Facility discontinues using the commissary as described in  
8 this ordinance.

9 Section 9. REQUIRED FEES. The fees listed in this section shall be valid until such  
10 time as Ordinance No. 640 is revised to incorporate these new fees therein. Any annual permit or  
11 registration shall be valid for no more than one year from the month of issue.

12 a. Annual permit fees.

- |    |  |          |
|----|--|----------|
| 13 | 1) Category 1 (Produce Vehicle)                                | \$199.00 |
| 14 | 2) Category 2 (Prepackaged Food Push Cart)                     | \$128.00 |
| 15 | 3) Category 3 (Prepackaged Food Vehicle)                       | \$329.00 |
| 16 | 4) Category 4 (Non-prepackaged Food Vehicle and Mobile Support |          |
| 17 | Unit)  | \$464.00 |
| 18 | 5) Category 5 (Mobile Food Preparation Unit)                   | \$653.00 |

19 b. Plan review fees.

- |    |  |          |
|----|--|----------|
| 20 | 1) Category 3 (Prepackaged Food Vehicle)                       | \$247.00 |
| 21 | 2) Category 4 (Non-prepackaged Food Vehicle and Mobile Support |          |
| 22 | Unit)  | \$493.00 |
| 23 | 3) Category 5 (Mobile Food Preparation Unit)                   | \$580.00 |

24 Section 10. CRIMINAL PENALTIES.

- 25 a. Any person violating any provision of this ordinance shall be guilty of an  
26 infraction or misdemeanor as hereinafter specified. Such individual shall  
27 be deemed guilty of a separate offense for each day during which any  
28 violation of this ordinance is committed or allowed to exist.



- 1                   b. Any individual convicted of a violation of this ordinance shall be:
- 2                   1) Guilty of an infraction and punished by a fine of not less than
- 3                   fifty dollars (\$50.00), but not exceeding one hundred dollars
- 4                   (\$100.00) for the first offense.
- 5                   2) Guilty of an infraction and punished by a fine of not less than one
- 6                   hundred dollars (\$100.00), but not exceeding two hundred dollars
- 7                   (\$200.00) for the second offense.
- 8                   3) The third and subsequent offenses shall constitute misdemeanor
- 9                   and shall be punishable by a fine of not less than five hundred
- 10                  dollars (\$500.00) but not to exceed one thousand dollars
- 11                  (\$1,000.00), imprisonment of up to six months in the county jail, or
- 12                  both.
- 13                  4) Notwithstanding subsections a. and b. above, the first or second
- 14                  offense may be charged and prosecuted as misdemeanor
- 15                  c. Payment of any penalty herein shall not relieve any individual
- 16                  from the responsibility of correcting the violations as found by the
- 17                  enforcement officer.
- 18                  d. Any person found not in compliance with state law and/or this ordinance is
- 19                  subject to citation, permit suspension/revocation, lien, or other legal action
- 20                  as deemed necessary by the Department.

21                  Section 11. CIVIL AND ADMINISTRATIVE PENALTIES. In addition to the

22 criminal penalties stated above, the Department may enforce the provisions of this ordinance through the

23 procedures provided for in Riverside County Ordinance No. 725, which is incorporated herein by

24 reference.

25                  Section 12. PUBLIC NUISANCE DECLARATION. Any violation of this

26 ordinance is hereby declared to be unlawful and a public health nuisance and may be abated by the

27 Department, irrespective of any other remedy provided in this chapter.

28

1                    Section 13.    RIGHT OF INSPECTION.   Pursuant to the Health and Safety Code, the  
2 Department shall have the right to inspect any Mobile Food Facility or commissary, or any facility  
3 suspected of being a Mobile Food Facility or commissary, at any reasonable time. Unless the  
4 Department fails to provide proper identification, refusing an inspection may result in the permit being  
5 suspended or revoked, and/or the owner or operator shall be guilty of an infraction or misdemeanor  
6 offense. The Mobile Food Facility must remain stationary and available for inspection once an official  
7 inspection has been initiated by the enforcement officer.

8                    Section 14.    SEVERABILITY.        If any provision, clause, sentence or paragraph of  
9 this ordinance or the application thereof to any person or circumstances shall be held invalid, such  
10 invalidity shall not affect the other provisions of this ordinance which can be given effect without the  
11 invalid provision or application and, to this end, the provisions of this ordinance are hereby declared to be  
12 severable.”

13                    Section 2.        This ordinance shall take effect on April 8, 2014.

15                    BOARD OF SUPERVISORS OF THE COUNTY  
16                    OF RIVERSIDE, STATE OF CALIFORNIA

17                    By: \_\_\_\_\_  
                         Chairman


18 ATTEST:

19 CLERK OF THE BOARD:

20  
21 By: \_\_\_\_\_  
22                    Deputy

23  
24                    (SEAL)

25 APPROVED AS TO FORM

26  
27 By:   
28                    ERIC STOPHER  
                         Deputy County Counsel

SUMMARY OF PROPOSED ORDINANCE NO. 580  
(AS AMENDED THROUGH 580.5)

AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 580 RELATING TO MOBILE FOOD FACILITIES AND  
COMMISSARY REQUIREMENTS AND INCORPORATING BY REFERENCE RIVERSIDE  
COUNTY ORDINANCE NO. 725

This summary is presented pursuant to California Government Code Section 25124(b); a certified copy of the full text of Ordinance No. 580.5 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside located at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

Ordinance No. 580.5 amends Ordinance 580, regulating Mobile Food Facilities and Commissaries, in order to allow for expanded 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. Additionally, it includes posting of letter grades to inform the public of operational conditions; requirements for commissary usage; use of technology options for locating and inspecting the mobile units during operation; requirements for food handler and food manager certifications; and enforcement actions and penalties for violations. This ordinance allows a one-year phase-in period for food trucks to continue to operate at community events with temporary food facility permits before requiring an annual permit to operate per California Health and Safety Code standards with an annual mobile food facility permit.

Ordinance 580 was adopted by the Board of Supervisors of Riverside County on August 14, 1980, and last amended June 14, 2007. The Riverside County Board of Supervisors approved a Form 11 initiating revisions to the ordinance for Riverside County Environmental Health Department on June 25, 2013.

**NOTICE OF EXEMPTION**

To: \_\_\_\_\_ Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: County of Riverside  
4080 Lemon Street  
Riverside, CA 92501

To:  X  Office of the County Clerk & Recorder

**Project Title:** Ordinance No. 580.5 An Ordinance of the County of Riverside Amending Ordinance No. 580 relating to Mobile Food Facilities And Commissary Requirement and Incorporating by Reference Riverside County Ordinance No. 725.

**Project Location:** The unincorporated area and all incorporated Cities within Riverside County.

**Project Description:** Ordinance No. 580.5 amends Ordinance No. 580 to allow for annual permits and standards for food trucks expanding operations beyond the current operational limitations at permitted community events. In addition, Ordinance No. 580.5 adopts new fees for the plan reviews and permits for Mobile Food Facilities.

**Name of Public Agency Approving Project:** County of Riverside

**Project Sponsor:** Department of Environmental Health of the County of Riverside

**Exempt Status:** (check one)

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption
- Statutory Exemption (State CEQA Guidelines Sec. 15273)
- Other: (State CEQA Guidelines Sec. 15061(b)(3))

**Reasons Why Project is Exempt:**

The adoption of Ordinance No. 580.5 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), the "General Rule" exemption, in that the amending of Ordinance 580 pertains to the inspection and permitting requirements related to mobile food truck operations and with the adoption of the amendments it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. Approval of the proposed amendment to Riverside County Ordinance 580 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.

Eric Stopher, Deputy County Counsel  
County Contact Person

(951) 955-6300  
Phone Number

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

**For County Clerk's Use Only**



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

December 2, 2013

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

E-MAIL: [legals@pe.com](mailto:legals@pe.com)  
FAX: (951) 368-9018

RE: INTRODUCTION OF: ORDINANCE NO. 580.5 AMENDING ORD. NO. 580

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday: December 4, 2013**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Cecilia Gil*

Board Assistant to:  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** mtinajero@pe.com on behalf of Master, PEC Legals <legalsmaster@pe.com>  
**Sent:** Monday, December 02, 2013 8:15 AM  
**To:** Gil, Cecilia  
**Subject:** Re: FOR PUBLICATION: Intro: Ordinance No. 580.5

Received for publication on Dec. 4. Proof with cost to follow.

Thank You!



Publisher of The Press-Enterprise  
Inland Southern California's News Leader

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**\*\*Additional days required for larger ad sizes\*\***

On Mon, Dec 2, 2013 at 7:26 AM, Gil, Cecilia <[CCGIL@rcbos.org](mailto:CCGIL@rcbos.org)> wrote:

Good morning! Attached is an Introduction of Ordinance, for publication on Wednesday, Dec. 4, 2013. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant

Clerk of the Board

951-955-8464

MS# 1010



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

December 2, 2013

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)  
FAX: (760) 778-4731

RE: INTRODUCTION OF: ORDINANCE NO. 580.5 AMENDING ORD. NO. 580

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Thank you in advance for your assistance and expertise.

Sincerely,

*Cecilia Gil*

Board Assistant to:  
KECIA HARPER-IHEM, CLERK OF THE BOARD

## Gil, Cecilia

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**From:** Wells, Juanita <JWELLS@palmspri.gannett.com> on behalf of Moeller, Charlene <CMOELLER@palmspri.gannett.com>  
**Sent:** Monday, December 02, 2013 9:20 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Intro: Ordinance No. 580.5

Ad received and will publish on date(s) requested.

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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Monday, December 02, 2013 7:27 AM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: Intro: Ordinance No. 580.5

Good morning! Attached is an Introduction of Ordinance, for publication on Wednesday, Dec. 4, 2013. Please confirm. THANK YOU!

*Cecilia Gil*  
Board Assistant  
Clerk of the Board  
951-955-8464  
MS# 1010



**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, December 10, 2013 at 9:30 a.m.** to consider adoption of the following ordinance:

**SUMMARY OF PROPOSED ORDINANCE NO. 580**  
**(AS AMENDED THROUGH 580.5)**

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE**  
**AMENDING ORDINANCE NO. 580 RELATING TO MOBILE FOOD FACILITIES AND COMMISSARY**  
**REQUIREMENTS AND INCORPORATING BY REFERENCE RIVERSIDE COUNTY ORDINANCE NO.**  
**725**

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Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the hearing or may appear and be heard in support or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1<sup>st</sup> Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: December 2, 2013

Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant