

179

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



FROM: Department of Environmental Health

SUBMITTAL DATE:
December 12, 2013

SUBJECT: Final Approval and Adoption of Tentatively Approved Amendments to Ordinance No. 580 Relating to Mobile Food Facilities. Countywide. (0); Funded by permits, service fees, and potential fines for non-compliance.

RECOMMENDED MOTION: That the Board of Supervisors approve and adopt the amendments to Ordinance 580.5 that were tentatively approved at the Board of Supervisors hearing on December 10, 2013.

BACKGROUND:

On December 10, 2013, the Board of Supervisors held the noticed public hearing on the adoption of Ordinance 580.5. During the discussion of the ordinance, minor revisions to the Ordinance were tentatively approved by the Board of Supervisors, subject to final approval of the revisions.

(Continued)

Name: Steve Van Stockum
Title: Director

SVS:LW

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 Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 580.5 is adopted.

Ayes: Jeffries, Stone, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: December 17, 2013
 xc: Environmental Health, ACR, MC, COB

Kecia Harper-Ihem.
 Clerk of the Board
 By:
 Deputy

Prev. Agn. Ref.: 9-2 of 12/10/13 | District: ALL | Agenda Number:

3-62

FORM APPROVED COUNTY COUNSEL
BY: ERIC STOPHER
DATE: 12/12/13

Departmental Concurrence

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

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

DATE: December 12, 2013

PAGE: 2 of 2

BACKGROUND (continued):

Summary

The approved revisions, as they relate to Ordinance 580.5 are as follows:

1. At Section 3.c., Line 20, the words "and other County ordinances" were added after the word "ordinance" in the second to last sentence of the section. This approved addition will require food trucks to follow other County ordinances related to the time, place and manner of business operation that may be revised and added over time.
2. A brand new subsection, Section 4.e.12., was added with the following language – "Proof of General Liability Insurance naming the County of Riverside as an Additional Insured. (Category 5 only – typically food trucks.)" Specifically, this requirement mandates that Mobile Food Preparation Units are required to provide proof of the stated insurance at the time of applying for the initial permit, as well as during all permit renewals.

Impact on Citizens and Businesses

The expected impact on citizens is to add additional protections to limit potential exposure to the County for potential damage claims made against food trucks. The cost to a food truck operator to add the County as an Additional Insured will depend on the operator's insurance carrier's rates.

SUPPLEMENTAL:

Additional Fiscal Information

There is no cost to the County, as this is part of the permitting process that is already established.

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

1 3) Utensils are cleaned.

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

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

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

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

10 f. Food Preparation. As defined in Health and Safety Code Section
11 113790, as now adopted or hereafter amended.

12 g. Limited Food Preparation. As defined in Health and Safety Code Section
13 113818, as now adopted or hereafter amended.

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

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

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

24 k. Non-prepackaged Food. Any food which is removed from its original
25 packaging material for the purpose of preparation or service to the customer.
26
27
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- 1 l. Non-prepackaged Food Vehicle. A Mobile Food Facility that engages in
2 limited food preparation.
- 3 m. Prepackaged Food Push Cart. A Mobile Food Facility limited to the sale
4 of 100% prepackaged foods from non-motorized vehicles that are obtained
5 from an approved source.
- 6 n. Prepackaged Food. Any properly labeled processed food, prepackaged to
7 prevent any direct human contact with the food product upon distribution
8 from the manufacturer, food facility, or other approved source.
- 9 o. Produce Vehicle. A Mobile Food Facility limited to the sale of whole,
10 uncut produce obtained from an approved source.

11 Section 3. PERMIT APPLICATION REQUIREMENTS.

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

1 date of this ordinance, for Mobile Food Facility categories 3, 4, and 5, as
2 identified in Section 4.a. of this ordinance, to come into compliance
3 through the plan check process to meet all Health and Safety Code
4 requirements for annual permitting. During this phase-in period Mobile
5 Food Facilities not compliant with current construction standards, but still
6 meeting the requirements for temporary food facilities pursuant to Health
7 and Safety Code sections 114335 through 114363, as now adopted or
8 hereafter amended, will be allowed to operate at approved community
9 events, with proper permits. After the phase-in period all Mobile Food
10 Facilities must meet current Health and Safety Code standards and obtain
11 annual permits to operate as Mobile Food Facilities.

12 Section 4. MOBILE FOOD FACILITY OPERATIONS.

- 13 a. Mobile Food Facility Categories: There are five categories of Mobile Food
14 Facilities that may be permitted within Riverside County by the
15 Department:
- 16 1) Produce Vehicle (typically produce trucks)
 - 17 2) Prepackaged Food Push Cart (typically ice cream pushcarts)
 - 18 3) Prepackaged Food Vehicle (typically catering trucks and ice cream
19 vans)
 - 20 4) Non-prepackaged Food Vehicle and Mobile Support Unit
21 (typically hot dog carts)
 - 22 5) Mobile Food Preparation Unit (typically food trucks)
- 23 b. The sale of food from an aircraft, watercraft, bicycle or golf cart is not
24 allowed.
- 25 c. Mobile Food Facility categories 1-3 shall be inspected one time per year.
26 Mobile Food Facility categories 4 and 5 shall be inspected two times per
27 year. Nothing in this section precludes the Department from inspecting
28 and re-inspecting the Mobile Food Facilities with greater frequency if it is

1 determined by the Director that such inspections or re-inspections are
2 necessary to ensure the health and welfare of the public.

3 d. Proper labeling of all foods per California Department of Public Health
4 (CDPH) and Food and Drug Administration (FDA) standards shall apply
5 to all Mobile Food Facilities.

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

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

1 11) Proof of valid driver's licenses for all proposed drivers along with
2 current vehicle registration shall be maintained on the Mobile Food
3 Facility or Mobile Support Unit at all times, and shall be presented
4 at the time of inspection.

5 12) Proof of General Liability Insurance naming the County as an
6 "Additional Insured". (Category 5 only – typically food trucks.)

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

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

17 Section 5. GRADING.

18 a. Only Mobile Food Preparation Units shall be graded. Each Mobile Food
19 Preparation Units shall be inspected and graded uniformly using an official
20 inspection form. The grade of each Mobile Food Preparation Units shall be
21 evidenced by the posting of a grade card/decal bearing the letter "A", "B",
22 or "C".

23 1) The letter "A" shall indicate a score of ninety percent or higher, and
24 indicates that the Mobile Food Facility passed the inspection by
25 meeting minimum health standards as set forth by the California
26 Health and Safety Code. Grade "A" cards/decals shall be printed in
27 blue on a white background.
28

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

6 3) The letter "C" shall indicate a score of less than eighty percent and
7 indicates that the Mobile Food Facility has failed the inspection and
8 has conditions existing which may pose a potential or actual threat
9 to public health and safety. The Mobile Food Facility may also be
10 ordered closed with its permit being suspended or revoked by the
11 Department. Grade "C" cards/decals shall be printed in red on a
12 white background.

13 b. The grade card/decal shall be provided by the Department and shall be 5
14 inches by 7 inches in size.

15 c. The grade card/decal shall be posted in a conspicuous place near the
16 ordering window, as selected by the Department, and shall be removed
17 only by the Department.

18 d. It shall be unlawful to operate a Mobile Food Facility unless the grade
19 card/decal is in place as posted by the Department.

20 e. Mobile Food Facilities shall post a notice provided by the Department,
21 advising consumers that a copy of the most recent routine inspection report
22 is available for review by any interested party. The most recent inspection
23 report must be kept with the Mobile Food Facility at all times.

24 Section 6. MOBILE FOOD FACILITY INSPECTIONS.

25 a. The Department shall inspect each Mobile Food Facility at random
26 intervals within the specified time frames listed in Section 4 of this
27 ordinance. All Mobile Food Facilities shall comply with the requirements
28

1 set forth in Health and Safety Code sections 114294 through 114327, as
2 now adopted and hereafter amended.

3 b. No food shall be displayed or sold from any place other than the permitted
4 Mobile Food Facility at any time. No additional tables shall be allowed for
5 sales, storage, preparation or distribution in the area adjacent to the Mobile
6 Food Facility except when operating at an approved community event, or
7 with prior Department approval.

8 c. Mobile Support Units shall only be used to service Produce Vehicles,
9 Prepackaged Food Carts, Prepackaged Food Vehicles, and Non-
10 prepackaged Food Vehicles. Mobile Support Units shall not be used in
11 conjunction with Mobile Food Preparation Units. Mobile Support Units
12 shall require a separate permit from the supported Mobile Food Facility, as
13 defined in Ordinance No. 640.

14 d. Food preparation and storage equipment and sanitation requirements for
15 each Mobile Food Facility shall be inspected and based on the food service
16 activity to be conducted, the type of food that is to be prepared or served,
17 and the extent of food preparation that is to be conducted at the Mobile
18 Food Facility.

19 e. A copy of the Official Inspection Form shall be provided to the owner,
20 operator, or person in charge of the Mobile Food Facility.

21 f. Any Mobile Food Preparation Unit that has received a non-passing grade
22 ("B" or "C") and all Mobile Food Facilities that do not meet the minimum
23 health and safety requirements shall be re-inspected within five (5)
24 business days of the initial inspection, or as otherwise arranged, to assure
25 that the violations have been corrected. The grade card shall remain posted
26 on the Mobile Food Facility as placed by the Department, indicating to the
27
28

1 public that the particular Mobile Food Facility failed to maintain minimum
2 health standards during its most recent routine inspection.

3 g. If, after a re-inspection, the Mobile Food Facility does not meet minimum
4 health and safety standards or attain a score a 90% or higher, any or all of
5 the following legal actions may ensue:

- 6 1) Administrative hearing for the suspension or revocation of the
7 permit pursuant to Health and Safety Code section 114405, et seq.,
8 as now adopted or hereafter amended.
- 9 2) Issuance of a citation.
- 10 3) Initiation of civil, criminal or other legal proceedings.

11 h. Notwithstanding the foregoing, the Department may order immediate
12 closure of a Mobile Food Facility pursuant to Health and Safety Code
13 section 114409, as now adopted or hereafter amended, whenever the
14 Department reasonably believes the Mobile Food Facility presents an
15 immediate danger to the public health or safety unless the violation is
16 immediately corrected.

17 i. Any re-inspections following an Administrative Hearing pursuant to
18 section 6.g.i., may result in the operator being charged an hourly on-site fee
19 as set by Ordinance No. 640.

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

22 a. Prior to issuing permits for Mobile Food Facility categories 3, 4, and 5, as
23 referenced in section 4.a., plans are required to be submitted and reviewed
24 by the Department.

25 b. A physical inspection of the Mobile Food Facility shall be conducted by
26 the Department prior to operation of the Mobile Food Facility even if plans
27 are not required.
28

1 c. All Mobile Food Facilities permitted in Riverside County must meet the
2 minimum requirements set forth in the California Health and Safety Code
3 sections 114294 through 114327, as now adopted or hereafter amended.

4 d. Mobile Food Facilities permitted prior to the effective date of this
5 ordinance that undergo a change of ownership or a change in menu and/or
6
7 equipment shall be required to obtain approval from the Department prior
8 to making the modifications, and plan submittal shall be required.

9 e. At a minimum, submitted plans shall consist of:

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

23 Section 8. REQUIREMENT FOR COMMISSARIES.

24 a. All Mobile Food Facilities must operate from a permitted commissary, or
25 other Department approved facility. All approved facilities must be located
26 within Riverside County unless otherwise approved by the Department.

27 b. Each commissary is required to have facilities specific to the type of Mobile
28 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 plan submittal to the Department, per the fee schedule set forth in Ordinance No. 640.
- h. Commissary operators must maintain current sign in sheets for all Mobile Food Facilities indicating the date, time, DBA and operator name, each time the Mobile Food Facility leaves and returns to the commissary.
- i. Commissary operators must notify the Department within thirty (30) days if a Mobile Food Facility discontinues using the commissary as described in this ordinance.

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

- a. Annual permit fees.

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

1 b. Plan review fees.

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

6 Section 10. CRIMINAL PENALTIES.

7 a. Any person violating any provision of this ordinance shall be guilty of an

8 infraction or misdemeanor as hereinafter specified. Such individual shall

9 be deemed guilty of a separate offense for each day during which any

10 violation of this ordinance is committed or allowed to exist.

11 b. Any individual convicted of a violation of this ordinance shall be:

- 12 1) Guilty of an infraction and punished by a fine of not less than
- 13 fifty dollars (\$50.00), but not exceeding one hundred dollars
- 14 (\$100.00) for the first offense.
- 15 2) Guilty of an infraction and punished by a fine of not less than one
- 16 hundred dollars (\$100.00), but not exceeding two hundred dollars
- 17 (\$200.00) for the second offense.
- 18 3) The third and subsequent offenses shall constitute misdemeanor
- 19 and shall be punishable by a fine of not less than five hundred
- 20 dollars (\$500.00) but not to exceed one thousand dollars
- 21 (\$1,000.00), imprisonment of up to six months in the county jail, or
- 22 both.
- 23 4) Notwithstanding subsections a. and b. above, the first or second
- 24 offense may be charged and prosecuted as misdemeanor

25 c. Payment of any penalty herein shall not relieve any individual

26 from the responsibility of correcting the violations as found by the

27 enforcement officer.

1 d. Any person found not in compliance with state law and/or this ordinance is
2 subject to citation, permit suspension/revocation, lien, or other legal action
3 as deemed necessary by the Department.

4 Section 11. CIVIL AND ADMINISTRATIVE PENALTIES. In addition to the
5 criminal penalties stated above, the Department may enforce the provisions of this ordinance through the
6
7 procedures provided for in Riverside County Ordinance No. 725, which is incorporated herein by
8 reference.

9 Section 12. PUBLIC NUISANCE DECLARATION. Any violation of this
10 ordinance is hereby declared to be unlawful and a public health nuisance and may be abated by the
11 Department, irrespective of any other remedy provided in this chapter.

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

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

24 Section 2. This ordinance shall take effect on April 8, 2014.
25

26 BOARD OF SUPERVISORS OF THE COUNTY
27 OF RIVERSIDE, STATE OF CALIFORNIA

28 By: _____

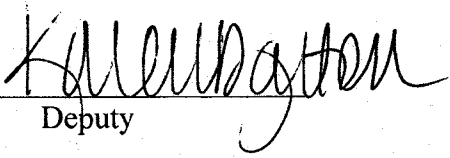
Chairman


JOHN J. BENOIT

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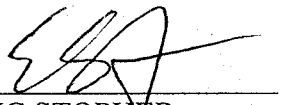
ATTEST: **KECIA HARPER-IHEM**

CLERK OF THE BOARD:

By: 
Deputy

(SEAL)

APPROVED AS TO FORM

By: 
ERIC STOPHER
Deputy County Counsel

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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on December 17, 2013, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

AYES: Jeffries, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

DATE: December 17, 2013

KECIA HARPER-IHEM
Clerk of the Board
BY: *Kallington*
Deputy

SEAL



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 19, 2013

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

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

RE: ADOPTION OF ORDINANCE NO. 580.5

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Monday, December 23, 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: Thursday, December 19, 2013 10:03 AM
To: Gil, Cecilia
Subject: Re: [Legals] FOR PUBLICATION: Adoption of Ord. No. 580.5

Received for publication on Dec. 23. Proof with cost to follow.

Thank You!



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Inland Southern California's News Leader

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Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.

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

On Thu, Dec 19, 2013 at 8:14 AM, Gil, Cecilia <CCGIL@rcbos.org> wrote:

Adoption of Ordinance, for publication on Monday, Dec. 23, 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 19, 2013

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

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

RE: ADOPTION OF ORDINANCE NO. 580.5

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, December 22, 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: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Thursday, December 19, 2013 8:53 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ord. No. 580.5

We do not publish on Mon or Tues – would Sunday the 22nd be ok for publication?

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Thursday, December 19, 2013 8:15 AM
To: tds-legals
Subject: FOR PUBLICATION: Adoption of Ord. No. 580.5

Adoption of Ordinance, for publication on Monday, Dec. 23, 2013. Please confirm. THANK YOU!

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

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

SUMMARY OF 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, 1st 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.

John J. Benoit, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **December 17, 2013**, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

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

October 2, 2013

On Friday, October 11 from 9:00a-10:30a, the County will be hosting a meeting at the County Administrative Center Board Room regarding the permitting of mobile food trucks within Riverside County. This can have serious ramifications for cities within Riverside County. I was part of an ownership group that owned over 200 food trucks in the greater Los Angeles area. I have seen since the 1990's the good, the bad and ugly of this mobile food business. Before any change to county ordinances relating to mobile food trucks operating in Riverside County, it is important that the county and cities understand this business and the potential consequences of such a decision to allow mobile food trucks to operate. Having been in the mobile food truck business, I have prepared the following for your review:

History

During the 1990's, there were over 10,000 catering trucks from Santa Barbara to San Diego with the majority of these trucks operating in Los Angeles and Orange County. There were over 100 communities servicing these trucks. All trucks had to be parked at a designated commissary every night. These commissaries provided the following services:

- Daily cleaning of the trucks
- Proper handling of cooking oils
- Water
- Electrical power
- Propane
- Food and paper supplies
- Proper handling of truck

No truck was allowed to park at a private residence and all food had to be prepared on the trucks.

In Los Angeles County, no food trucks were allowed to park within 100 feet of a restaurant, cafe, c-store or any other type of food service operation.

The problems with these trucks in the 1990's continue today and those problems include:

- Truck accidents and breakdowns on major thoroughfares
- Age of trucks
- Drugs sold from trucks
- Fights over territories or parking spaces
- Crime particularly operating at night

Los Angeles and Orange County have specific inspection facilities to license and regulate these trucks. Where are Riverside's facilities to provide the same services? All trucks operating in Los Angeles and Orange County require food trucks to park at commissaries. Presently there are no commissaries providing all of these services in Riverside County. Who is going to build these facilities and is the county going to require all trucks to be parked in these types of commissaries? Is the county prepared to hire more health and truck inspectors when the county has already reduced its Health Department staff?

Current Operating Issues Related to Food Trucks

The problems previously outlined include:

- Truck accidents, truck breakdowns and truck parking issues
- Age of trucks
- Drugs sold from trucks
- Food handling problems (health issues)
- Fights over parking services or territories
- Crime (particularly for trucks operating at night)

These problems still exist in Orange County and Los Angeles County. The problems have been exacerbated in Los Angeles, Orange County and San Francisco because these areas have allowed trucks to park wherever they want. As previously mentioned, Los Angeles did not allow trucks to park within 100 feet of food establishments. When Mayor Villaraigosa took office, he placed a moratorium on restricting food trucks from parking within 100 feet of food establishments. The results of this action has caused significant loss of revenue for many restaurants since food trucks can and have been parking directly in front of restaurants. In many instances, restaurants have lost 20-30% of their revenue because of this action and some have even gone out of business. The best example of this is the office building complex at 5757 Wilshire Blvd. (Sag Building). At this complex, the following restaurants are located:

- Marie Callenders
- Baja Fresh
- The Counter
- Salad Concept
- Johnnie's Pizzeria
- Starbucks

When the parking restriction for food trucks was lifted, 10-15 food trucks parked daily in front of these tenants. It got so bad, the landlord hired daily 15-20 rental cars to block these trucks out. The cost for the rental cars was approximately \$20,000 per month. Now San Francisco has this problem with food trucks parking wherever they want. Is it fair for restaurants to pay rent, real estate taxes, other taxes, utilities and other costs when a truck can park free or pay an hourly parking charge? Do you really want to put restaurants and other food operations out of business through unfair competition?

Before any decision is made, the county needs to answer the following questions:

- Are trucks going to be parking overnight in commissaries similar to the commissaries in Los Angeles? Since there aren't any now, when would these commissaries be built?
- Has the county projected costs for new health inspectors and truck inspectors?
- Has the county budgeted for new facilities to complete inspections?
- Is the county going to allow any type of food truck? New vs. old? Type of food served?
- Is the county going to put restrictions on where food trucks can park?

Cities also need to look at this proposal and determine if it's detrimental to their city vs. good and detrimental to restaurants in their city that pay rent and taxes.

Palms Springs should ask themselves if they want trucks parked all along Palm Canyon or Indian Canyon and around and the hotels. Palm Desert should decide if they really want food trucks parked on El Paseo or around their other retail areas and hotels. Palm Desert did not allow drive thrus – trucks are a moving drive thru.

All cities should decide if they want trucks operating at night. Crime is a major issue with trucks operating at night.

Finally, there is nothing wrong with food trucks operating their services on private property for example:

- COD
- Private Schools
- Concerts
- Sport Events
- Festivals

As a councilman, I will ask Indian Wells to consider not allowing any trucks within its city.

Sincerely,

Edward T. Peabody
Indian Wells City Council

cc: Riverside County Board of Supervisors
City of Cathedral City
City of Coachella
City of Desert Hot Springs
City of Indio

City of La Quinta
City of Palm Desert
City of Palm Springs
City of Rancho Mirage
Greg Burton, The Desert Sun

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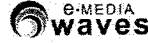
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12/23/2013	I01193547-12232013	PO# Ord. No. 580, BOARD OF SUPERV	Press-Enterprise	2 x 69 LI	138	1	1.30	179.40	179.40
Order Placed by: Cecilia Gil									

*Env. Health
3-62 of 12/17/13*

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PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: / Ord. No. 580

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, under date of February 4, 2013, Case Number RIC 1215735, under date of July 25, 2013, Case Number RIC 1305730, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12/23/2013

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 23, 2013
At: Riverside, California



BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0001193547-01

P.O. Number: Ord. No. 580

Ad Copy:

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

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REQUIREMENTS AND INCORPORATING BY
REFERENCE RIVERSIDE COUNTY
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ABSENT: Tavaglione

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

12/23

The Desert Sun

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1222	CLS	0001	CECILA NO 2270 BOARD OF	2	2	66.00	264.00		149.88
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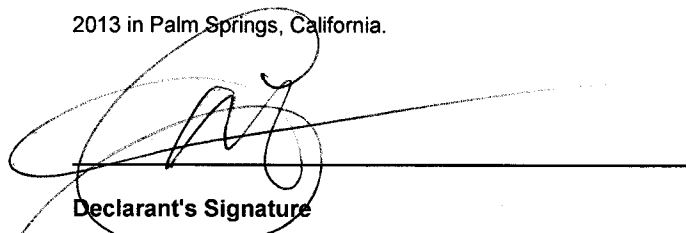
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I declare under penalty of perjury that the foregoing is true and correct. Executed on this 22nd day of December, 2013 in Palm Springs, California.


Declarant's Signature

NO 2270
BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

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