

FORM APPROVED COUNTY COUNSEL 5/6/15
 BY: GREGORY P. PRIAMOS DATE

926



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

FROM: Department of Environmental Health

SUBMITTAL DATE:
 May 7, 2015

SUBJECT: Introduction of Ordinance No. 580.6, an ordinance of the County of Riverside amending Section 3(d) of Ordinance 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. Districts: All [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and adopt on successive weeks Ordinance No. 580.6, an ordinance amending Section 3(d) of Ordinance 580, relating to mobile food facilities; and
2. Find that the introduction and adoption of Ordinance No. 580.6 is exempt from CEQA pursuant to CEQA Guidelines 15061(b)(3) based on the findings set forth below; and,

BACKGROUND:

On December 17, 2013, the Board of Supervisors approved Ordinance 580.5 that required the annual permitting of food trucks.

(Continued on next page)

Name: Steve Van Stockum
 Title: Director

SVS:KJ

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:	Budget Adjustment: Yes
	For Fiscal Year: 14/15-16/17

C.E.O. RECOMMENDATION:

APPROVE
 BY:
 Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading.

Ayes: Jeffries, Washington, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: May 19, 2015
 xc: Environmental Health, COB

Kecja Harper-Ihem
 Clerk of the Board
 By:
 Deputy

3-15

Prev. Agn. Ref.: 3-19 of 3/10/15 | District: ALL | Agenda Number:

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

Departmental Concurrence

BACKGROUND (continued):

Summary

The effective date was set at April 8, 2015 to require all food trucks to meet all Health and Safety Code requirements and to obtain annual permits, as well as to allow local cities time to prepare for the changes. Specifically, Section 3(d) states "All Mobile Food Facilities proposing to operate in the County of Riverside in any capacity must obtain an annual mobile food facility permit pursuant to this section. There shall be a one year phase-in period from the effective date of this ordinance, for Mobile Food Facility categories 3, 4, and 5, as identified in Section 4.a. of this ordinance, to come into compliance through the plan check process to meet all Health and Safety Code requirements for annual permitting. During this phase-in period Mobile Food Facilities not compliant with current construction standards, but still meeting the requirements for temporary food facilities pursuant to Health and Safety Code sections 114335 through 114363, as now adopted or hereafter amended, will be allowed to operate at approved community events, with proper permits. After the phase-in period all Mobile Food Facilities must meet current Health and Safety Code standards and obtain annual permits to operate as Mobile Food Facilities."

The proposed amendment will change the effective date of this permitting requirement from April 8, 2015 to January 1, 2017.

The proposed ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15601(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 extends the effective date for food truck permit and grading systems and does not approve any project 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 positive impact on citizens would be continued access to a wider selection of mobile food facilities at community events. The proposed change will allow older food trucks to continue operating at permitted community events under less stringent temporary food facility requirements. Potential negative fiscal impacts on business might be less demand for the few permitted food trucks and possible delays in the construction and operation of local food truck commissaries.

SUPPLEMENTAL:

Additional Fiscal Information

The Department of Environmental Health will continue to divert current staffing for plan reviews and inspections of permitted food trucks. A future budget adjustment may be necessary to request additional positions based upon revenue and workload.

1 ORDINANCE NO. 580.6

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. Subsection d. of Section 3. of Ordinance 580 is amended to read as follows:

8 "All Mobile Food Facilities proposing to operate in the County of Riverside in any
9 capacity must obtain an annual mobile food facility permit pursuant to this section.
10 There shall be a phase-in period that will expire on January 1, 2017. After this
11 date, Mobile Food Facility categories 3, 4, and 5, as identified in Section 4.a. of
12 this ordinance, shall come into compliance through the plan check process to meet
13 all Health and Safety Code requirements for annual permitting. During the phase-
14 in period Mobile Food Facilities not compliant with current construction standards,
15 but still meeting the requirements for temporary food facilities pursuant to Health
16 and Safety Code sections 114335 through 114363, as now adopted or hereafter
17 amended, will be allowed to operate at approved community events, with proper
18 permits. After the phase-in period all Mobile Food Facilities must meet current
19 Health and Safety Code standards and obtain annual permits to operate as Mobile
20 Food Facilities.

21 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

22
23 BOARD OF SUPERVISORS OF THE COUNTY
24 OF RIVERSIDE, STATE OF CALIFORNIA

25 By: _____
26 Chairman


1 ATTEST:

2 CLERK OF THE BOARD:

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4 By: _____
Deputy

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6 (SEAL)

7
8 APPROVED AS TO FORM

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10 By:  _____
11 ERIC STOPHER
Deputy County Counsel

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