

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



ITEM  
3.37  
(ID # 3729)

**MEETING DATE:**

Tuesday, April 11, 2017

**FROM :** ENVIRONMENTAL HEALTH:

**SUBJECT:** ENVIRONMENTAL HEALTH: Adopt Ordinance 580.7, a revision of an Ordinance relating to Mobile Food Facilities, Districts: All. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Ordinance 580.7, an Ordinance amending sections of Ordinance 580, relating to mobile food facilities; and
2. Waive further reading of Ordinance.

**ACTION:** Policy

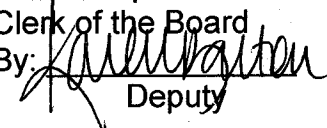
  
Steve Van Stockum, Director Environmental Health 3/6/2017

---

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 580.7 is adopted with waiver of the reading.

Ayes: Jeffries, Tavaglione, Washington and Ashley  
Nays: None  
Absent: None  
Date: April 11, 2017  
xc: Environmental Health, MC, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Permit fees, service fees, and potential fines for non-compliance.			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	16/17

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Ordinance 580.7 amends Ordinance 580, regulating Mobile Food Facilities and Commissaries, in order to allow not only full service food preparation and sales on a daily basis but also to allow for food preparation and sales at community events, as outlined in the California Retail Food Code. Additionally it allows for third party construction certifications and does not allow integral restrooms as additional safeguards in the construction of mobile food facilities.

**Impact on Residents and Businesses**

A positive impact on citizens would be expected as there is a continued access to a wider selection of mobile food facilities both at community events as well as operating annually.

  
Elizabeth Olson

4/3/2017

  
Gregory V. Priamos, Director County Counsel

3/6/2017



1  
2 days or less in a 90-day period.

3  
4 d. Department. The Riverside County Department of Environmental Health.

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

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

9  
10 g. Limited Food Preparation. As defined in Health and Safety Code Section 113818,  
11 as now adopted or hereafter amended.

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

14  
15 i. Mobile Food Preparation Unit. A Mobile Food Facility that engages in food  
16 preparation, beyond the scope of limited food preparation.

17  
18 j. Mobile Support Unit. A vehicle used in conjunction with a commissary or other  
19 permanent food facility that travels to, and services, Mobile Food Facilities as  
20 needed to replenish supplies, including food and potable water, clean the interior of  
21 the unit, or dispose of liquid or solid wastes.

22  
23 k. Non-prepackaged Food. Any food which is removed from its original packaging  
24 material for the purpose of preparation or service to the customer.

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

28 m. Prepackaged Food Push Cart. A Mobile Food Facility limited to the sale of 100%

1           prepackaged foods from non-motorized vehicles that are obtained from an  
2           approved source.

3  
4       n.    Prepackaged Food. Any properly labeled processed food, prepackaged to prevent  
5           any direct human contact with the food product upon distribution from the  
6           manufacturer, food facility, or other approved source.

7  
8       o.    Produce Vehicle. A Mobile Food Facility limited to the sale of whole, uncut  
9           produce obtained from an approved source.

10       **Section 3. PERMIT APPLICATION REQUIREMENTS.**

11       a.    No person shall operate a Mobile Food Facility without a permit issued pursuant to  
12           the provisions of this ordinance.

13  
14       b.    Nothing in this ordinance shall prevent the Department from denying any permit  
15           application for any Mobile Food Facility if, in the opinion of the Department, such  
16           Mobile Food Facility poses a real or potential risk to the health and welfare of the  
17           public.

18  
19       c.    A person may operate a Mobile Food Facility if such person has a valid permit  
20           issued by the Department. Application for a permit shall be made to the Department  
21           on a form supplied by the Department and shall be accompanied by a fee(s) as  
22           required by Ordinance No. 640. A permit shall only be issued by the Department  
23           if the proposed Mobile Food Facility meets the requirements of the Federal and  
24           State laws and regulations and provisions of this ordinance and other County  
25           ordinances. A permit shall be valid for not more than one year.

26  
27  
28       d.    Mobile Food Facilities proposing to operate in the County of Riverside must

1 obtain an annual mobile food facility permit pursuant to this section or may obtain  
2 permits to operate only at temporary events. Mobile Food Facility categories 3, 4,  
3 and 5, as identified in Section 4.a. of this ordinance, shall meet all Health and Safety  
4 Code requirements for annual permitting including compliance through the plan  
5 check process to obtain an annual permit. Mobile Food Facilities that choose to  
6 operate only at community events, may continue to apply for and operate with  
7 temporary event permits. These Mobile Food Facilities must meet the requirements  
8 for temporary food facilities pursuant to Health and Safety Code sections 114335  
9 through 114363, as now adopted or hereafter amended.  
10  
11

12 **Section 4. MOBILE FOOD FACILITY OPERATIONS.**  
13

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

1 and re-inspecting the Mobile Food Facilities with greater frequency if it is  
2 determined by the Director that such inspections or re-inspections are necessary to  
3 ensure the health and welfare of the public.  
4

5 d. Proper labeling of all foods per California Department of Public Health (CDPH)  
6 and Food and Drug Administration (FDA) standards shall apply to all Mobile Food  
7 Facilities.  
8

9 e. The following information shall be provided by the Mobile Food Facility operator  
10 on forms supplied by the Department, prior to the issuance of an initial permit or  
11 the renewal of an annually permitted Mobile Food Facility:  
12

- 13 1) Commissary agreement letter;
- 14 2) Commissary schedule;
- 15 3) Written operational procedures;
- 16 4) Current route sheets for Mobile Food Facilities that operate in multiple  
17 locations or other reporting/tracking method as approved by the  
18 Department;  
19
- 20 5) Provide proof of annual water tank testing;
- 21 6) Provide documentation that all water has been supplied solely from an  
22 approved commissary or Mobile Support Unit;
- 23 7) Provide a Department approved plan for waste grease and trash disposal to  
24 the Department;  
25
- 26 8) Provide proof that the Mobile Food Facility has been stored at approved  
27 commissaries on a daily basis;  
28

- 1           9)     Provide proof of issuance of Food Manager and Food Handler  
2           Certifications, pursuant to Ordinance No. 567 and Health and Safety Code  
3           sections 113947 through 113947.6, as now adopted or hereafter amended.  
4  
5           10)    Category 4 and Category 5 Mobile Food Facilities shall provide the  
6           Department a statement as to the list of general food items to be sold from  
7           the Mobile Food Facility; and,  
8  
9           11)    Proof of valid driver's licenses for all proposed drivers along with current  
10          vehicle registration shall be maintained on the Mobile Food Facility or  
11          Mobile Support Unit at all times, and shall be presented at the time of  
12          inspection.  
13  
14          12)    Proof of General Liability Insurance naming the County as an "Additional  
15          Insured". (Category 5 only – typically food trucks.)  
16  
17    f.     Mobile Food Facilities shall not have external access to sewer and water lines,  
18          except at approved community events. Mobile Food Facility must be fully self-  
19          contained and able to operate as such; servicing of water and wastewater tanks shall  
20          take place at the commissary or by an approved Mobile Support Unit (for Mobile  
21          Food Facility categories 1-4), as specified and on record as approved by the  
22          Department. External electrical supply is allowed via a power supply cord as long  
23          as there is no permanent wiring.  
24  
25    g.     All Mobile Food Facilities from categories 4-5 must ensure availability of one  
26          conspicuous trash receptacle within 20 feet of the place of operation.  
27

28    **Section 5. GRADING.**



1 a. Only Mobile Food Preparation Units that are annually permitted shall be graded.  
2 Each Mobile Food Preparation Unit shall be inspected and graded uniformly using  
3 an official inspection form. The grade of each Mobile Food Preparation Unit shall  
4 be evidenced by the posting of a grade card/decal bearing the letter "A", "B", or  
5 "C".  
6

7  
8 1) The letter "A" shall indicate a score of ninety percent or higher, and indicates  
9 that the Mobile Food Facility passed the inspection by meeting minimum health  
10 standards as set forth by the California Health and Safety Code. Grade "A"  
11 cards/decals shall be printed in blue on a white background.  
12

13 2) The letter "B" shall indicate a score of less than ninety percent but not less than  
14 eighty percent, and indicates the Mobile Food Facility has not passed the  
15 inspection and does not meet minimum health standards. Grade "B"  
16 cards/decals shall be printed in green on a white background.  
17

18 3) The letter "C" shall indicate a score of less than eighty percent and indicates  
19 that the Mobile Food Facility has failed the inspection and has conditions  
20 existing which may pose a potential or actual threat to public health and safety.  
21 The Mobile Food Facility may also be ordered closed with its permit being  
22 suspended or revoked by the Department. Grade "C" cards/decals shall be  
23 printed in red on a white background.  
24

25  
26 b. The grade card/decal shall be provided by the Department and shall be 5 inches by  
27 7 inches in size.

28 c. The grade card/decal shall be posted in a conspicuous place near the ordering

1 window, as selected by the Department, and shall be removed only by the  
2 Department.

3  
4 d. It shall be unlawful to operate a Mobile Food Facility unless the grade card/decals is  
5 in place as posted by the Department.

6 e. Mobile Food Facilities shall post a notice provided by the Department, advising  
7 consumers that a copy of the most recent routine inspection report is available for  
8 review by any interested party. The most recent inspection report must be kept with  
9 the Mobile Food Facility at all times.  
10

11 **Section 6. MOBILE FOOD FACILITY INSPECTIONS.**

12  
13 a. The Department shall inspect each Mobile Food Facility at random intervals within  
14 the specified time frames listed in Section 4 of this ordinance. All Mobile Food  
15 Facilities shall comply with the requirements set forth in Health and Safety Code  
16 sections 114294 through 114327, as now adopted and hereafter amended.

17  
18 b. No food shall be displayed or sold from any place other than the permitted Mobile  
19 Food Facility at any time. No additional tables shall be allowed for sales, storage,  
20 preparation or distribution in the area adjacent to the Mobile Food Facility except  
21 when operating at an approved community event, or with prior Department  
22 approval.

23  
24 c. Mobile Support Units shall only be used to service Produce Vehicles, Prepackaged  
25 Food Carts, Prepackaged Food Vehicles, and Non-prepackaged Food Vehicles.  
26 Mobile Support Units shall not be used in conjunction with Mobile Food  
27 Preparation Units. Mobile Support Units shall require a separate permit from the  
28

1 supported Mobile Food Facility, as defined in Ordinance No. 640.

2  
3 d. Food preparation and storage equipment and sanitation requirements for each  
4 Mobile Food Facility shall be inspected and based on the food service activity to be  
5 conducted, the type of food that is to be prepared or served, and the extent of food  
6 preparation that is to be conducted at the Mobile Food Facility.

7  
8 e. A copy of the Official Inspection Form shall be provided to the owner, operator, or  
9 person in charge of the Mobile Food Facility.

10  
11 f. Any Mobile Food Preparation Unit that has received a non-passing grade ("B" or  
12 "C") and all Mobile Food Facilities that do not meet the minimum health and safety  
13 requirements shall be re-inspected within five (5) business days of the initial  
14 inspection, or as otherwise arranged, to assure that the violations have been  
15 corrected. The grade card shall remain posted on the Mobile Food Facility as placed  
16 by the Department, indicating to the public that the particular Mobile Food Facility  
17 failed to maintain minimum health standards during its most recent routine  
18 inspection.  
19

20  
21 g. If, after a re-inspection, the Mobile Food Facility does not meet minimum health  
22 and safety standards or attain a score a 90% or higher, any or all of the following  
23 legal actions may ensue:

24  
25 1) Administrative hearing for the suspension or revocation of the permit pursuant  
26 to Health and Safety Code section 114405, et seq., as now adopted or hereafter  
27 amended.  
28

1           2) Issuance of a citation.

2           3) Initiation of civil, criminal or other legal proceedings.

3  
4           h. Notwithstanding the foregoing, the Department may order immediate closure of a  
5           Mobile Food Facility pursuant to Health and Safety Code section 114409, as now  
6           adopted or hereafter amended, whenever the Department reasonably believes the  
7           Mobile Food Facility presents an immediate danger to the public health or safety  
8           unless the violation is immediately corrected.

9  
10          i. Any re-inspections following an Administrative Hearing pursuant to section 6.g(1),  
11          may result in the operator being charged an hourly on-site fee as set by Ordinance  
12          No. 640.

13  
14          **Section 7. CONSTRUCTION AND PLAN REVIEW REQUIREMENTS FOR NEW**  
15          **ANNUALLY PERMITTED MOBILE FOOD FACILITES.**

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

19  
20          b. A physical inspection of the Mobile Food Facility shall be conducted by the  
21          Department prior to operation of the Mobile Food Facility even if plans are not  
22          required.

23  
24          c. All Mobile Food Facilities permitted in Riverside County must meet the minimum  
25          requirements set forth in the California Health and Safety Code sections 114294  
26          through 114327, as now adopted or hereafter amended.

27  
28          d. Mobile Food Facilities permitted prior to the effective date of this ordinance that



- 1 a. All annually permitted Mobile Food Facilities must operate from a permitted  
2 commissary, or other Department approved facility. All approved facilities must be  
3 located within Riverside County unless otherwise approved by the Department.  
4
- 5 b. Each commissary is required to have facilities specific to the type of Mobile Food  
6 Facility to be serviced and stored.  
7
- 8 c. Commissaries are limited as to the number of Mobile Food Facilities that may be  
9 serviced and stored at the facility by the available space at the commissary. The  
10 number of Mobile Food Facilities allowed will be determined by the Department  
11 for each commissary.  
12
- 13 d. The commissary and Mobile Food Facility hours of operation must match for  
14 accessibility purposes.  
15
- 16 e. All commissaries must be built per construction standards set forth in the Health  
17 and Safety Code.  
18
- 19 f. Commissaries must obtain a permit to operate, as per Ordinance No. 640.  
20
- 21 g. Evaluation of commissary locations may require onsite inspection, and/or plan  
22 submittal to the Department, per the fee schedule set forth in Ordinance No. 640.  
23
- 24 h. Commissary operators must maintain current sign in sheets for all Mobile Food  
25 Facilities indicating the date, time, DBA and operator name, each time the Mobile  
26 Food Facility leaves and returns to the commissary.  
27
- 28 f. Commissary operators must notify the Department within thirty (30) days if a  
Mobile Food Facility discontinues using the commissary as described in this  
ordinance.

1           **Section 9. REQUIRED FEES.**     No person shall operate a Mobile Food Facility  
2 without holding a valid permit issued by the Department of Environmental Health. All required  
3 permit and plan check fees are provided in Ordinance No. 640.  
4

5           **Section 10. CRIMINAL PENALTIES.**

6           a.     Any person violating any provision of this ordinance shall be guilty of an infraction  
7                   or misdemeanor as hereinafter specified. Such individual shall be deemed guilty of  
8                   a separate offense for each day during which any violation of this ordinance is  
9                   committed or allowed to exist.  
10

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 fifty dollars  
13                   (\$50.00), but not exceeding one hundred dollars (\$100.00) for the first  
14                   offense.  
15

16           2)     Guilty of an infraction and punished by a fine of not less than one hundred  
17                   dollars (\$100.00), but not exceeding two hundred dollars (\$200.00) for the  
18                   second offense.  
19

20           3)     The third and subsequent offenses shall constitute misdemeanor and shall  
21                   be punishable by a fine of not less than five hundred dollars (\$500.00) but  
22                   not to exceed one thousand dollars (\$1,000.00), imprisonment of up to six  
23                   months in the county jail, or both.  
24

25           4)     Notwithstanding subsections a. and b. above, the first or second offense may  
26                   be charged and prosecuted as misdemeanor  
27

28          c.     Payment of any penalty herein shall not relieve any individual from the

1 responsibility of correcting the violations as found by the enforcement officer.

- 2 d. Any person found not in compliance with state law and/or this ordinance is subject  
3 to citation, permit suspension/revocation, lien, or other legal action as deemed  
4 necessary by the Department.  
5

6 **Section 11. CIVIL AND ADMINISTRATIVE PENALTIES.** In addition to the  
7 criminal penalties stated above, the Department may enforce the provisions of this ordinance  
8 through the procedures provided for in Riverside County Ordinance No. 725, which is incorporated  
9 herein by reference.  
10

11 **Section 12. PUBLIC NUISANCE DECLARATION.** Any violation of this ordinance is  
12 hereby declared to be unlawful and a public health nuisance and may be abated by the Department,  
13 irrespective of any other remedy provided in this chapter.  
14

15 **Section 13. RIGHT OF INSPECTION.** Pursuant to the Health and Safety Code, the  
16 Department shall have the right to inspect any Mobile Food Facility or commissary, or any facility  
17 suspected of being a Mobile Food Facility or commissary, at any reasonable time. Unless the  
18 Department fails to provide proper identification, refusing an inspection may result in the permit  
19 being suspended or revoked, and/or the owner or operator shall be guilty of an infraction or  
20 misdemeanor offense. The Mobile Food Facility must remain stationary and available for  
21 inspection once an official inspection has been initiated by the enforcement officer.  
22  
23

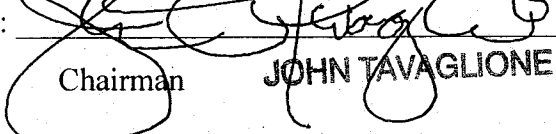
24 **Section 14. SEVERABILITY.** If any provision, clause, sentence or paragraph of this  
25 ordinance or the application thereof to any person or circumstances shall be held invalid, such  
26 invalidity shall not affect the other provisions of this ordinance which can be given effect without  
27 the invalid provision or application and, to this end, the provisions of this ordinance are hereby  
28



1 declared to be severable.

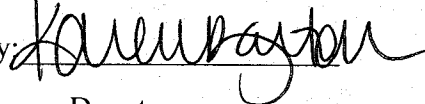
2 **Section 15.** This ordinance shall take effect 30 days after the date of adoption.

3  
4 BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA

5 By:   
6 Chairman JOHN TAVAGLIONE  
7

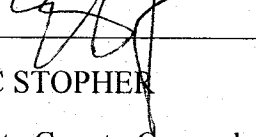
8 ATTEST: KECIA HARPER-IHEM

9 CLERK OF THE BOARD:

10 By:   
11 Deputy

12  
13  
14 (SEAL)

15  
16  
17 APPROVED AS TO FORM

18 By:   
19 ERIC STOPHER  
20 Deputy County Counsel  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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 April 11, 2017, the foregoing ordinance consisting of 15 Sections was adopted by the following vote:

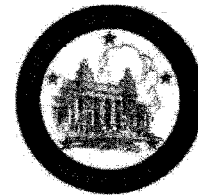
AYES:                   Jeffries, Tavaglione, Washington and Ashley  
NAYS:                   None  
ABSENT:                 None

DATE:            April 11, 2017

KECIA HARPER-IHEM  
Clerk of the Board  
BY: *Kecia Harper-Ihem*  
Deputy

SEAL

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



ITEM  
3.12  
(ID # 3457)

MEETING DATE:

Tuesday, March 21, 2017

FROM : ENVIRONMENTAL HEALTH:

SUBJECT: ENVIRONMENTAL HEALTH: Introduce and Adopt Ordinance 580.7, a revision of  
an Ordinance relating to Mobile Food Facilities Districts: All [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and adopt on successive weeks Ordinance 580.7, an Ordinance amending sections of Ordinance 580, relating to mobile food facilities; and
2. Find that the introduction and adoption of Ordinance 580.7 is exempt from CEQA pursuant to CEQA Guidelines 15061 (b)(3) based on the findings set forth below; and
3. Waive further reading of the ordinance.

ACTION: (Policy)




Steve Van Stockum, Director Environmental Health 2/23/2017

---

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Tavaglione and Washington  
Nays: None  
Absent: Ashley  
Date: March 21, 2017  
xc: Environmental Health, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

**BACKGROUND:**

**Summary**

On May 19, 2015, the Board of Supervisors approved Ordinance 580.6 that extended the requirement for annual permitting of food trucks to January 1, 2017. The proposed amendment will allow food trucks who meet Health and Safety requirements, to operate under an annual permit but will also continue to allow food trucks that meet the requirements for temporary food facilities to operate at approved community events, with proper permits.

The changes to the Ordinance include clean up language; section 3 (d) has been updated to allow annual permitting as well as permitting for community events; section 7 (f) and (g) were added to specify safety sign offs and disallowing restrooms as an integral part of the food truck; section 9 has been updated to reflect all permit and plan check fees as provided in Ordinance 640.

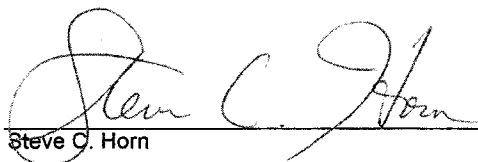
The proposed Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15601 (b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Approval of Riverside County Ordinance 580.7 allows for alternate permitting of food trucks but does not approve any project development. The proposed amendment would not individually or cumulatively result in the possibility of creating significant effects on the environment.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year</b>	<b>Next Fiscal Year</b>	<b>Total Cost</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Permit fees, service fees, and potential fines for non-compliance.			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	
			16/17	

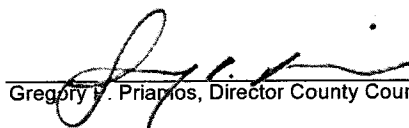
**C.E.O. RECOMMENDATION:** Approve

**Impact on Residents and Businesses**

A positive impact on citizens would be expected as there is a continued access to a wider selection of mobile food facilities both at community events as well as operating annually.

  
Steve C. Horn

3/13/2017

  
Gregory P. Priamos, Director County Counsel

3/6/2017



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

April 20, 2017

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

TEL: (951) 368-9229  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

RE: ADOPTION OF ORDINANCE NO. 580.7

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Tuesday, April 25, 2017**.

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

Your invoice must be submitted to this office, **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:** Legals <legals@pe.com>  
**Sent:** Thursday, April 20, 2017 9:50 AM  
**To:** Gil, Cecilia  
**Subject:** Re: FOR PUBLICATION: Adoption of Ord. No. 580.7

Received for publication on 4/25. Proof with cost to follow.

Nick Eller

Legal Advertising Phone: **951-368-9222** / Fax: **951-368-9018** / E-mail: [legals@pe.com](mailto:legals@pe.com)  
Deadline is **10:30 AM**, three (3) business days prior to the date you would like to publish.  
**\*\*Additional days required for larger ad sizes\*\***  
**\*\*Employees of The Press-Enterprise are not able to give legal advice of any kind\*\***

---

**The Press-Enterprise** PE.com / La Prensa

On Thu, Apr 20, 2017 at 9:22 AM, Gil, Cecilia <[CCGIL@rivco.org](mailto:CCGIL@rivco.org)> wrote:

Good morning!

Attached is an Adoption of Ordinance, for publication on Tuesday, April 25, 2017. Please confirm.  
THANK YOU!

*Cecilia Gil*

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon St., 1st Floor, Room 127

Riverside, CA 92501

(951) 955-8464 Fax (951) 955-1071

Mail Stop# 1010

[ccgil@rivco.org](mailto:ccgil@rivco.org)

<http://rivcocob.org/>



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

April 20, 2017

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

TEL: (760) 778-4578  
E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)

RE: ADOPTION OF ORDINANCE NO. 580.7

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, April 23, 2017**.

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

Your invoice must be submitted to this office, **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:** Email, TDS-Legals <legals@thedesertsun.com>  
**Sent:** Thursday, April 20, 2017 9:58 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Adoption of Ord. No. 580.7

Good Morning, ☺

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

**Charlene Moeller** | Customer Care Representative / Legals

The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
t 760.778.4578 | f 760.778.4528 e: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)

Lobby hours are 9am-noon (closed for lunch) 1:30p-4pm

This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

---

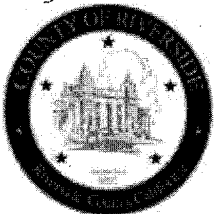
**From:** Gil, Cecilia [mailto:[CCGIL@RIVCO.ORG](mailto:CCGIL@RIVCO.ORG)]  
**Sent:** Thursday, April 20, 2017 9:24 AM  
**To:** Email, TDS-Legals <legals@thedesertsun.com>  
**Subject:** FOR PUBLICATION: Adoption of Ord. No. 580.7

Good morning!

Attached is an Adoption of Ordinance, for publication on Sunday, April 23, 2017. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon St., 1st Floor, Room 127  
Riverside, CA 92501  
(951) 955-8464 Fax (951) 955-1071  
Mail Stop# 1010  
[ccgil@rivco.org](mailto:ccgil@rivco.org)  
<http://rivcocob.org/>





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

**ORDINANCE NO. 580**  
**(AS AMENDED THROUGH 580.7)**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE**  
**RELATING TO MOBILE FOOD FACILITIES AND COMMISSARY**  
**REQUIREMENTS AND INCORPORATING BY REFERENCE**  
**RIVERSIDE COUNTY ORDINANCE NO. 725**

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

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

- a. **Annual Permit.** A yearly permit to operate as defined in Ordinance No. 640.
- b. **Commissary.** A food facility that services mobile food facilities, mobile support units, or vending machines where any of the following occur:
  - 1) Food, containers, or supplies are stored.
  - 2) Food is prepared or prepackaged for sale or service at other locations.
  - 3) Utensils are cleaned.
  - 4) Liquid and solid wastes are disposed, or potable water is obtained.
- c. **Community Event.** An event that is of civic, political, public or educational in nature, including state and county fairs, city festivals, circuses and other public gatherings events approved by the local enforcement agency, and which occurs 25 days or less in a 90-day period.
- d. **Department.** The Riverside County Department of Environmental Health.
- e. **Enforcement Officer.** The Director of the Riverside County Department of Environmental Health or his/her designee.
- f. **Food Preparation.** As defined in Health and Safety Code Section 113790, as now adopted or hereafter amended.
- g. **Limited Food Preparation.** As defined in Health and Safety Code Section 113818, as now adopted or hereafter amended.
- h. **Mobile Food Facility.** Any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail.
- i. **Mobile Food Preparation Unit.** A Mobile Food Facility that engages in food preparation, beyond the scope of limited food preparation.
- j. **Mobile Support Unit.** A vehicle used in conjunction with a commissary or other permanent food facility that travels to, and services, Mobile Food Facilities as needed to replenish supplies, including food and potable water, clean the interior of the unit, or dispose of liquid or solid wastes.
- k. **Non-prepackaged Food.** Any food which is removed from its original packaging material for the purpose of preparation or service to the customer.
- l. **Non-prepackaged Food Vehicle.** A Mobile Food Facility that engages in limited food preparation.
- m. **Prepackaged Food Push Cart.** A Mobile Food Facility limited to the sale of 100% prepackaged foods from non-motorized vehicles that are obtained from an approved source.
- n. **Prepackaged Food.** Any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, food facility, or other approved source.
- o. **Produce Vehicle.** A Mobile Food Facility limited to the sale of whole, uncut produce obtained from an approved source.

**Section 3. PERMIT APPLICATION REQUIREMENTS.**

- a. No person shall operate a Mobile Food Facility without a permit issued pursuant to the

- provisions of this ordinance.
- b. Nothing in this ordinance shall prevent the Department from denying any permit application for any Mobile Food Facility if, in the opinion of the Department, such Mobile Food Facility poses a real or potential risk to the health and welfare of the public.
  - c. A person may operate a Mobile Food Facility if such person has a valid permit issued by the Department. Application for a permit shall be made to the Department on a form supplied by the Department and shall be accompanied by a fee(s) as required by Ordinance No. 640. A permit shall only be issued by the Department if the proposed Mobile Food Facility meets the requirements of the Federal and State laws and regulations and provisions of this ordinance and other County ordinances. A permit shall be valid for not more than one year.
  - d. Mobile Food Facilities proposing to operate in the County of Riverside must obtain an annual mobile food facility permit pursuant to this section or may obtain permits to operate only at temporary events. Mobile Food Facility categories 3, 4, and 5, as identified in Section 4.a. of this ordinance, shall meet all Health and Safety Code requirements for annual permitting including compliance through the plan check process to obtain an annual permit. Mobile Food Facilities that choose to operate only at community events, may continue to apply for and operate with temporary event permits. These Mobile Food Facilities must meet the requirements for temporary food facilities pursuant to Health and Safety Code sections 114335 through 114363, as now adopted or hereafter amended.

#### **Section 4. MOBILE FOOD FACILITY OPERATIONS.**

- a. Mobile Food Facility Categories: There are five categories of Mobile Food Facilities that may be permitted within Riverside County by the Department:
  - 1) Produce Vehicle (typically produce trucks)
  - 2) Prepackaged Food Push Cart (typically ice cream pushcarts)
  - 3) Prepackaged Food Vehicle (typically catering trucks and ice cream vans)
  - 4) Non-prepackaged Food Vehicle and Mobile Support Unit (typically hot dog carts)
  - 5) Mobile Food Preparation Unit (typically food trucks)
- b. The sale of food from an aircraft, watercraft, bicycle or golf cart is not allowed.
- c. Mobile Food Facility categories 1-3 shall be inspected one time per year. Mobile Food Facility categories 4 and 5 that are annually permitted shall be inspected two times per year. Nothing in this section precludes the Department from inspecting and re-inspecting the Mobile Food Facilities with greater frequency if it is determined by the Director that such inspections or re-inspections are necessary to ensure the health and welfare of the public.
- d. Proper labeling of all foods per California Department of Public Health (CDPH) and Food and Drug Administration (FDA) standards shall apply to all Mobile Food Facilities.
- e. The following information shall be provided by the Mobile Food Facility operator, on forms supplied by the Department, prior to the issuance of an initial permit or the renewal of an annually permitted Mobile Food Facility:
  - 1) Commissary agreement letter;
  - 2) Commissary schedule;
  - 3) Written operational procedures;
  - 4) Current route sheets for Mobile Food Facilities that operate in multiple locations or other reporting/tracking method as approved by the Department;
  - 5) Provide proof of annual water tank testing;
  - 6) Provide documentation that all water has been supplied solely from an approved commissary or Mobile Support Unit;
  - 7) Provide a Department approved plan for waste grease and trash disposal to the Department;
  - 8) Provide proof that the Mobile Food Facility has been stored at approved commissaries on a daily basis;

- 9) Provide proof of issuance of Food Manager and Food Handler Certifications, pursuant to Ordinance No. 567 and Health and Safety Code sections 113947 through 113947.6, as now adopted or hereafter amended.
  - 10) Category 4 and Category 5 Mobile Food Facilities shall provide the Department a statement as to the list of general food items to be sold from the Mobile Food Facility; and,
  - 11) Proof of valid driver's licenses for all proposed drivers along with current vehicle registration shall be maintained on the Mobile Food Facility or Mobile Support Unit at all times, and shall be presented at the time of inspection.
  - 12) Proof of General Liability Insurance naming the County as an "Additional Insured". (Category 5 only – typically food trucks.)
- f. Mobile Food Facilities shall not have external access to sewer and water lines, except at approved community events. Mobile Food Facility must be fully self-contained and able to operate as such; servicing of water and wastewater tanks shall take place at the commissary or by an approved Mobile Support Unit (for Mobile Food Facility categories 1-4), as specified and on record as approved by the Department. External electrical supply is allowed via a power supply cord as long as there is no permanent wiring.
- g. All Mobile Food Facilities from categories 4-5 must ensure availability of one conspicuous trash receptacle within 20 feet of the place of operation.

#### **Section 5. GRADING.**

- a. Only Mobile Food Preparation Units that are annually permitted shall be graded. Each Mobile Food Preparation Unit shall be inspected and graded uniformly using an official inspection form. The grade of each Mobile Food Preparation Unit shall be evidenced by the posting of a grade card/decals bearing the letter "A", "B", or "C".
  - 1) The letter "A" shall indicate a score of ninety percent or higher, and indicates that the Mobile Food Facility passed the inspection by meeting minimum health standards as set forth by the California Health and Safety Code. Grade "A" cards/decals shall be printed in blue on a white background.
  - 2) The letter "B" shall indicate a score of less than ninety percent but not less than eighty percent, and indicates the Mobile Food Facility has not passed the inspection and does not meet minimum health standards. Grade "B" cards/decals shall be printed in green on a white background.
  - 3) The letter "C" shall indicate a score of less than eighty percent and indicates that the Mobile Food Facility has failed the inspection and has conditions existing which may pose a potential or actual threat to public health and safety. The Mobile Food Facility may also be ordered closed with its permit being suspended or revoked by the Department. Grade "C" cards/decals shall be printed in red on a white background.
- b. The grade card/decals shall be provided by the Department and shall be 5 inches by 7 inches in size.
- c. The grade card/decals shall be posted in a conspicuous place near the ordering window, as selected by the Department, and shall be removed only by the Department.
- d. It shall be unlawful to operate a Mobile Food Facility unless the grade card/decals is in place as posted by the Department.
- e. Mobile Food Facilities shall post a notice provided by the Department, advising consumers that a copy of the most recent routine inspection report is available for review by any interested party. The most recent inspection report must be kept with the Mobile Food Facility at all times.

#### **Section 6. MOBILE FOOD FACILITY INSPECTIONS.**

- a. The Department shall inspect each Mobile Food Facility at random intervals within the specified time frames listed in Section 4 of this ordinance. All Mobile Food Facilities shall comply with the requirements set forth in Health and Safety Code sections 114294 through 114327, as now adopted and hereafter amended.
- b. No food shall be displayed or sold from any place other than the permitted Mobile Food

- Facility at any time. No additional tables shall be allowed for sales, storage, preparation or distribution in the area adjacent to the Mobile Food Facility except when operating at an approved community event, or with prior Department approval.
- c. Mobile Support Units shall only be used to service Produce Vehicles, Prepackaged Food Carts, Prepackaged Food Vehicles, and Non-prepackaged Food Vehicles. Mobile Support Units shall not be used in conjunction with Mobile Food Preparation Units. Mobile Support Units shall require a separate permit from the supported Mobile Food Facility, as defined in Ordinance No. 640.
  - d. Food preparation and storage equipment and sanitation requirements for each Mobile Food Facility shall be inspected and based on the food service activity to be conducted, the type of food that is to be prepared or served, and the extent of food preparation that is to be conducted at the Mobile Food Facility.
  - e. A copy of the Official Inspection Form shall be provided to the owner, operator, or person in charge of the Mobile Food Facility.
  - f. Any Mobile Food Preparation Unit that has received a non-passing grade ("B" or "C") and all Mobile Food Facilities that do not meet the minimum health and safety requirements shall be re-inspected within five (5) business days of the initial inspection, or as otherwise arranged, to assure that the violations have been corrected. The grade card shall remain posted on the Mobile Food Facility as placed by the Department, indicating to the public that the particular Mobile Food Facility failed to maintain minimum health standards during its most recent routine inspection.
  - g. If, after a re-inspection, the Mobile Food Facility does not meet minimum health and safety standards or attain a score a 90% or higher, any or all of the following legal actions may ensue:
    - 1) Administrative hearing for the suspension or revocation of the permit pursuant to Health and Safety Code section 114405, et seq., as now adopted or hereafter amended.
    - 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(1), 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 ANNUALLY PERMITTED 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.
- f. Non-occupied Mobile Food Facilities which utilize gas or electrical power may be required to obtain a third party safety certification for gas and/or electric installations prior to the issuance of a permit.
- g. Mobile Food Facilities will not be allowed to install a restroom facility integral to the unit.

**Section 8. REQUIREMENT FOR COMMISSARIES.**

- a. All annually permitted 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 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.
- f. 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.** No person shall operate a Mobile Food Facility without holding a valid permit issued by the Department of Environmental Health. All required permit and plan check fees are provided in Ordinance No. 640.

**Section 10. CRIMINAL PENALTIES.**

- a. Any person violating any provision of this ordinance shall be guilty of an infraction or misdemeanor as hereinafter specified. Such individual shall be deemed guilty of a separate offense for each day during which any violation of this ordinance is committed or allowed to exist.
- b. Any individual convicted of a violation of this ordinance shall be:
  - 1) Guilty of an infraction and punished by a fine of not less than fifty dollars (\$50.00), but not exceeding one hundred dollars (\$100.00) for the first offense.
  - 2) Guilty of an infraction and punished by a fine of not less than one hundred dollars (\$100.00), but not exceeding two hundred dollars (\$200.00) for the second offense.
  - 3) The third and subsequent offenses shall constitute misdemeanor and shall be punishable by a fine of not less than five hundred dollars (\$500.00) but not to exceed one thousand dollars (\$1,000.00), imprisonment of up to six months in the county jail, or both.
  - 4) Notwithstanding subsections a. and b. above, the first or second offense may be charged and prosecuted as misdemeanor.
- c. Payment of any penalty herein shall not relieve any individual from the responsibility of correcting the violations as found by the enforcement officer.

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

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

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

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

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

**Section 15.** This ordinance shall take effect 30 days after the date of adoption.

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **April 11, 2017**, the foregoing Ordinance consisting of fifteen (15) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, and Ashley  
NAYS: None  
ABSENT: None

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



CALL (951) 368-9222  
EMAIL: legals@pe.com

# THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PO Number	PRODUCT	SIZE	Amount
4/25/17	0010937357		PE Riverside	3 x 410 Li	1,805.70

Invoice text: Adoption of Ord. No. 580.7

RECEIVED RIVERSIDE COUNTY  
 CLERK / COUNTY CLERK SUPERVISORS  
 2017 APR 28 PM 1:06

*Env. Health  
3.37 of 04/11/17*

Placed by: Cecilia Gil

## Legal Advertising Memo Invoice

**BALANCE DUE**

1,805.70

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION			
		BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
Nick Eller 951-368-9229		04/25/2017	5209148	5209148	BOARD OF SUPERVISORS

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
04/25/2017	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
1,805.70	0010937357	DUE UPON RECEIPT



## THE PRESS-ENTERPRISE

Legal Advertising Memo Invoice

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 'PO BOX 1147'  
 RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPERS PARTNERSHIP  
 Riverside Press-Enterprise  
 PO BOX 54880  
 LOS ANGELES CA 90054-0880

# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

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

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. No. 580.7 /

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, 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:

04/25/2017

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

Date: April 25, 2017  
At: Riverside, California

  
\_\_\_\_\_  
Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0010937357-01

P.O. Number:

Ad Copy:

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

**ORDINANCE NO. 580**  
(AS AMENDED THROUGH 580.7)  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
RELATING TO MOBILE FOOD FACILITIES AND COMMISSARY  
REQUIREMENTS AND INCORPORATING BY REFERENCE  
RIVERSIDE COUNTY ORDINANCE NO. 725

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

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

- a. **Annual Permit.** A yearly permit to operate as defined in Ordinance No. 640.
- b. **Commissary.** A food facility that services mobile food facilities, mobile support units, or vending machines where any of the following occur:
  - 1) Food, containers, or supplies are stored.
  - 2) Food is prepared or prepackaged for sale or service at other locations.
  - 3) Utensils are cleaned.
  - 4) Liquid and solid wastes are disposed, or potable water is obtained.
- c. **Community Event.** An event that is of civic, political, public or educational in nature, including state and county fairs, city festivals, circuses and other public gatherings events approved by the local enforcement agency, and which occurs 25 days or less in a 90-day period.
- d. **Department.** The Riverside County Department of Environmental Health.
- e. **Enforcement Officer.** The Director of the Riverside County Department of Environmental Health or his/her designee.
- f. **Food Preparation.** As defined in Health and Safety Code Section 113790, as now adopted or hereafter amended.
- g. **Limited Food Preparation.** As defined in Health and Safety Code Section 113818, as now adopted or hereafter amended.
- h. **Mobile Food Facility.** Any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail.
- i. **Mobile Food Preparation Unit.** A Mobile Food Facility that engages in food preparation, beyond the scope of limited food preparation.
- j. **Mobile Support Unit.** A vehicle used in conjunction with a commissary or other permanent food facility that travels to, and services, Mobile Food Facilities as needed to replenish supplies, including food and potable water, clean the interior of the unit, or dispose of liquid or solid wastes.
- k. **Non-prepackaged Food.** Any food which is removed from its original packaging material for the purpose of preparation or service to the customer.
- l. **Non-prepackaged Food Vehicle.** A Mobile Food Facility that engages in limited food preparation.
- m. **Prepackaged Food Push Cart.** A Mobile Food Facility limited to the sale of 100% prepackaged foods from non-motorized vehicles that are obtained from an approved source.
- n. **Prepackaged Food.** Any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, food facility, or other approved source.
- o. **Produce Vehicle.** A Mobile Food Facility limited to the sale of whole, uncut produce obtained from an approved source.

**Section 3. PERMIT APPLICATION REQUIREMENTS.**

- a. No person shall operate a Mobile Food Facility without a permit issued pursuant to the provisions of this ordinance.
- b. Nothing in this ordinance shall prevent the Department from denying any permit application for any Mobile Food Facility if, in the opinion of the Department, such Mobile Food Facility poses a real or potential risk to the health and welfare of the public.
- c. A person may operate a Mobile Food Facility if such person has a valid permit issued by the Department. Application for a permit shall be made to the Department on a form supplied by the Department and shall be accompanied by a fee(s) as required by Ordinance No. 640. A permit shall only be issued by the Department if the proposed Mobile Food Facility meets the requirements of the Federal and State laws and regulations and provisions of this ordinance and other County ordinances. A permit shall be valid for not more than one year.
- d. Mobile Food Facilities proposing to operate in the County of Riverside must obtain an annual mobile food facility permit pursuant to this section or may obtain permits to operate only at temporary events. Mobile Food Facility categories 3, 4, and 5, as identified in Section 4.a. of this ordinance, shall meet all Health and Safety Code requirements for annual permitting including compliance through the plan check process to obtain an annual permit. Mobile Food Facilities that choose to operate only at community events, may continue to apply for and operate with temporary event permits. These Mobile Food Facilities must meet the requirements for temporary food facilities pursuant to Health and Safety Code sections 114335 through 114363, as now adopted or hereafter amended.

**Section 4. MOBILE FOOD FACILITY OPERATIONS.**

- a. **Mobile Food Facility Categories:** There are five categories



of Mobile Food Facilities that may be permitted within Riverside County by the Department:

- 1) Produce Vehicle (typically produce trucks)
  - 2) Prepackaged Food Push Cart (typically ice cream pushcarts)
  - 3) Prepackaged Food Vehicle (typically catering trucks and ice cream vans)
  - 4) Non-prepackaged Food Vehicle and Mobile Support Unit (typically hot dog carts)
  - 5) Mobile Food Preparation Unit (typically food trucks)
- b. The sale of food from an aircraft, watercraft, bicycle or golf cart is not allowed.
- c. Mobile Food Facility categories 1-3 shall be inspected one time per year. Mobile Food Facility categories 4 and 5 that are annually permitted shall be inspected two times per year. Nothing in this section precludes the Department from inspecting and re-inspecting the Mobile Food Facilities with greater frequency if it is determined by the Director that such inspections or re-inspections are necessary to ensure the health and welfare of the public.
- d. Proper labeling of all foods per California Department of Public Health (CDPH) and Food and Drug Administration (FDA) standards shall apply to all Mobile Food Facilities.
- e. The following information shall be provided by the Mobile Food Facility operator, on forms supplied by the Department, prior to the issuance of an initial permit or the renewal of an annually permitted Mobile Food Facility:
- 1) Commissary agreement letter;
  - 2) Commissary schedule;
  - 3) Written operational procedures;
  - 4) Current route sheets for Mobile Food Facilities that operate in multiple locations or other reporting/tracking method as approved by the Department;
  - 5) Provide proof of annual water tank testing;
  - 6) Provide documentation that all water has been supplied solely from an approved commissary or Mobile Support Unit;
  - 7) Provide a Department approved plan for waste grease and trash disposal to the Department;
  - 8) Provide proof that the Mobile Food Facility has been stored at approved commissaries on a daily basis;
  - 9) Provide proof of issuance of Food Manager and Food Handler Certifications, pursuant to Ordinance No. 567 and Health and Safety Code sections 113947 through 113947.6, as now adopted or hereafter amended.
  - 10) Category 4 and Category 5 Mobile Food Facilities shall provide the Department a statement as to the list of general food items to be sold from the Mobile Food Facility; and,
  - 11) Proof of valid driver's licenses for all proposed drivers along with current vehicle registration shall be maintained on the Mobile Food Facility or Mobile Support Unit at all times, and shall be presented at the time of inspection.
  - 12) Proof of General Liability Insurance naming the County as an "Additional Insured". (Category 5 only - typically food trucks.)
- f. Mobile Food Facilities shall not have external access to sewer and water lines, except at approved community events. Mobile Food Facility must be fully self-contained and able to operate as such; servicing of water and wastewater tanks shall take place at the commissary or by an approved Mobile Support Unit (for Mobile Food Facility categories 1-4), as specified and on record as approved by the Department. External electrical supply is allowed via a power supply cord as long as there is no permanent wiring.
- g. All Mobile Food Facilities from categories 4-5 must ensure availability of one conspicuous trash receptacle within 20 feet of the place of operation.

#### **Section 5. GRADING.**

- a. Only Mobile Food Preparation Units that are annually permitted shall be graded. Each Mobile Food Preparation Unit shall be inspected and graded uniformly using an official inspection form. The grade of each Mobile Food Preparation Unit shall be evidenced by the posting of a grade card/decals bearing the letter "A", "B", or "C".
- 1) The letter "A" shall indicate a score of ninety percent or higher, and indicates that the Mobile Food Facility passed the inspection by meeting minimum health standards as set forth by the California Health and Safety Code. Grade "A" cards/decals shall be printed in blue on a white background.
  - 2) The letter "B" shall indicate a score of less than ninety percent but not less than eighty percent, and indicates the Mobile Food Facility has not passed the inspection and does not meet minimum health standards. Grade "B" cards/decals shall be printed in green on a white background.
  - 3) The letter "C" shall indicate a score of less than eighty percent and indicates that the Mobile Food Facility has failed the inspection and has conditions existing which may pose a potential or actual threat to public health and safety. The Mobile Food Facility may also be ordered closed with its permit being suspended or revoked by the Department. Grade "C" cards/decals shall be printed in red on a white background.
- b. The grade card/decals shall be provided by the Department and shall be 5 inches by 7 inches in size.
- c. The grade card/decals shall be posted in a conspicuous place

- near the ordering window, as selected by the Department, and shall be removed only by the Department.
- d. It shall be unlawful to operate a Mobile Food Facility unless the grade card/decals is in place as posted by the Department.
  - e. Mobile Food Facilities shall post a notice provided by the Department, advising consumers that a copy of the most recent routine inspection report is available for review by any interested party. The most recent inspection report must be kept with the Mobile Food Facility at all times.

**Section 6. MOBILE FOOD FACILITY INSPECTIONS.**

- a. The Department shall inspect each Mobile Food Facility at random intervals within the specified time frames listed in Section 4 of this ordinance. All Mobile Food Facilities shall comply with the requirements set forth in Health and Safety Code sections 114294 through 114327, as now adopted and hereafter amended.
- b. No food shall be displayed or sold from any place other than the permitted Mobile Food Facility at any time. No additional tables shall be allowed for sales, storage, preparation or distribution in the area adjacent to the Mobile Food Facility except when operating at an approved community event, or with prior Department approval.
- c. Mobile Support Units shall only be used to service Produce Vehicles, Prepackaged Food Carts, Prepackaged Food Vehicles, and Non-prepackaged Food Vehicles. Mobile Support Units shall not be used in conjunction with Mobile Food Preparation Units. Mobile Support Units shall require a separate permit from the supported Mobile Food Facility, as defined in Ordinance No. 640.
- d. Food preparation and storage equipment and sanitation requirements for each Mobile Food Facility shall be inspected and based on the food service activity to be conducted, the type of food that is to be prepared or served, and the extent of food preparation that is to be conducted at the Mobile Food Facility.
- e. A copy of the Official Inspection Form shall be provided to the owner, operator, or person in charge of the Mobile Food Facility.
- f. Any Mobile Food Preparation Unit that has received a non-passing grade ("B" or "C") and all Mobile Food Facilities that do not meet the minimum health and safety requirements shall be re-inspected within five (5) business days of the initial inspection, or as otherwise arranged, to assure that the violations have been corrected. The grade card shall remain posted on the Mobile Food Facility as placed by the Department, indicating to the public that the particular Mobile Food Facility failed to maintain minimum health standards during its most recent routine inspection.
- g. If, after a re-inspection, the Mobile Food Facility does not meet minimum health and safety standards or attain a score a 90% or higher, any or all of the following legal actions may ensue:
  - 1) Administrative hearing for the suspension or revocation of the permit pursuant to Health and Safety Code section 114405, et seq., as now adopted or hereafter amended.
  - 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(1), 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 ANNUALLY PERMITTED 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;

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **April 11, 2017**, the foregoing Ordinance consisting of fifteen (15) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, and Ashley  
NAYS: None  
ABSENT: None

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

4/25



The Desert Sun  
750 N. Gene Autry Trail  
Palm Springs, CA 92262  
760-778-4578 / Fax 760-778-4528

State of California ss:  
County of Riverside

Advertiser:  
RIV. COUNTY CLERK OF THE BOARD  
4080 LEMON STREET  
RIVERSIDE, CA 92501

TDS ORDER # 2088505


I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

04/23/2017

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 23<sup>rd</sup> day of APRIL, 2017 in Palm Springs, California.

  
Declarant's Signature

2017 APR 26 AM 10:38  
RECEIVED RIVERSIDE COUNTY  
CLERK / TRN. D. SUPERVISORS

No 0587:  
BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

**ORDINANCE NO. 580 (AS AMENDED THROUGH 580.7)**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE RELATING TO MOBILE FOOD FACILITIES AND COMMISSARY REQUIREMENTS AND INCORPORATING BY REFERENCE RIVERSIDE COUNTY ORDINANCE NO. 725**

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

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

- a. Annual Permit. A yearly permit to operate as defined in Ordinance No. 640.
- b. Commissary. A food facility that services mobile food facilities, mobile support units, or vending machines where any of the following occur:
  - 1) Food, containers, or supplies are stored.
  - 2) Food is prepared or prepackaged for sale or service at other locations.
  - 3) Utensils are cleaned.
  - 4) Liquid and solid wastes are disposed, or potable water is obtained.
- c. Community Event. An event that is of civic, political, public or educational in nature, including state and county fairs, city festivals, circuses and other public gatherings events approved by the local enforcement agency, and which occur 25 days or less in a 90-day period.
- d. Department. The Riverside County Department of Environmental Health.
- e. Enforcement Officer. The Director of the Riverside County Department of Environmental Health or his/her designee.
- f. Food Preparation. As defined in Health and Safety Code Section 113790, as now adopted or hereafter amended.
- g. Limited Food Preparation. As defined in Health and Safety Code Section 113818, as now adopted or hereafter amended.
- h. Mobile Food Facility. Any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail.
- i. Mobile Food Preparation Unit. A Mobile Food Facility that engages in food preparation, beyond the scope of limited food preparation.
- j. Mobile Support Unit. A vehicle used in conjunction with a commissary or other permanent food facility that travels to, and services, Mobile Food Facilities as needed to replenish supplies, including food and potable water, clean the interior of the unit, or dispose of liquid or solid wastes.
- k. Non-prepackaged Food. Any food which is removed from its original packaging material for the purpose of preparation or service to the customer.
- l. Non-prepackaged Food Vehicle. A Mobile Food Facility that engages in limited food preparation.
- m. Prepackaged Food Push Cart. A Mobile Food Facility limited to the sale of 100% prepackaged foods from non-motorized vehicles that are obtained from an approved source.
- n. Prepackaged Food. Any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, food facility, or other approved source.
- o. Produce Vehicle. A Mobile Food Facility limited to the sale of whole, uncut produce obtained from an approved source.

**Section 3. PERMIT APPLICATION REQUIREMENTS.**

- a. No person shall operate a Mobile Food Facility without a permit issued pursuant to the provisions of this ordinance.
- b. Nothing in this ordinance shall prevent the Department from denying any permit application for any Mobile Food Facility if, in the opinion of the Department, such Mobile Food Facility poses a real or potential risk to the health and welfare of the public.
- c. A person may operate a Mobile Food Facility if such person has a valid permit issued by the Department. Application for a permit shall be made to the Department on a form supplied by the Department and shall be accompanied by a fee(s) as required by Ordinance No. 640. A permit shall only be issued by the Department if the proposed Mobile Food Facility meets the requirements of the Federal and State laws and regulations and provisions of this ordinance and other County ordinances. A permit shall be valid for not more than one year.
- d. Mobile Food Facilities proposing to operate in the County of Riverside must obtain an annual mobile food facility permit pursuant to this section or may obtain permits to operate only at temporary events. Mobile Food Facility categories 3, 4, and 5, as identified in Section 4.a. of this ordinance, shall meet all Health and Safety Code requirements for annual permitting including compliance through the plan check process to obtain an annual permit. Mobile Food Facilities that choose to operate only at community events, may continue to apply for and operate with temporary event permits. These Mobile Food Facilities must meet the requirements for temporary food facilities pursuant to Health and Safety Code sections 114335 through 114363, as now adopted or hereafter amended.

**Section 4. MOBILE FOOD FACILITY OPERATIONS.**

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

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

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

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

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

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

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

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

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

**Section 5. GRADING.**

a. Only Mobile Food Preparation Units that are annually permitted shall be graded. Each Mobile Food Preparation Unit shall be inspected and graded uniformly using an official inspection form. The grade of each Mobile Food Preparation Unit shall be evidenced by the posting of a grade card/decals bearing the letter "A", "B", or "C".

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

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

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

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

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

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

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

**Section 6. MOBILE FOOD FACILITY INSPECTIONS.**

a. The Department shall inspect each Mobile Food Facility at random intervals within the specified time frame.

Mobile Food Facility categories 1-4), as specified and on record as approved by the Department. External electrical supply is allowed via a power supply cord as long as there is no permanent wiring.

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

#### Section 5. GRADING.

a. Only Mobile Food Preparation Units that are annually permitted shall be graded. Each Mobile Food Preparation Unit shall be inspected and graded uniformly using an official inspection form. The grade of each Mobile Food Preparation Unit shall be evidenced by the posting of a grade card/decals bearing the letter "A", "B", or "C".

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

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

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

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

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

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

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

#### Section 6. MOBILE FOOD FACILITY INSPECTIONS.

a. The Department shall inspect each Mobile Food Facility at random intervals within the specified time frames listed in Section 4 of this ordinance. All Mobile Food Facilities shall comply with the requirements set forth in Health and Safety Code sections 114294 through 114327, as now adopted and hereafter amended.

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

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

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

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

f. Any Mobile Food Preparation Unit that has received a non-passing grade ("B" or "C") and all Mobile Food Facilities that do not meet the minimum health and safety requirements shall be re-inspected within five (5) business days of the initial inspection, or as otherwise arranged, to assure that the violations have been corrected. The grade card shall remain posted on the Mobile Food Facility as placed by the Department, indicating to the public that the particular Mobile Food Facility failed to maintain minimum health standards during its most recent routine inspection.

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

1) Administrative hearing for the suspension or revocation of the permit pursuant to Health and Safety Code section 114405, et seq., as now adopted or hereafter amended.

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 6g(1), 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 ANNUALLY PERMITTED MOBILE FOOD FACILITIES.

a. Prior to issuing permit 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, disservice, and electrical diagram.

## Public Notices

from the date of the first violation.

2. If the violation is not corrected, additional administrative citations may be issued for the same violation. The amount of the penalty shall increase at the rate specified in Section 6.D.1., above.

3. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.

4. The penalties assessed shall be payable to the County of Riverside.

### E. Administrative Appeal.

1. Notice of Appeal. The recipient of an administrative citation may appeal the citation by filing a written notice of appeal with the Department. The written notice of appeal must be filed within (20) days of the service of the administrative citation. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal the administrative citation. The notice of appeal shall contain the following information:

a. A brief statement setting forth the appellant's interest in the proceedings;

b. A brief statement of the material facts which the appellant claims support the contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;

c. An address at which the appellant agrees notice of any additional proceeding or an order relating the imposition of the administrative penalty may be received by mail.

d. The notice of appeal must be signed under penalty of perjury by the appellant.

2. Administrative Hearing. Upon a timely written request by the recipient of the administrative citation, an administrative hearing shall be held as follows:

a. Notice of Hearing. Notice of the administrative hearing shall be given at least (10) days before the hearing to the person requesting the hearing. The notice may be delivered to the person or may be mailed to the address listed in the notice of appeal.

b. Hearing Officer. The administrative hearing shall be held before the Board of Supervisors, the County Hearing Officer or the County Hearing Board. The hearing officer shall not be the Enforcement Officer who issued the administrative citation or said Enforcement Officer's immediate supervisor or subordinate. The Board of Supervisors, the County Hearing Officer or the County Hearing Board may contract with a qualified provider to conduct administrative hearings or to process administrative citations.

c. Conduct of the Hearing. Except as may be required by the Hearing Officer, the Enforcement Officer who issued the administrative citation is not required to participate in the administrative hearing. The contents of the Enforcement Officer's file in the case shall be admitted as prima facie evidence of the facts stated therein. The Hearing Officer shall not be limited by the technical rules of evidence. If the person requesting the appeal fails to appear at the administrative hearing, the Hearing Officer shall make his or her determination based on the information contained in the notice of appeal and the underlying administrative citation.

d. Hearing Officer's Decision. The Hearing Officer's decision following the administrative hearing shall be delivered to the person requesting the hearing personally or sent by mail. The Hearing Officer may allow payment of the administrative penalty in installments, if the person provides evidence satisfactory to the Hearing Officer of an inability to pay the penalty in full. The Hearing Officer's decision shall contain instructions for obtaining review of the decision by the superior court.

### F. Review of Administrative Hearing Officer's Decision.

1. Notice of Appeal. Within twenty (20) days of the date of the delivery or mailing of the hearing officer's decision, a person may contest that decision by filing an appeal to be heard by the Superior Court. The fee for filing the notice of appeal is twenty-five dollars (\$25.00). The failure to file the written appeal and to pay the court filing fee within this period shall constitute a waiver of the right to an appeal and the decision shall be deemed confirmed. A copy of the notice of appeal shall be served in person or by first class mail upon the issuing agency by the contestant.

2. Conduct of Hearing. The conduct of the appeal is a subordinate judicial duty and may be performed by traffic trial commissioners and other subordinate judicial officials at the direction of the presiding judge of the court. The appeal shall be heard de novo, except that the contents of the issuing agency's file in the case shall be received in evidence. A copy of the document or instrument of the issuing agency providing notice of the violation and imposition of the administrative penalty shall be admitted into evidence as prima facie evidence of the facts stated therein. The court shall request that the issuing agency's file or the case be forwarded to the court, to be received within fifteen (15) days of the request.

3. Judgment. The court shall retain the twenty-five dollar (\$25.00) filing fee regardless of the outcome of the appeal. If the court finds in favor of the contestant, the amount of the fine or penalty shall be reimbursed to the contestant by the local agency. Any deposit of the fine or penalty shall be refunded by the issuing agency in accordance with the judgment of the court. If the fine or penalty has not been deposited and the decision of the court is against the contestant, the issuing agency may proceed to collect the penalty pursuant to the procedures set forth in this Ordinance, or in any other manner provided by law.

Section 7. SUMMARY ABATEMENT. Pursuant to California Government Code Section 25845(a), and as authorized by the Enforcement Officer is authorized