

Memorandum



DATE September 22, 2011

TO Honorable Members of the Quality of Life Committee: Angela Hunt (Chair),
Sandy Greyson (Vice Chair), Monica Alonzo, Dwaine Caraway, Carolyn R. Davis

SUBJECT Mobile Food Preparation Vehicles Briefing

On Monday, September 26, 2011, you will be briefed on Mobile Food Preparation Vehicles. The material is attached for your review.

If you have questions or need additional information, please let me know.



Joey Zapata

Interim Assistant City Manager

Attachments

cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Rosa A. Rios, Acting City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge Municipal Court
A.C. Gonzalez, First Assistant City Manager
Forest E. Turner, Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Office
Helena Stevens-Thompson, Assistant to the City Manager

Mobile Food Preparation Vehicles

Presented to the Quality of Life Committee
September 26, 2011



Purpose

- Update on revisions to regulations for mobile food preparation vehicles (MFPV or “hot trucks”) adopted by Council in June 2011
- Recommend further revisions to expand the permitting and availability of hot trucks.

Background

- Chapter 17 of the Dallas City Code identifies four different mobile food establishments:

- **Mobile Food Preparation Vehicles** – Self Propelled vehicles that serve open food items and fruit

- Example: Taco Truck

- **General Service** – Carts that serve open food items and fruit

- Example: Hotdog Cart

- **Limited Service** – Vehicles/carts that serve only prepackaged foods

- Example: Ice Cream Truck

- **Vegetable and fruit vendor** – Vehicles/carts that sell raw fruits and vegetables

- Example: Produce Cart



Mobile Food Preparation Vehicle



General Service Carts



Limited Service Vehicles



Vegetable and Fruit Vendor

Background

- Hot trucks are commercially manufactured, motorized food establishments in which ready to eat food is cooked and served
 - “Commercially manufactured” means the vehicle was originally constructed as a mobile food vehicle
 - Conversion or retrofitted vehicles are currently not allowed in Dallas
 - Potentially hazardous foods, e.g. raw fish and poultry, cannot be cooked and served, unless it goes from freezer to fryer
 - Not allowed to serve on public right-of-way, only on private property with permission
- 36 Hot trucks are currently permitted to operate on private property:
 - Throughout Dallas, mostly in industrial areas; and
 - Arts District (added in February 2011); and
 - Prohibited in the Central Business District

Growing Demand

- Food Trucks that provide gourmet and “fusion” dining options are growing in popularity across the country
- These trucks can often provide customers with unique dining options that may not be found in fixed neighborhood restaurants or where there aren’t many dining options
- Restaurant and Bar Inspections has seen a significant increase in the number of gourmet food trucks seeking permits in the last four months alone

Dallas Neighborhoods Interested

- There have been several groups and neighborhoods that have offered proposals or expressed interest in having hot trucks:
 - Arts District
 - West Commerce
 - Greenville Ave
 - Downtown
 - Bishop Street
 - West Dallas
 - Design District
 - CityPlace



Recent Changes

- In February 2011, Council allowed the operation of hot trucks in the Arts District
 - Hot trucks are still prohibited in the rest of the CBD
- In June 2011, Council approved changes to the City Code to allow more flexibility in the use of hot trucks
 - Requirements for advance notice to the City of locations for the operation of hot trucks
 - Length of time allowed for parking at a single location
- These changes also benefit vendors who use social media (Twitter and FaceBook) to let customers know where they will be located

Recent Changes – Itinerary

Old

- MFPV required to provide a monthly itinerary with the department the beginning of each month
- Must include all addresses with scheduled arrival times within 30 minutes and food to be served

Amended

- A single itinerary can be filed with the department
- Department must be notified within 24 hours of any changes to the itinerary

Recent Changes – Time Parked

Old

- Code limited MFPVs from being parked at a single location to sell food for more than 60 minutes at any one time and a total of 3 hours within a 24-hour period
- Must be parked overnight at an approved commissary

Amended

- No time restrictions on parking at a single location to sell food
- MFPV is required to be parked at an approved commissary for 5 consecutive hours

Proposed Additional Changes

- Additional changes to the City Code can further increase the variety of hot trucks and the foods that they may serve
 - Retrofitted hot trucks
 - Hazardous food (e.g. raw poultry and seafood)



Proposed Changes – Retrofitted Trucks

- The Code currently only allows commercially manufactured trucks to operate in the City
- There are only a few commercial manufacturers in the nation that have constructed trucks that meet Department approval
- This requirement was intended to protect public health by working with vendors that already build vehicles that met most national and state specifications

Proposed Changes – Retrofitted Trucks

- Retrofitted vehicles are being used increasingly around the country
- Benefits of retrofitted vehicles may include:
 - Potentially lower cost of entry into the business
 - Creative reuse of available, older vehicles to fit a business model
 - Examples: buses, RVs



Proposed Changes – Retrofitted Trucks

- Remove the “commercially manufactured” provision from the Code and set standards and specifications that all retrofits would have to meet in order to be permitted to operate in the City*
- Retrofitted vehicles would be held to the same specifications as a commercially constructed hot trucks
- Any retrofitted vehicle would be required to submit plans to department staff prior to construction and have an inspection prior to permitting
- A code change will also open the door for retrofitted trailers to be used (e.g. Airstreams and Campers)

**Draft Specifications in Appendix*

Proposed Changes – Potentially Hazardous Foods

- The Code currently does not allow potentially hazardous foods, such as raw poultry and seafood, to be prepared on hot trucks
 - Frozen and breaded poultry or seafood is allowed only when going directly to the freezer to the fryer
- Raw poultry and seafood is considered high risk because it can cross-contaminate other food items in the smaller food preparation area on a hot truck



Proposed Changes – Potentially Hazardous Food

- Allow applications for variances by prospective vendors that want to cook and serve raw poultry and seafood
- A variance would allow:
 - Thorough review of vendors' plans to serve potentially hazardous food
 - Items such as violation history of vendor and menu selection will be key considerations for granting variance
- Stricter rules can be imposed on those using hazardous food
 - Additional fees to recover the City's permitting cost
 - More frequent trips to the commissary
 - More frequent inspections

Proposed Changes – Potentially Hazardous Food

- New York City allows raw poultry and seafood on hot trucks, but only when it is pre-cut in the commissary
 - Pre-cut items are only added during the cooking process
 - This greatly limits the risk of cross-contamination



Considerations to Potential Changes

- Public health is paramount and will guide proposed revisions to regulations on hot trucks
- Greater flexibility in hot truck regulations will require staff to adapt to enforcement needs
 - Any increase in the number of vehicles and permitting for potentially hazardous foods may necessitate additional staff for enforcement

Next Steps

- Offer ordinance for Council consideration in November 2011
- Continue to analyze and consider other issues regarding hot trucks (Vending on public right-of-way, pop-up stores, etc.)

Appendix

Existing Structural Requirements

- Section 17-8.2(i) of the Code spells out structural requirements for MFPV:
 - Equipment constructed and installed in accordance with the Rules on Food Service Sanitation, as adopted and amended by the Texas Department of State Health Services, which include National Sanitation Foundation standards, Underwriter Laboratory standards, and equivalent standards; and
 - Floors must be constructed of durable, easily cleanable material, including, but not limited to, anodized aluminum, stainless steel, or tile. All junctures must be properly sealed. All service lines and pipes must be installed off the floor to allow for easy cleaning.
 - Walls must be durable, easily cleanable, nonabsorbent, and light in color. Minimum wall covering materials include, but are not limited to, aluminum or fiberglass-reinforced paneling. Walls at vent hood and grill areas must be covered with stainless steel panels. Wall covering must be installed to cover the entire height of each wall. Studs and utility lines may not be unnecessarily exposed on the wall or prevent cleaning.
 - Ceilings must be light in color, nonabsorbent, and easily cleanable. Joists and rafters may not be exposed.
 - The cab of the vehicle must be physically separated from the food preparation area, and the seats designated for the cook and any passengers must be located outside of the food preparation area.
 - The vehicle must be equipped with a built-in hose that may be used to wash the interior of the vehicle.

Draft Hot Truck Specifications

- The City currently uses the following dimension and capacity requirements for commercially manufactured hot trucks
- These same criteria could also be used for retrofitted vehicles

Fuel Type	Length Bumper to Bumper	Ext. Width/Int. height/Aisle Width	Min. Refrigerator Capacity	Min. Water Heater Capacity	Min. Potable Water Capacity	Min. Wastewater Capacity	Ware Washing	Hand Washing Sink	Exhaust Hood	A/C Capacity
Propane/Diesel/Gasoline or Electric Generator	24'	Ext – 8' Int. – 74" Aisle – 30"	15 cu. Ft.	3 Gallons	30 Gallons	45 Gallons	3 – comp. Stainless Steel 12x12x12	Stainless Steel 10x10x4	Stainless Steel NSF	10,000 – 16,000 BTU