

CITY OF TRINITY, TEXAS

ORDINANCE NO. 26-0006

AN ORDINANCE OF THE CITY OF TRINITY, TEXAS, ESTABLISHING LOCAL OPERATIONAL REQUIREMENTS FOR MOBILE FOOD ESTABLISHMENTS; PROVIDING FOR COMPLIANCE WITH APPLICABLE STATE LAW; PROVIDING FOR FIRE AND LIFE SAFETY, SANITATION, OPERATING LOCATIONS, INSPECTIONS, SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, The City Council finds that Mobile Food Establishments provide valuable services to residents and visitors and contribute to the local economy; and

WHEREAS, The City Council further finds that reasonable local operational standards are necessary to protect the public health, safety, and welfare while recognizing the licensing authority of the State of Texas; and

WHEREAS, The City Council intends to regulate only those matters within its lawful authority and does not intend to establish a local licensing, permitting, registration, or inspection program prohibited by state law.

SECTION 1. PURPOSE AND LEGISLATIVE INTENT

The purpose of this ordinance is to protect the public health, safety, and welfare by establishing local operational requirements for Mobile Food Establishments while recognizing the licensing authority of the State of Texas. Nothing in this ordinance shall be interpreted as regulating any matter preempted by state law.

SECTION 2. AUTHORITY

This ordinance is adopted pursuant to the Constitution and laws of the State of Texas, including applicable provisions of the Texas Local Government Code. Any provision determined to be preempted by state law shall be modified only to the extent necessary to comply with state law.

SECTION 3. DEFINITIONS

Mobile Food Establishment means a vehicle, trailer, cart, truck, or other mobile unit from which food or beverages are prepared or sold. Operator means the person or entity responsible for the operation. Public Right-of-Way means any public street, alley, sidewalk, or public way. Private Property means property not owned by the City.

SECTION 4. COMPLIANCE WITH STATE LAW

Every Mobile Food Establishment shall comply with all applicable federal, state, and local laws. Nothing in this ordinance shall be construed as requiring a local permit, license, registration, or inspection prohibited by state law.

SECTION 5. LOCAL OPERATIONAL REQUIREMENTS

Every Mobile Food Establishment operating within the City shall comply with the following minimum operational requirements:

- A. Maintain all licenses, permits, inspections, certifications, and approvals required by applicable law, to include the license from Texas Department of State Health Services.
 - B. When operating on private property, maintain a Letter of Authorization from the property owner or the property owner's authorized representative and produce it upon request.
 - C. Maintain all State-required fire and life safety inspections, certifications, and approvals and produce them upon request.
 - D. Maintain any insurance required by applicable law.
 - E. Operate in a clean, safe, and sanitary manner and comply with all applicable federal, state, and local laws.
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SECTION 6. OPERATING LOCATIONS

A Mobile Food Establishment operating on private property shall have the property owner's authorization. No Mobile Food Establishment shall operate in a fire lane, obstruct emergency access, block fire hydrants, sidewalks, building exits, or operate within a public right-of-way unless authorized by the City.

SECTION 7. PROOF OF COMPLIANCE

Upon request of an authorized City official, the operator shall produce documentation demonstrating compliance with this ordinance, including required state licenses (DSHS), a Letter of Authorization, State-required fire and life safety inspections, certifications, and approvals, and proof of any insurance required by law. Failure to produce the required documentation upon request shall constitute a violation of this ordinance.

SECTION 8. INSPECTIONS

Authorized City personnel may inspect during reasonable operating hours for matters within the City's lawful authority. Operators shall cooperate with lawful requests.

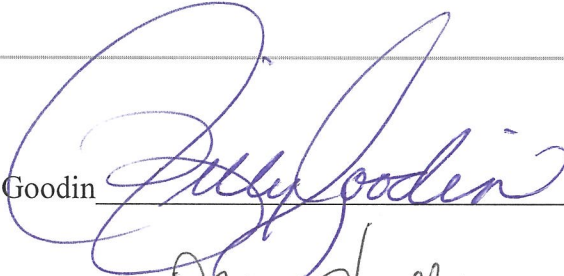
SECTION 9. SEVERABILITY

If any section, subsection, clause, or phrase of this ordinance is for any reason held to be unconstitutional, invalid, or unenforceable, the validity of the remaining portions of this ordinance shall not be affected.

SECTION 10. EFFECTIVE DATE

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Trinity, Texas, on this 9th day of July, 2026.

City of Trinity Mayor - Billy Goodin



ATTEST: City Manager – Tracy Hutto

