

9/17/19

ORDINANCE NO. 31376

An ordinance amending Chapter 17, "Food Establishments," of the Dallas City Code, by amending Section 17-10.2; amending the annual fee for a booth or stall operating at a neighborhood farmers market; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the 86th Texas Legislature met between January 8, 2019 and May 27, 2019; and

WHEREAS, S.B. 932 was filed on February 20, 2019; and

WHEREAS, S.B. 932 prohibits municipalities from imposing an annual fee in excess of \$100 for the issuance or renewal of a permit for the sale of food directly to consumers at a farmers market, a farm stand, or the farmer's farm or to an individual who prepares food for sale at a farmers' market; and

WHEREAS, S.B. 932 was approved by both chambers of the Texas Legislature; and

WHEREAS, S.B. 932 was signed by Governor Greg Abbott on May 31, 2019; and

WHEREAS, S.B. 932 became law on September 1, 2019; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Paragraph (3) of Subsection (i), "Temporary Food Service Fee," of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of Chapter 17, "Food Establishments," of the Dallas City Code, is amended to read as follows:

"(3) A maximum nonrefundable annual fee of \$187 for each facility will be collected from concessionaires operating under contract with the city park and recreation department. A maximum nonrefundable annual fee of \$75 for each facility will be collected from concessionaires operating at a school stadium. A maximum nonrefundable annual fee of \$100 [~~\$123~~] for each booth or stall valid at a single market location or [~~and \$228 for each booth or stall~~]

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valid] at more than one market location will be collected from a vendor operating at a neighborhood [~~farmers~~] market permitted under Chapter 42A [~~29A~~] of this code, as amended.”

SECTION 2. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$2,000.

SECTION 3. That Chapter 17 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By 
Assistant City Attorney

Passed NOV 13 2019



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL NOV 13 2019

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DATE PUBLISHED NOV 16 2019

ATTESTED BY: