



**CITY OF GRAND PRAIRIE
PUBLIC SAFETY, HEALTH, AND ENVIRONMENT
COMMITTEE
COUNCIL BRIEFING ROOM
MONDAY, FEBRUARY 12, 2024 AT 3:00 PM**

AGENDA

The meeting will be held at City Hall Council Briefing Room, 300 W. Main St, Grand Prairie, Texas, and a quorum of the committee or the presiding member will be physically present. Some members may participate remotely via video conference.

CALL TO ORDER

CONSENT AGENDA

Citizens may speak for five minutes on any item on the agenda by completing and submitting a speaker card.

1. Minutes of January 8, 2024, Public Safety, Health, and Environment Committee Meeting
2. Reject all Proposals for RFP 24017 for a Library Mobile App
3. Reject the bid from RFB #24035 for Cross Connection Control Device Testing & Repairs

INDIVIDUAL CONSIDERATION

4. Ordinance Amending Chapter 13, Article XII “Mobile Food Vendors” of the Grand Prairie Code of Ordinances

EXECUTIVE SESSION

The Public Safety, Health, and Environment Committee may conduct a closed session pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss any of the following:

- (1) Section 551.071 “Consultation with Attorney”
- (2) Section 551.072 “Deliberation Regarding Real Property”
- (3) Section 551.074 “Personnel Matters”
- (4) Section 551.087 “Deliberations Regarding Economic Development Negotiations.”

CITIZEN COMMENTS

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card. The views expressed during Citizen Comments are the views of the speaker, and not the City of Grand Prairie or City Council. Council Members are not able to respond to Citizen Comments under state law.

ADJOURNMENT

The Grand Prairie City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972-237-8035 or email GPCitySecretary@gptx.org at least three (3) business days prior to the scheduled meeting to request an accommodation.

Certification

In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the Public Safety, Health, and Environment Committee agenda was prepared and posted on February 9, 2024.



Candis Jones, Assistant City Secretary



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 02/12/2024

PRESENTER: Jorja Clemson, Chairwoman

TITLE: Minutes of January 8, 2024, Public Safety, Health, and Environment Committee Meeting

REVIEWING COMMITTEE:



**CITY OF GRAND PRAIRIE
PUBLIC SAFETY, HEALTH, AND ENVIRONMENT
COMMITTEE
COUNCIL BRIEFING ROOM
MONDAY, JANUARY 08, 2024 AT 3:00 PM**

MINUTES

CALL TO ORDER

Chairwoman Clemson called the meeting to order at 3:00 p.m.

PRESENT

*Chairwoman Jorja Clemson
Council Member Jacquin Headen
Council Member Bessye Adams*

STAFF PRESENTATIONS

1. 31st Quarterly Judicial Report

The Judicial Activity Report for July 2023 to October 2023 was presented by Judge Bryan Arnold to the Committee. The Judge informed the Council that there were fewer trial cases due to a shortage of available jury members. The mailing list has been updated to address this issue. The briefing was only for informational purposes.

PRESENTED

2. The Big Event for 2024

Alina Harris, Neighborhood and Volunteer Services Coordinator, gave a briefing about The Big Event, which is a City-Wide Cleanup Day happening on March 23, 2024, at the Parking Lot of Grand Prairie High School, TX. The event will start at 8:00 a.m. and end at 1:00 p.m. The goal is to have at least 1000 volunteers and 100 jobs to collect 60 tons of trash. Last year, there were 1,643 volunteers and 110 jobs. The event is funded and will not cost the city anything.

PRESENTED

CONSENT AGENDA

Motion to recommend approval to City Council made by Council Member Adams, seconded by Council Member Headen, to approve consent agenda items three through seven. Voting Yea: Chairwoman Clemson, Council Member Headen, Council Member Adams. The motion carried unanimously, 3-0.

3. Minutes of December 4, 2023, Public Safety, Health, and Environment Committee Meeting

Approved on Consent Agenda

4. Purchase of replacement office chairs for the Public Safety Building, from Krueger International (KI), through a cooperative purchasing agreement with Sourcewell, in the amount of \$137,689

Approved on Consent Agenda

5. Purchase of Panasonic “Toughbook” rugged mobile laptops and accessories from GTS Technology Solutions, Inc., in the amount of \$111,124.58, through a cooperative agreement with the Department of Information Resources (DIR)

Approved on Consent Agenda

6. Annual Contract for Micro-Blaze firefighting foam from Metro Fire Apparatus Specialist, Houston, Texas, for the annual cost not to exceed \$24,695 with four one-year renewals not to exceed \$123,475 if all option renewals are exercised and authorized by the City Manager

Approved on Consent Agenda

7. Change order #2 in the amount by \$48,350 to increase annual contract for medical supplies with Life-Assist, Inc. \$140,000, increase for the remainder of the current contract term, and \$140,000 annually for the one remaining one-year renewal term totaling \$280,000

Approved on Consent Agenda

INDIVIDUAL CONSIDERATION

8. **Public Hearing and Ordinance for a Municipal Setting Designation for 1201 Avenue H East, 1205 Avenue H East, and 1152 N. Great Southwest Parkway**

Jody Cason, the Environmental Quality Manager, presented to the Council Committee an application made by LCG21 1205 Avenue H East, LLC to the City of Grand Prairie. The application seeks an ordinance to restrict the use of designated groundwater for drinking purposes under 7.313 acres of land which includes 1201 Avenue H East, 1205 Avenue H East, and 1152 N. Great Southwest Parkway. The Texas Commission on Environmental Quality (TCEQ) authorizes Municipal Setting Designation (MSD) only when it is supported by the municipal council of the property location. An MSD is an official state designation given to a property within a municipality or its extraterritorial jurisdiction which certifies that designated groundwater is not used as potable water. The applicant of the property located at 1205 Avenue H East is currently enrolled in the Voluntary Clean-Up Program with TCEQ due to elevated levels of volatile organic compounds and total petroleum hydrocarbons which originated from an off-site source. City staff has reviewed the application and supports the approval of the ordinance due to the following reasons: the groundwater plume originated from off-site sources, there are no current treatment options available to reduce groundwater contamination, the site is in an industrial area, and no wells are used for potable water. Council Member Adams inquired about the number of applicants received in the past few years. In response, Cindy Mendez, the Public Health and Environmental Quality Director, mentioned that they had not received any recently, but have issued seven MSDs in the past. She further stated that the MSD tool is quite valuable for property owners.

Council Member Headen moved, seconded by Council Member Adams to close the public hearing and approved to recommend to City Council. Voting Yea: Chairwoman Clemson, Council Member Headen, Council Member Adams. The motion carried unanimously, 3-0.

9. **Ordinance amending the FY 2024 Red Light Safety Fund budget in the amount of \$117,755, to partially fund the first term of an annual contract with Flock Safety, Inc. for law enforcement automated license plate recognition cameras, security cameras, and other related products and services, in the amount of \$436,950 for the first year, with four annual renewal options in the amount of \$308,400 for the second year, and \$353,400 annually thereafter, for years three, four, and five, totaling \$1,805,550**

Ryan Simpson, the Assistant Director of Police, presented a report to the Council Committee. The report stated that the Police Department has been using Automated License Plate Recognition (ALPR) cameras by Flock Safety, Inc. since 2020. These cameras have been effective in detecting and investigating criminal offenses. Flock Safety has expanded its range of products, which now includes security cameras and the FlockOS platform. The FlockOS platform can aggregate and display information and footage from various sources, such as Flock Safety cameras, third-party camera systems, body-worn camera systems, Computer Aided Dispatch (CAD) software, and other platforms. This content can be overlaid onto maps that are compatible with the city's current mapping platform. The Police Department will benefit significantly from these new products and services as they enhance its ability to detect, respond to, and investigate criminal offenses. The proposed agreement aims to continue using the current products and services at their current prices for the next five years. The agreement also includes additional ALPR cameras, security cameras, and the FlockOS platform. Additionally, the Engineering & Utilities Department plans to install fifteen Flock Safety security cameras at various remote locations throughout the city to improve critical infrastructure security measures. The Committee was ensured by Chief of Police, Daniel Scesney that neighboring cities also utilize this system which significantly reduces the time it takes to solve cases by utilizing Artificial Intelligence. Chairwoman Clemson praised Chief Scesney for his clear explanation of the purpose and use of the FlockOS platform. Additionally, Council Member Headen enquired about the functionality of all Flock Cameras on behalf of a constituent. In response, Chief Scesney confirmed that the cameras are fully operational and recording without any issues. He further added that there are more than 4000 cameras in the area, which are all managed and maintained by a single vendor.

Motion to recommend approval to City Council by Council Member Adam, seconded by Council Member Headen. Voting Yea: Chairwoman Clemson, Council Member Headen, Council Member Adams. The motion carried unanimously, 3-0.

10. **Ordinance amending the FY 2023/2024 Fire State Supplemental Funds – Texas Ambulance Supplemental Payment Program (TASPP) Budget and FY2023/2024 Capital Improvements Projects Budget; Construction Manager at Risk (CMAR) Contract with Key Construction for construction services on the Emergency Operation Center and Fire Station #6 projects, in the additional amount of \$10,982,035.00; owner-controlled construction contingency in the amount of \$250,000.00; low voltage direct contracts with Siemens Industry, Inc. in the amount of \$124,310.00, Cyson Technology Group in the**

amount of \$152,833.71, and Flair Data Systems in the amount of \$48,678.32; and an audio/video equipment + installation direct contract in the amount of \$374,367.00 with Infinity Sound, Ltd. for a total added funding request of \$11,932,224.03

Andy Henning, Director of Design + Construction, informed the Council Committee that the City Council had awarded the Construction Manager at Risk (CMAR) Contract to Key Construction for pre-construction services on July 11, 2023. The contract was awarded for \$5,000.00 and included CMAR services such as preparing project construction cost estimates, preliminary construction schedules, value engineering proposals, and constructability review during the design phase. The current additional value of the contract is \$10,982,035.00, which represents the Guaranteed Maximum Price (GMP) for the scope of work that has been defined in the BRW Architects Construction Documents package. This amount was determined through a competitive bidding process with subcontractors selected by Key Construction in compliance with City and State procurement regulations. Council Member Adams asked for clarification that this covers the EOC and Fire Station 6. Mr. Henning reassured them that she was correct. Council Member Headen expressed her excitement about the upcoming improvements that will make the facility more accommodating for firefighters.

Motion to recommend approval to City Council by Council Member Headen, seconded by Council Member Adams. Voting Yea: Chairwoman Clemson, Council Member Headen, Council Member Adams. The motion carried unanimously, 3-0.

11. Ordinance amending the FY 2023/2024 budgets for the Capital Lending Fund and Solid Waste CIP Fund for a contract for Landfill Expansion Permitting and Subsurface Characterization for the City of Grand Prairie Landfill from Weaver Consultants Group in an amount not to exceed \$1,591,200

Patricia D. B. Redfearn, Director, of the Solid Waste & Recycling Department, presented to the Council Committee that the City of Grand Prairie owns and operates one Type I Municipal Solid Waste Landfill, permit 995-C, which provides waste capacity for the growing community. Expansion is needed to ensure adequate capacity. In 2021, the city procured a piece of property sharing a border with the current facility. This contract aims to provide subsurface characterization and permitting services required to utilize a certain property for a specific purpose. The Local Government Code Chapter 252 provides an exception from the competitive bid process for the procurement of personal, professional, or planning services. The vendor was selected as the most qualified professional through a request for qualifications process. During a meeting, Council Member Headen expressed concern about excavation and inquired about the City's strategy for the process. In response, Ms. Redfearn stated that the state dictates the strategy known as Subchapter T and that environmental monitoring will take place throughout the process. Chairwoman Clemson asked Ms. Redfearn about the depth of the landfill, to which she replied that it is buried about 407 feet above sea level at the lowest elevation. Council Member Adams asked about the vendor selection process, and Ms. Redfearn explained that they considered the number of landfills the vendor had worked with in Texas, and whether they could handle the project in-house or if they would subcontract it.

Motion to recommend approval to City Council by Council Member Adam, seconded by Council Member Headen. Voting Yea: Chairwoman Clemson, Council Member Headen, Council Member Adams. The motion carried unanimously, 3-0.

EXECUTIVE SESSION

There was no executive session.

CITIZEN COMMENTS

There were no citizen comments.

ADJOURNMENT

Chairwoman Clemson adjourned the meeting at 4:25 p.m.

The foregoing minutes were approved at the February 12, 2024, Public Safety, Health and Environment Committee meeting.

Jorja Clemson, Chairwoman



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 02/12/2024

PRESENTER: Peter Sime, Library Director

TITLE: Reject all Proposals for RFP 24017 for a Library Mobile App

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 02/12/2024)

SUMMARY:

<i>Vendor Name</i>	Innovative Interfaces Corporated, Transform Digital, Pixelware Studios, V3Main Technologies, Elemental Methods, Thristha Technologies, Inventive Patriots, TheKSquare Group, Blue Parrot Software
<i>Cost</i>	None
<i>Recommendations</i>	Reject All Proposals

PURPOSE OF REQUEST:

The Library Department requested proposals to obtain a Mobile App for the Library.

Request for Proposal #24017 was advertised in the Fort Worth Star-Telegram, posted on Planet Bids; and distributed to 306 vendors, including 162 HUBs. Nine responses were received.

The department requests approval to reject all responses received due to the significantly high prices. Staff is reworking specifications to get better pricing.

Staff is recommending the rejection of all bids received as part of RFP #24017.

PROCUREMENT DETAILS:

Procurement Method: RFP

Number of Responses: Nine RFP #: 24017

Selection Details: Low Bid Best Value

FINANCIAL CONSIDERATION:

None



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 02/12/2024

PRESENTER: Cindy Mendez, Public Health & Environmental Quality Director

TITLE: Reject the bid from RFB #24035 for Cross Connection Control Device Testing & Repairs

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 02/12/2024)

PURPOSE OF REQUEST:

The Public Health & Environmental Quality Department requested bids for cross connection testing and repairs. Specifically, the city maintains backflow valves in the system to prevent cross connections with non-potable water sources. Most testing of city owned backflow valves is done in-house, however, a contractor is required to conduct testing on fire lines and backflow devices in confined spaces. The contract also allows for repairs and installation of new devices.

Notice of bid# 24035 was advertised in the Fort Worth Star-Telegram and Plantebids; distributed to 94 vendors, including 1 Grand Prairie vendor, and 82 HUB vendors. One bid was received.

Staff is recommending the rejection of the bid received due to bidder requesting changes to the bid after the bid had closed. The service will be rebid.

PROCUREMENT DETAILS:

Procurement Method: RFB

Local Vendor HUB Vendor

Number of Responses: One RFB #: 24025

Selection Details: Reject

FINANCIAL CONSIDERATION:

None



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 02/12/2024

PRESENTER: Cindy Mendez, Public Health & Environmental Quality Director

TITLE: Ordinance Amending Various Sections of Chapter 13, Article XII “Mobile Food Vendors” of the Grand Prairie Code of Ordinances; Providing a Penalty, a Savings Clause, a Severability Clause, and an Effective Date Upon Publication

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health & Environment Committee on 02/12/2024)

ANALYSIS:

The Texas 88th Legislature passed House Bill No. 2878 which became effective on September 1, 2023, granted counties over 2.1 million in population the authority to regulate mobile food units and allows mobile food service units permitted by the county to operate in any municipality located in the county. Prior to this date, municipalities issued permits to operate and regulated mobile food vendors. In accordance with the House Bill, the City’s ordinance requires revisions to remove application, fees, and operations provision for mobile food operations within Dallas and/or Tarrant Counties. The city will regulate mobile food within the City and outside of Dallas and Tarrant Counties.

FINANCIAL CONSIDERATION:

Prior to September 1, 2023, the city collected \$8,675.00 for permit fees in fiscal year 2023.

BODY

AN ORDINANCE AMENDING CHAPTER 13 “HEALTH AND SANITATION,” ARTICLE XII ENTITLED “MOBILE FOOD VENDORS”, OF THE CODE OF ORDINANCES OF THE CITY OF GRAND PRAIRIE; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION

WHEREAS, the State of Texas, 88th Legislature, passed House Bill No. 2878 transferring the authority to permit mobile food vendors in counties with a population of 2.1 million or more; and

WHEREAS, the City of Grand Prairie desires to ensure the safety and well-being of its residents through confirming compliance of mobile food vendors with Dallas and/or Tarrant County Health Department permits and the Texas Food Establishment Rules;

WHEREAS, Dallas and Tarrant Counties have relinquished the processing of permits for pre-packaged ice cream trucks and pushcarts; and

WHEREAS, the regulation of pre-packaged ice create trucks and pushcarts is necessary to reduce the risk of certain food borne illnesses and otherwise protect public health and safety;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That the definition for “Commissary” in Section 13-236 of Chapter 13, Article XII “Mobile Food Vendors”, of the Code of Ordinances of the City of Grand Prairie, Texas is hereby replaced with the following definition for “Central Preparation Facility (CPF)”:

“Central Preparation Facility (CPF). A base of operation or any other place in which food containers or supplies are kept, handled, prepared, packaged or stored and permitted or licensed according to law by an authorized public health regulatory agency from which a mobile vendor shall report at least daily for all food supplies, cleaning, and servicing operations. A CPF is commonly referred to as a commissary.”

SECTION 2. That Sections 13-237 of Chapter 13, Article XII “Mobile Food Vendors”, of the Code of Ordinances of the City of Grand Prairie, Texas shall be amended to read as follows:

“Sec. 13-237. Compliance required.

It shall be unlawful for any mobile vendor, stationary food unit, merchant, or peddler to sell, offer or exhibit, for the purpose of taking orders for sale thereof, any food, food product or food additive at any location within the city without first obtaining a permit from the City of Grand Prairie or, if operating pursuant to a permit issued by a county health department in accordance with Texas Health and Safety Code 437A, as amended, submitting a copy of the permit obtained from the county health department for the county in which operations will occur.

- (a) Home preparation or storage of any food for consumption by persons other than the members of the vendor’s own household or guests in his/her home is expressly prohibited.
- (b) No vendor may enter any park for the purpose of vending without first receiving an additional permit from the Director of Parks and Recreation.
- (c) No vendor shall vend from private property without first submitting a notarized permit authorization form to the City of Grand Prairie Public Health Division.
- (d) Only farm produce in its natural state or commercially prepared and packaged foods from an approved source shall be offered at any flea market, swap meet, or trade day unless suitable facilities for handling potentially hazardous foods are provided and approved by the regulatory authority.

SECTION 3. That the term “Commissary” in Sections 13-238, 13-243, and 13-245 of Chapter 13, Article XII “Mobile Food Vendors” shall be replaced with “CPF.”

SECTION 4. That Sections 13-239 through 13-242 of Chapter 13, Article XII “Mobile Food Vendors”, of the Code of Ordinances of the City of Grand Prairie, Texas shall be amended to read as follows:

“Sec. 13-239. Issuance of permit.

(a) Upon completion and presentation of the application, the regulatory authority shall issue a permit in the form of a sticker, which shall be affixed to the vending vehicle in a location to be determined by the regulatory authority. Permits shall be valid for one (1) year from the date of issue. Permits are nontransferable and shall not be prorated.

Sec. 13-240. Transfer.

No permit issued under the provisions of this article shall be transferred or assigned.

Sec. 13-241. Reserved.

Sec. 13-242. Fees.

In advance of the issuance of a permit required herein, there shall be paid an annual fee as prescribed in section 13-20(a) of this Code.”

SECTION 5. That the reference to “Section 13-238” in Sections 13-245 and 13-246 of Chapter 13, Article XII “Mobile Food Vendors” shall be replaced with a reference to “Section 13-237”

SECTION 6. That Section 13-247(a) of Chapter 13, Article XII “Mobile Food Vendors”, of the Code of Ordinances of the City of Grand Prairie, Texas shall be amended to read as follows:

“(a) No person may vend any ice cream or other frozen dessert product unless he/she has first applied for and received a mobile vending permit from the City of Grand Prairie Public Health Division.”

SECTION 7. That Section 13-248(a) of Chapter 13, Article XII “Mobile Food Vendors”, of the Code of Ordinances of the City of Grand Prairie, Texas shall be amended to read as follows:

“(a) No person may vend any ice cream or other frozen dessert product from a pushcart unless he/she has first applied for and received a permit from the City of Grand Prairie Public Health Division. A permit and the associated fee shall be required for each individual pushcart.”

SECTION 8. That Sections 13-250 through 13-253 of Chapter 13, Article XII “Mobile Food Vendors”, of the Code of Ordinances of the City of Grand Prairie, Texas shall be amended to read as follows:

“Sec. 13-250. Records.

The regulatory authority shall maintain a record for each permit issued under this article.

Sec. 13-251. Reserved.

Sec. 13-252. Immediate Suspension of permit.

(a) The regulatory authority is authorized to immediately suspend a permit issued under this article

for violations that are, in the sole opinion of the regulatory authority, a danger to health and safety.

- (b) An immediate suspension notice issued under this section shall include the following information:
 - (1) a description of the violation; and
 - (2) a description of the actions that the permit holder must take in order to remedy the violation(s) and have the suspension lifted.
- (c) Upon service of the immediate suspension notice, the holder of such permit shall immediately cease operation.
- (d) The permit holder shall not resume operations until the violation has been remedied and the regulatory authority has verified the violation has been remedied.
- (e) If the permit holder disputes the existence of the violation, the permit holder may appeal the determination, within ten (10) days of such determination, by submitting a written request for a hearing to the regulatory authority. The request for a hearing must include the violation which is being disputed. The permit holder cannot operate during the pendency of an appeal for an immediate suspension. If at any time during the pendency of the appeal, the regulatory authority determines the violation has been remedied, the permit holder may resume operations and the appeal will be dismissed.
- (f) An immediate suspension is not intended to be punitive in nature and does not prevent the regulatory authority from issuing a definite suspension or revocation for the same violation.

Sec. 13-253. Revocation or definite suspension of permit.

- (a) A permit issued under the provisions of this article may be revoked or suspended for a definite period of time (definite suspension) by the regulatory authority, after notice and an opportunity to be heard, for any of the following causes:
 - (1) Fraud, misrepresentation, or false statement contained in the application for permit;
 - (2) Fraud, misrepresentation, or false statement made in the course of carrying on his business as peddler;
 - (3) Any violation of this article;
 - (4) Conviction of any misdemeanor or any felony if the crime directly relates to the conduct of a peddler's business;
 - (5) Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, and general welfare of the public.
- (b) Notice of the regulatory authority's decision to revoke or definitely suspend a permit issued

under this article shall be given in writing setting forth the regulatory authority's intent to revoke or definitely suspend the permit, the length of the definite suspension, if applicable, and the grounds for the definite suspension or revocation. Such notice shall be mailed, certified mail with postage prepaid, to the permit holder at the address given in the application. The revocation or suspension shall be effective on the fifteenth day following the date the letter is mailed unless, prior to the effective date of the definite suspension or revocation, the permit holder submits a written notice of appeal to the regulatory authority stating the grounds for such appeal. The validity of the revocation or definite suspension is not affected by mail which is returned as undeliverable to the address provided in the application.

- (c) Upon the effective date of the revocation or appeal, the permit holder shall cease operating in accordance with the notice or appeal determination, as applicable. The permit holder shall be permitted to operate during the pendency of the appeal of a revocation or definite suspension unless the permit holder is prohibited from operating under an emergency suspension.
- (d) All appeals under this article shall be heard by a hearing authority designated by the City Manager."

SECTION 9. That Section 13-257 of Chapter 13, Article XII "Mobile Food Vendors", of the Code of Ordinances of the City of Grand Prairie, Texas shall be amended to read as follows:

"Sec. 13-257. Stationary Food Units.

- (a) Any person operating a Stationary Food Unit must comply with the following:
 - (1) The operator must have a current state-approved Food Manager Certificate and all the employees must have Food Handler Cards.
 - (2) The application shall include a signed CPF agreement.
 - (3) Written permission from the property owner to use property and restrooms must be obtained and submitted with the application.
 - (4) The unit must be made of stainless steel, anodized aluminum, or fiberglass reinforced plastic. No wood or any other absorbent materials are allowed.
 - (5) The unit must be mounted on wheels, non-motorized, and easily moveable.
 - (6) The bottom of the unit must be at least six (6) inches from the ground.
 - (7) The unit must have the following accessories:
 - a. Internal tank with potable water
 - b. Internal tank for wastewater
 - c. A handwashing sink
 - d. Liquid soap and paper towels
 - e. Hot holding compartment to maintain hot foods hot
 - f. Cooling compartment to maintain cold foods cold

- (8) Mobile unit must be removed at the end of each day and washed, sanitized, and stored at the CPF.
- (9) Unit must operate within 50 feet of an entrance of a primary building that holds a certificate of occupancy.
- (10) Mobile vendors may operate only during the normal business hours of the primary business on the property.
- (11) Mobile food vendor may not operate from parking spaces, driveways, fire lanes, or public roads.
- (12) A drive through is not permitted.
- (13) Mobile vendors shall be set back a minimum of 100 feet from main roads or streets.
- (14) No bare-hands contact is permitted. Gloves and hair restraint must be worn at all times.
- (15) Only single service articles are to be used.
- (16) Stem type food thermometers must be available to check for internal food temperatures.
- (17) Cutting, slicing, chopping, etc. of fruits or vegetables is not permitted.
- (18) If used, ice must be drained into a retention tank to be properly disposed of at the CPF.
- (19) Unit must display the business name and permit on both sides in at least three (3) inch letters.”

SECTION 10. That Chapter 13, “Health and Sanitation”, of the Code of Ordinances of the City of Grand Prairie, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 11. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 12. All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 13. A violation of this Ordinance is a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 14. This ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THE 20TH DAY OF FEBRUARY, 2024.

ARTICLE XII. MOBILE FOOD VENDOR

Sec. 13-236. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Approved source. Any facility where food is prepared, handled or stored which complies with all laws relating to food and food labeling.

CommissaryCentral Preparation Facility (CPF). A base of operation or any other place in which food containers or supplies are kept, handled, prepared, packaged or stored and permitted or licensed according to law by an authorized public health regulatory agency from which a mobile vendor shall report at least daily for all food supplies, cleaning and servicing operations. A CPF is commonly referred to as a commissary.

Food. Any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale, in whole or in part, for human consumption.

Food establishment. Any place where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term does not include private homes where food is prepared or served for individual family consumption.

Mobile food court. Mobile food court means a parcel of land where two (2) or more mobile food vendors are authorized pursuant to the Unified Development Code to congregate to offer food and/or beverages for sale to the public.

Mobile food unit. A vehicle mounted, self, or otherwise propelled, self-contained food service operation, designed to be readily movable (including, but not limited to, catering trucks, trailers, mobile food preparation vehicles, vans, push carts, or other type of vehicle capable of being transported) and used to store, prepare, display, serve or sell food. A mobile food unit does not mean a stand or a booth.

Mobile vendor, merchant or peddler. Any person not having a fixed place of business in a permanent building in the city, which is either owned by such vendor, or under lease to such vendor for a period of not less than one hundred eighty (180) days, or any vendor who conducts a business from any pushcart, truck, trailer, manufactured housing, van or other type of structure or vehicle capable of being transported on the streets or highways of the city.

Packaged. Bottled, canned, cartoned, or securely wrapped and labeled.

Person. Any individual, partnership, association, corporation, corporation, firm, club, trustee, receiver, and body politic and corporate.

Potentially hazardous food. Any food that consists of, in whole or in part, milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

Pushcart. A nonmotorized vehicle propelled by a human or other nonmotorized force.

Regulatory authority. Any municipal officer or department of the city appointed by the city manager to administer this article.

Sanitary facilities. Toilet or restroom facilities which discharge the sewage effluent and wastewater into an approved holding tank, on-site sewage disposal system, or municipal sanitary system.

Solicitor. Any person who requests any orders for goods or services for profit or any person who makes requests for money, goods or services on behalf of any religious, veterans', charitable or fraternal organization.

Special event. A temporary event or activity, as defined in chapter 7.5 of the city's Code of Ordinances.

Stationary food unit. A self-contained cart, or trailer mounted on wheels designed to be readily movable. The unit remains in a fixed position during food preparation and its hours of operation at the same location throughout the year.

Sec. 13-237. Compliance required.

It shall be unlawful for any mobile vendor, [stationary food unit](#), merchant, or peddler to sell, offer or exhibit, for the purpose of taking orders for sale thereof, any food, food product or food additive at any location within the city without first [obtaining a permit from the City of Grand Prairie or, if operating pursuant to a permit issued by a county health department in accordance with Texas Health and Safety Code 437A, as amended, submitting a copy of the permit obtained from the county health department for the county in which operations will occur.](#) ~~having complied with the provisions of this article.~~

- (a) Home preparation or storage of any food for consumption by persons other than the members of the vendor's own household or guests in his/her home is expressly prohibited.
- (b) No vendor may enter any park for the purpose of vending without first receiving an additional permit from the ~~D~~irector of ~~p~~arks and ~~R~~ecreation.
- (c) [No vendor shall vend from private property without first submitting a notarized permit authorization form to the City of Grand Prairie Public Health Division.](#) ~~The applicant for permit shall be responsible for all activities conducted by any employee or agent of the vendor.~~
- (d) Only farm produce in its natural state or commercially prepared and packaged foods from an approved source shall be offered at any flea market, swap meet, or trade day unless suitable facilities for handling potentially hazardous foods are provided and approved by the regulatory authority.

Sec. 13-238. Application.

Applicants for permits under this article must file with the regulatory authority during normal business hours, at least forty-eight (48) hours before vending activities begin, an application in writing on a form obtained from the regulatory authority, which shall contain the following information:

- (a) Name, date of birth, and driver's license number of the applicant;
- (b) Applicant's permanent address (both physical and mailing addresses) and telephone number;
- (c) If the applicant is an employee or agent of the company, the name, address and telephone number of this company;
- (d) The number of the limited sales tax permit issued to the business by the state comptroller's office;
- (e) Name, address, telephone number and date of birth of all persons having use of the vending vehicle;
- (f) A description of the vending vehicle which will be used under this permit. This information shall include the manufacturer, model year, color and vehicle identification number;
- (g) Any other information required by the regulatory authority.

In addition to the application form, the applicant must provide a letter signed by the operator of the [commissary-CPF](#) stating that the applicant has access to [commissary facilities-CPF](#) for all food and utensil storage, cleaning and maintenance activities.

Sec. 13-239. Issuance of permit.

(a) Upon completion and presentation of the application, the regulatory authority shall issue a permit in the form of a sticker, which shall be affixed to the vending vehicle in a location to be determined by the regulatory authority. Permits shall be valid for one (1) year from the date of issue. Permits are nontransferable and shall not be prorated.

~~(b) Each person who works under this permit shall be issued an identification badge which must be worn by the vendor in a place where it is visible by the general public at all times while vending. The identification badge will be issued unless grounds for denial exist under section 13-251 of this article. Such identification badge shall contain the signature of the issuing officer and shall show a photograph of the vendor, the vendor's name, address, and vending vehicle(s) to which the vendor is authorized to use thereunder. The regulatory authority shall keep a permanent record of all identification badges issued.~~

Sec. 13-240. Transfer.

No permit issued under the provisions of this article shall be transferred or assigned.

~~(1) A person commits an offense if he/she alters or uses the identification badge of any other person.~~

~~(2) A person commits an offense if he/she allows another person to use such identification badge.~~

Sec. 13-241. Reserved. ~~Exhibiting identification.~~

~~Mobile vendors, merchants or peddlers are required to exhibit their identification badge and/or permit at the request of an authorized officer of the city or any citizen. Identification badges shall be worn on their person in public view at all times while vending.~~

Sec. 13-242. Fees.

In advance of the issuance of a permit required herein, there shall be paid an annual fee as prescribed in subsection 13-20(a) of this Code. ~~An additional fee of ten dollars (\$10.00) shall be paid for an identification badge which will be used by each additional employee working under this permit.~~

Sec. 13-243. Use of streets.

- (a) No vendor shall have any exclusive right to any location in the public streets nor shall any be permitted a stationary location. For the purpose of this article, no vending stop may continue for more than fifteen (15) minutes in any hour.
- (b) No vendor shall be permitted to operate in any congested areas where their operations might impede or inconvenience the public. For the purpose of this article, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.
- (c) No vendor may operate within any school zone or within three hundred (300) feet of a school during the period when school zone warning lights are in operation.
- (d) The stationary location restriction of subsection 13-243(a) above does not apply to:
 - (1) Mobile food units which establish a stationary location on private property located in zoning districts authorized for mobile food units under article 4 of the Unified Development Code when the following conditions are met:
 - a. Written permission is obtained from the private property owner for the establishment of the stationary location and this permission authorizes utilization of the on-site restroom facilities for

the employees of the mobile food unit, and access to trash receptacles for customers. This permission shall be submitted to the regulatory authority prior to initiation of such activity. Application shall be signed and notarized by the applicant.

- b. The mobile food unit shall only be allowed on the premises from 7:00 a.m. until 7:00 p.m. or, if the private property is a business, during the business's regular hours of operation. Business hour exceptions may be requested during permit review on a case-by-case basis.
 - c. The mobile food unit shall be required to return to a [commissary CPF](#) for daily cleaning and maintenance as required by this article.
 - d. No more than one (1) mobile vendor is allowed on a lot or parcel except when associated with a special event, approved city event, or authorized mobile food court. A mobile vendor is not allowed on a vacant lot.
- (2) Mobile vendors operating in a stationary capacity under an approved special event permit or mobile food court specific use permit or as authorized in connection with an approved city hosted event.

Sec. 13-244. Expiration of permit.

Unless otherwise specified, all vehicles' vending permits and badge permits issued under the provisions of this article shall expire one (1) year from the date of issuance.

Sec. 13-245. Potentially hazardous food—Sale from motorized units.

- (a) It shall be unlawful for any itinerant vendor, merchant or peddler to peddle, solicit, sell, offer for sale, or exhibit for sale any fresh, frozen or processed potentially hazardous food from any motorized food unit within the city without first having applied for and received a mobile vending permit from the city as prescribed in section 13-2378 of the Code.
- (b) The requirements for receipt of a mobile vending permit under this section shall be as follows:
 - (1) Vendors must supply an itinerary of all vending stops to the regulatory authority on or before the first workday of each month;
 - (2) Mechanical refrigeration must be available in the mobile unit and capable of maintaining the appropriate product temperatures, as adopted in section 13-20, rules on food service sanitation, or the Code of Ordinances. Mechanical refrigeration units must be designed to NSF standards for commercial food service equipment and maintained in proper working condition at all times when food is aboard. Ice, if used as a cooling medium, must be continuously drained and discharged into the waste retention tank;
 - (3) A numerically scaled, metal stem, product thermometer must be available;
 - (4) Hot and cold potable water under pressure must be provided with a minimum capacity of fifteen (15) gallons required;
 - (5) All connections on the mobile unit for servicing of wastewater shall be of a different size and type than those used for supplying potable water, and all waste connections shall be lower on the mobile unit than connections to potable water;
 - (6) A three-compartment sink for utensil washing, rinsing and sanitizing must be provided;
 - (7) A handwashing lavatory with hot and cold water under pressure must be available in the vending unit, and hand soap and single-use towels must be provided at all times;
 - (8) Waste-retention tanks with a fifteen (15) per cent greater capacity than potable water capacity must be provided, and all wastewater must be properly disposed of in a sanitary sewer;

- (9) Scales for weighing products, if provided, must bear the current seal of the Texas Department of Agriculture verifying the accuracy of the scales;
 - (10) The vending unit must be constructed in a manner which prevents flies, dust and vermin from entering the facility, and all screens must be a minimum of 16-mesh per inch;
 - (11) All interior surfaces must be easily cleanable, nonporous, durable and smooth; and all walls and ceilings must be light in color;
 - (12) The name of the vending operation must appear in two-inch block letters on the sides of the mobile vending unit; and
 - (13) Motorized units must return to the [commissary-CPF](#) for daily servicing and cleaning of the unit as prescribed in the rules.
- (c) The following procedures shall be observed by any motorized unit operator when operating, preparing to operate, or procuring such motorized unit:
- (1) All foods must be in sound condition, from an approved source, free from spoilage, filth or other contamination and safe for human consumption;
 - (2) Both the state department of parks and wildlife and the city's permits must be conspicuously displayed on the motorized unit;
 - (3) Written permission of the property owner must be secured if vending from the property of an individual other than the applicant or owner, and such document must be available upon request;
 - (4) Convenient restroom facilities must be accessible during all periods of operation, and, if nonpublic facilities are utilized, written permission must be secured and maintained;
 - (5) Due to the mobile nature of such operations, labels detailing the name, address and telephone number of the owner must be provided on food containers; and
 - (6) The applicant must comply with all other rules and regulations of the city which in any way relate to impact upon the sale of potentially hazardous food from a motorized unit.

Sec. 13-246. Vending frozen foods.

No person may vend or solicit to vend any frozen potentially hazardous food from any motorized vending unit without first making application and receiving a permit as prescribed in section 13-237~~8~~ of this Code.

- (a) Mechanical refrigeration must be available in the motorized unit and capable of maintaining the appropriate product temperatures, as adopted in section 13-20, rules on food service sanitation, of the Code of Ordinances.
- (b) Mechanical refrigeration units must be designed to NSF standards for commercial food service equipment and maintained in proper working condition at all times when food is aboard. The use of ice or "dry ice" as a refrigerant is prohibited.
- (c) All food shall be delivered in commercially prepared packages. The sale of partial packages or mixing or recombining packages of any food products is prohibited.

Sec. 13-247. Motorized ice cream vendors.

- (a) No person may vend any ice cream or other frozen dessert product unless he/she has first applied for and received a mobile vending permit [as specified in section 13-238 of this article from the City of Grand Prairie Public Health Division](#).

- (b) It shall be unlawful for any person to operate on any public street or highway within the city any vehicle for the purpose of selling ice cream therefrom while on such public streets or highway without first having the following safety equipment on such vehicle:
- (1) One (1) electrically operated, yellow, multi-directional strobe light or one (1) electrically operated, yellow, rotating, double-faced lamp on the top of such vehicle, the face of which shall be a minimum of five (5) inches in diameter, which shall be easily visible for a distance of two hundred (200) feet to the front and the rear of such vehicle.
 - (2) An automatic flashing device designed so that at least two (2) of the rear and front lamps of such vehicle shall flash intermittently at all times while the vehicle is vending or soliciting to vend.
 - (3) Any additional safety devices that the chief of police may from time to time reasonably prescribe.
 - (4) Music or other noises emitted from ice cream vending vehicles which are intended to attract attention to the vending vehicle shall be kept below a level which could not be heard by a person of normal sensitivity while inside of their residence or business building when all outer openings are closed.
 - (5) Vending operations may not begin before 10:00 a.m. and shall cease immediately at dusk. Illuminated street lights which are visible in the area shall be prima facie evidence that it is too dark to safely vend.
 - (6) Motorized units must return to the commissary for daily servicing and cleaning of the unit as prescribed in the rules.

Sec. 13-248. Pushcart ice cream vendors.

- (a) No person may vend any ice cream or other frozen dessert product from a pushcart unless he/she has first applied for and received a [permit from the City of Grand Prairie Health Division](#). ~~mobile vending permit as specified in section 13-238 of this article.~~ A permit and the associated fee shall be required for each individual pushcart.
- (b) Pushcart units must return to the commissary for daily servicing and cleaning of the unit as prescribed in the rules.
- (c) Pushcarts shall be limited to the vending of ice cream, frozen desserts, and non-potentially hazardous food items that are pre-packaged at approved facilities and are single serve only.
- (d) No pushcarts shall have any exclusive right to any location on a public sidewalk nor shall any be permitted a stationary location. For the purpose of this article, no vending stop may continue for more than five (5) minutes in any hour. An exemption from this requirement shall be made for any special or city-sponsored event.
- (e) No pushcart vendor may participate in a special or city-sponsored event without permission of the sponsoring entity.
- (f) No pushcart vendor shall leave any location without first picking up, removing and disposing of all trash or refuse remaining as the result of sales.
- (g) Pushcart operators shall not be required to comply with the badge requirements contained in this article.
- (h) Pushcart vending is prohibited within any street or highway.
- (i) Pushcarts are prohibited from stopping within fifteen (15) feet of the entrance to any permanent food establishment.
- (j) Pushcarts shall be prohibited from interfering or blocking the use of sidewalks by pedestrian traffic.
- (k) Vending operations may not begin before 9:00 a.m. and shall cease immediately at dusk. Illuminated street lights which are visible in the area shall be prima facie evidence that it is too dark to safely vend. Such time restraints shall not apply to special or city-sponsored events.

- (l) Pushcart vendors shall be required to carry and utilize hand sanitizer.

Sec. 13-249. Display of card prohibiting solicitors.

- (a) A person desiring that no merchant, itinerant vendor or peddler, or other person engage in a solicitation at his residence or business shall exhibit in a conspicuous place upon or near the main entrance to the residence or business a weatherproof card containing the words "NO SOLICITORS." The letters shall be not less than one (1) inch in height.
- (b) Every merchant, itinerant vendor or peddler, upon going onto any premises upon which a residence or business is located, shall first examine the residence or business to determine if any notice prohibiting soliciting is exhibited upon or near the main entrance to the residence or business. If notice prohibiting soliciting is exhibited, the itinerant vendor, merchant or peddler shall immediately depart from the premises without disturbing the occupant unless the visit is the result of a request made by the occupant.
- (c) No person shall go upon any residential or business premises and ring the doorbell or knock upon the door or create any sound in a manner calculated to attract the attention of the occupant of the residence or business for the purpose of securing an audience with the occupant and engaging in or attempting to engage in the business of an itinerant vendor, merchant or peddler if a card as described in subsection (a) is exhibited in a conspicuous place upon or near the main entrance to the residence or business unless the visit is the result of a request made by the occupant.
- (d) No person, other than the occupant of the residence or business, shall remove, deface or render illegible a card placed by the occupant pursuant to subsection (a) above.
- (e) Any merchant, itinerant vendor or peddler who has gained entrance to a residence or business for an audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by the occupant.

Sec. 13-250. Records.

The regulatory authority shall maintain a record for each ~~vehicle's vending permit~~ issued under this article. ~~and all badge permit issued and record of reports of violation therein.~~

Sec. 13-251. Reserved. ~~Denial of badge permit.~~

- ~~(a) The regulatory authority may deny or suspend a vehicle's vending permit or a badge permit for failure to comply with any provisions of this article.~~
- ~~(b) The regulatory authority shall make written notification of denial within forty-eight (48) hours from receipt of the application.~~

Sec. 13-252. Immediate Suspension of permit.

- (a) ~~(a)~~ The regulatory authority is authorized to immediately suspend a permit issued under this article for violations that are, in the sole opinion of the regulatory authority, a danger to health and safety.
- (b) An immediate suspension notice issued under this section shall include the following information:
- (1) a description of the violation; and
 - (2) a description of the actions that the permit holder must take in order to remedy the violation(s) and have the suspension lifted.
- (c) Upon service of the immediate suspension notice, the ~~A vehicle's vending permit~~ holder of such permit or an operator's badge permit holder must shall immediately cease operation, ~~and surrender his or her badge permit upon written notification by the regulatory authority for any violation of this article~~

- ~~(d)~~ (d). The permit holder shall not resume operations until the violation has been remedied and the regulatory authority has verified the violation has been remedied.
- (e) If the permit holder disputes the existence of the violation, the permit holder may appeal the determination, Operation shall remain suspended pending a hearing as prescribed in this article. A request for a hearing must be filed with the regulatory authority within ten (10) days of such determination, by submitting notice of suspension of permit. If no written request for a hearing is received, the suspension shall be upheld and the permit shall be revoked to the regulatory authority. The request for a hearing must include the violation which is being disputed. The permit holder cannot operate during the pendency of the appeal for an immediate suspension. If at any time during the pendency of the appeal, the regulatory authority determines the violation has been remedied, the permit holder may resume operations and the appeal will be dismissed.
- ~~(f)~~ (f) An immediate suspension is not intended to be punitive in nature and does not prevent the regulatory authority from issuing a definite suspension or revocation for the same violation.

Sec. 13-253. Revocation of permit.

- ~~(a)~~ (a) Notice of hearing for the revocation of a vehicle's vending permit or an operator's badge permit shall be given in writing setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the permit holder at his address given in the application for a badge permit at least five (5) days prior to the date set for hearing.
- ~~(b)~~ (b) A vehicle's permit or an operator's badge permit issued under the provisions of this article may be revoked or suspended for a definite period of time (definite suspension) by the regulatory authority, after notice and an opportunity to be heard hearing, for any of the following causes:
- (1) Fraud, misrepresentation or false statement contained in the application for permit;
 - (2) Fraud, misrepresentation or false statement made in the course of carrying on his business as peddler;
 - (3) Any violation of this article;
 - (4) Conviction of any misdemeanor or any felony if the crime directly relates to the conduct of a peddler's business;
 - (5) Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety and general welfare of the public.
- (b) Notice of the regulatory authority's decision to revoke or definitely suspend a permit issued under this article shall be given in writing setting forth the authority's intent to revoke or definitely suspend the permit, the length of the definite suspension, if applicable, and the grounds for the definite suspension or revocation. Such notice shall be mailed, certified mail with postage prepaid, to the permit holder at the address given in the application. The revocation or suspension shall be effective on the fifteenth day following the date the letter is mailed unless, prior to the effective date of the definite suspension or revocation, the permit holder submits a written notice of appeal to the regulatory authority stating the grounds for such appeal. The validity of the revocation or definite suspension is not affected by mail which is returned as undeliverable to the address provided in the application.
- (c) Upon the effective date of the revocation or appeal, the permit holder shall cease operating in accordance with the notice or appeal determination, as applicable. The permit holder shall be permitted to operate during the pendency of the appeal of a revocation or definite suspension unless the permit holder is prohibited from operating under an emergency suspension.
- (d) All appeals under this article shall be heard by a hearing authority designated by the City Manager."

Sec. 13-254. Appeal.

Any applicant aggrieved by the action of the regulatory authority with reference to the revocation of a permit, as provided in section 13-253 of this article, shall have the right to appeal to the city manager. Such appeal shall be taken by filing with the city manager, within fourteen (14) days after notice of the action complained of has been mailed to such person's address given in the application, a written statement setting forth fully the grounds for the appeal. The city manager shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in section 13-253 of this article for notice of hearing on revocation. The decision and order of the city manager on such appeal shall be final and conclusive.

Sec. 13-255. Exemptions.

The provisions of this article shall not be held applicable to vendors of farm produce, poultry, stock or agricultural products in their natural state if raised on land owned or leased by the vendor, and if such products are sold at the site where the items are grown or raised by any member of such owner's or lessee's household.

Sec. 13-256. Punishment for violations; other remedies.

- (a) Any person, firm, or corporation who violates any provision of this article is guilty of a misdemeanor and upon conviction is punishable by a fine as provided in section 1-8 of the Code of Ordinances of the City of Grand Prairie, or any amendment thereto or renumbering thereof, for violations of public health for each act of violation and for each day of violation.
- (b) Any person, firm, or corporation who obstructs, impedes, or interferes with a representative of the city, with a representative of a city department, or with a person who has been ordered to abate a situation pursuant to this article and who is lawfully engaged in such abatement is guilty of a misdemeanor and upon conviction is punishable by a fine as provided in section 1-8 of the Code of Ordinances of the City of Grand Prairie, or any amendment thereto or renumbering thereof, for violations of public health for each act of violation and for each day of violation.
- (c) In addition to proceeding under authority of subsections (a) and (b) of this section, the city is entitled to pursue all criminal and civil remedies to which it is entitled under authority of statutes or other ordinances against a person, firm, or corporation that remains in violation of this article.

Sec. 13-257. Stationary food units.

- (a) Any person operating a ~~s~~Stationary ~~f~~Food ~~u~~Unit must comply with the following:
 - (1) The operator must have a current ~~state-approved Grand Prairie~~ Food Manager Certificate and all the employees must have ~~a Grand Prairie~~ Food Handler Cards.
 - (2) The application shall include a signed ~~commissary CPF~~ agreement.
 - (3) A written permission from the property owner to use property and restrooms must be obtained and submitted with the application.
 - (4) The unit must be made of stainless steel, anodized aluminum, or fiberglass reinforced plastic. No wood or any other absorbent materials are allowed.
 - (5) The unit must be mounted on wheels, non-motorized, and easily movable.
 - (6) The bottom of the unit must be at least six (6) inches from the ground.
 - (7) The unit must have the following accessories:
 - a. Internal tank with potable water;

- b. Internal tank for wastewater;
 - c. A handwashing sink;
 - d. Liquid soap and paper towels;
 - e. Hot holding compartment to maintain hot foods hot;
 - f. Cooling compartment to maintain cold foods cold.
- (8) Mobile unit must be removed at the end of each day and washed, sanitized, and stored at the commissary.
 - (9) Unit must operate within fifty (50) feet of an entrance of a primary building that holds a certificate of occupancy.
 - (10) Mobile vendors may operate only during the normal business hours of the primary business on the property.
 - (11) Mobile food vendor may not operate from parking spaces, driveways, fire lanes, or public roads.
 - (12) A drive-through is not permitted.
 - (13) Mobile vendors shall be set back a minimum of one hundred (100) feet from main roads or streets.
 - (14) No bare-hands contact is permitted. Gloves and hair restraint must be worn at all times.
 - (15) Only single service articles are to be used.
 - (16) Stem-type food thermometers must be available to check for internal food temperatures.
 - (17) Cutting, slicing, chopping, etc., of fruits or vegetables is not permitted.
 - (18) If used, ice must be drained into a retention tank to be properly disposed of at the commissary.
 - (19) Unit must display the business name and permit on both sides in at least three-inch letters.
- ~~(b) Stationary food units owned and operated by personnel and students from the Grand Prairie Independent School District, as part of the culinary arts program, must be inspected annually in order to obtain a City of Grand Prairie permit. There will not be a charge for such permit. The units may operate at any venue within the City of Grand Prairie with written authorization from the site's landlord.~~

Secs. 13-258—13-274. Reserved.