

Ordinance No. 02112025A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELESTE, TEXAS, HUNT COUNTY, AUTHORIZING THE REGULATION OF MOBILE FOOD VENDORS WITHIN THE CITY LIMITS FOR MOBILE OR ROADSIDE VENDORS, PROVIDING A PENALTY; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Celeste, Texas.

WHEREAS, the City Council of the City of Celeste, Texas seeks to protect the public health, safety and welfare through a comprehensive regulatory program that includes food safety standards; and

WHEREAS, the City Council has assessed potential traffic safety threats, the utility needs of mobile stores in terms of water, wastewater, gas, and telecommunications, and how those demands correspond to the community's utility plans and infrastructure; and

WHEREAS, the City Council is authorized to regulate mobile food vendors by virtue of the Texas Constitution, the Texas Health and Safety Code, the Texas Administrative Code, the City's police power and by Chapters 51, 54, 211, 214, 216, and 217 of the Texas Local Government Code; and

WHEREAS, the City Council considers adoption of Ordinance to authorize and regulate various procedures and processes for mobile food vendors; and

WHEREAS, the City Council has determined it to be in the best interest of the City and its residents to adopt and enact such regulations herein.

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

SECTION 1 INCORPORATION OF PREMISES

That the above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2 AMENDMENT TO FEE SCHEDULE

The City's Fee Schedule shall be amended so that the fee for each specific Mobile Food Unit permit shall be stated in the Fee Schedule. Said Mobile Food Unit permit fee schedule may be updated and amended as determined by City staff and/or the mayor.

SECTION 3 SEVERABILITY

Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. City Council of City of Celeste hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

SECTION 4 PENALTY

Any person or corporation violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed two thousand dollars (\$2000.00) per day. Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude City from filing suit to enjoin the violation. City Council of City of Celeste retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5 PUBLICATION AND EFFECTIVE DATE

This Ordinance, including Exhibit A, which is incorporated herein in full, shall become effective immediately upon its adoption and its publication as required by law.

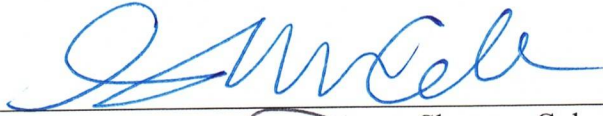
SECTION 6 OPEN MEETINGS

That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

SECTION 7 SAVINGS/REPEALING CLAUSE

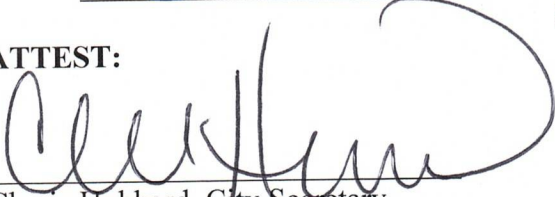
All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect

PASSED AND APPROVED this, the 11 day of February 2025, by the City Council of the City of Celeste, Hunt County, Texas.



Shaunna Cole, Mayor

ATTEST:



Cherie Hubbard, City Secretary



EXHIBIT A

ARTICLE 1. MOBILE FOOD VENDORS

Sec. 1 – Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City. City shall mean the City of Celeste, Texas.

City Administrator. The term “City Administrator” shall mean the Mayor, City Engineer of the City of Celeste, or the mayor’s designee for purposes of this ordinance.

Chief of Police. The term “Chief of Police” shall mean the Chief of Police of the City of Celeste, or the Chief of Police’s designee for purposes of this ordinance.

Fire Marshal. The term “Fire Marshal” shall mean the Fire Marshal of Hunt County, or the Fire Marshal’s designee for purposes of this ordinance.

Improved Surface. The term “Improved Surface” shall mean concrete, asphalt or other City approved surface for purposes of this ordinance.

Mobile Food Unit. A mobile Food Unit shall be defined herein as a unit designed to be readily movable and from which food or beverages are prepared and offered for sale. A Mobile Food Unit must be cleaned and serviced before each opening or use. Mobile food units in the city are further divided into one of the following categories:

Unrestricted Mobile Food Unit. An unrestricted mobile food unit is defined as a towed trailer or motorized self-contained food service operation or establishment designed to be readily movable in which ready to eat food is cooked, wrapped, packaged, processed, or portioned for service, sale, or distribution.

Restricted Mobile Food Unit. A restricted mobile food unit is defined as a towed trailer or motorized self-contained food service operation or establishment designed to be readily movable in which only food that is prewrapped, bottled, or otherwise packaged in individual servings is sold. (No cooking operations.)

Limited-Service Mobile Food Unit. A limited-service mobile food unit is defined as any mobile food unit that is not a Restricted or Unrestricted Mobile Food Unit. This type of mobile unit, with limited food handling, sells only packaged food from ingredients with a low potential for creating a food-borne hazard. The term includes the following types of mobile food vending operations:

- a. Ice Cream Trucks or Push Carts serving packaged, frozen treats.

- b. Mobile Vending Food Units selling whole fruits and raw vegetables.
- c. Truck selling packed frozen steaks, chicken, seafood, and frozen foods.
- d. A truck, trailer or permanently affixed structure selling only a shaved ice or snow cone product.

Person. The term “Person” shall mean any person, firm, entity, or corporation.

Public Property. The term “Public Property” shall mean any property open or devoted to public use or owned by the City of Celeste, including, but not limited to, sidewalks, streets, rights-of-ways, parks and municipal buildings. This definition does not include property owned by any county entity.

Public Rights-Of-Way. The term “public rights-of-way” shall mean the surface, the air space above the surface, and the area below the surface of any public street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, parkway, waterway, easement, or similar property in which the City now or thereafter holds any property interest, which, consistent with the purposes for which it is dedicated, may be used for the purpose installing and maintaining a person’s facilities. Nothing in this article or in any permit shall be deemed to be a representation or guarantee by the City that its interest or other right to control the use of such property is sufficient to permit its use for such purposes. The holder of a permit shall be deemed to gain only those rights to use as are properly in the City and as the City may have the undisputed right and power to give.

Public Works. The term “Public Works” shall mean the Public Works Department of the City of Celeste, or the Public Works designee for purposes of this ordinance.

Regulatory Authority. The term “Regulatory Authority” shall mean either Hunt County or the City of Celeste for the purpose of this ordinance.

Sec. 2 – Violation; Penalty.

- a. Unless exempted from the provisions of this article, it shall be unlawful for a person to engage in, transact or conduct the business or occupation of a Mobile Food Unit vending within the City without first having obtained a Mobile Food Unit Permit from the City or to violate any provision of this ordinance.
- b. Any person, firm, entity or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, therefore, shall be fined in accordance with State Law. Each continuing day’s violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Sec. 3 – Categories of mobile food units and where allowed.

The following Mobile Food Units may only operate in the city as indicated herein and under the following regulations:

1. Unrestricted Mobile Food Unit. These units may operate on private property at one or more locations on property zoned as commercial property depending upon owner's permission and must comply with all City of Celeste ordinances, rules, and regulations.
2. Restricted Mobile Food Unit. Under this type of permit, no open food preparation or handling may occur. All food items including beverages and condiments must be prepackaged at an approved food establishment or come prepackaged from an approved source. These units may operate on private property at one or more locations zoned as commercial depending upon owner's permission and must comply with all City of Celeste ordinances, rules, and regulations.
3. Limited-Service Mobile Food Unit. Under this type of permit, the Mobile Food Unit may only operate as indicated:
 - a. Ice Cream Trucks or Push Carts serving packaged, frozen treats. These units are only allowed to drive through neighborhoods and stop for only a brief period of time to serve their product.
 - b. Mobile Vending Food Units selling whole fruits and raw vegetables. These Units may set up for a brief period of time at private locations with the property owner's permission or may drive through neighborhoods and stop for only a brief period of time to serve their product.
 - c. Trucks selling packed frozen steaks, chicken, seafood, and frozen foods. These units can only sell their products door to door and are limited to neighborhoods and local businesses.
 - d. A truck, trailer or permanently affixed structure selling only a shaved ice or snow cone product shall be as specifically approved by the City.

Mobile food units are prohibited from operating in a residential zoning district as defined in the City's Zoning Ordinance except as specifically permitted in this Ordinance.

Sec. 4 – Vehicle Requirements.

A Mobile Food Unit, in addition to any requirements of the Hunt County Health Department, shall:

1. Maintain the vehicle in a clean, undamaged condition, both inside and outside, and in good working order, in compliance with any and all other City's ordinances.
2. Keep all required permits or copies of permits on the vehicle or Mobile Food Unit at all times.

3. Display on the vehicle current license plates and current vehicle safety inspection information in accordance with current State Law. Display on the vehicle's windshield, the appropriate permit issued by the City of Celeste showing that the Mobile Food Unit is permitted to operate within the city limits.
4. Display copies of the Texas Sales and Use Tax Permit and the Hunt County Health Department Permit on the vehicle at all times.
5. Only serve or distribute food as specified on the permit issued by the Hunt County Health Department. This permit must be displayed on the vehicle.
6. Preparation Precautions: All Unrestricted Mobile Food Units must operate under the jurisdiction of the Hunt County Health Department and also demonstrate, as requested by the City, adequate supplies and servicing.
 - a. Supplies, cleaning, and servicing operations. A Mobile Food Unit must operate as a properly permitted food establishment and owner, or manager must regularly inspect the unit location for supplies, cleaning, and servicing needs once daily.
 - b. The Mobile Food Unit must have adequate and regular access to a service area. The servicing area must include protection for any supplying, cleaning, or servicing operation; a location for the flushing and draining of liquid waste; and, a location for properly disposing of any accumulation of grease in a properly authorized grease trap or other similar and approved method to prevent grease and similar cooking waste from entering any City, municipal or public sewer.
 - c. Servicing Methods and Equipment: Potable water servicing equipment must be installed according to all applicable City Ordinance, county, state, and federal law, and stored and handled in a way that protect the water and equipment from contamination.
 - (i) The liquid waste retention tank for a mobile food unit must be thoroughly flushed and drained during the servicing operation.
 - (ii) All liquid waste, excluding grease and cooking waste, must be discharged to a sanitary sewerage disposal system constructed and operated according to all applicable city ordinances, county, state, and federal law.
 - (iii) Liquid waste may not be discharged from a Mobile Food Unit while the Mobile Food Unit is in motion.
 - d. Site cleanup. A service site must be left in a clean, waste-free condition.
 - e. Food preparation and services. Food may not be prepared or served while the mobile food unit is in motion or in an area that exposes any person present to a health or safety hazard.

- f. A mobile food unit may not serve, sell, or distribute any food or beverage if not supplied, cleaned, or serviced in accordance with this section.

Sec. 5 – Mobile Food Unit Operating Requirements.

1. Any person operating a motor vehicle as a mobile food unit must have at least one person who is a currently licensed driver with a valid driver' s license with the vehicle at all times.
2. Waste containers (inside and outside the unit) shall be durable, easily cleanable, insect-proof, rodent-proof, non-absorbent to liquids, leak-proof and lined with a plastic bag. Containers shall have tight fitting lids and must be maintained on each mobile food unit in a number sufficient to contain all trash and garbage generated by the unit. There shall be at least one waste container outside the unit, and it have sufficient capacity to accommodate all garbage and refuse that accumulates. Before the mobile food unit leaves the vending site, all trash and garbage must be removed from the site. Excessive trash and garbage shall not be allowed to accumulate inside or around the mobile food unit. All trash and garbage must be disposed of in an approved garbage receptacle.
3. A mobile food unit must comply with the City of Zoning Requirements governing mobile food units. Each mobile food unit shall:
 - a. Operate in approved areas with appropriate zoning designation.
 - b. Operate with approved permits.
 - c. May not sell or serve food on any public street, sidewalk, or other public right of way without appropriate permits from the City of Celeste and Hunt County.
 - d. Operate according to approved itinerary.
 - e. Mobile Food Units, or related traffic or parking, must not obstruct traffic movement, fire lanes and drive aisles.
 - f. Mobile Food Units shall not impede access to the entrance or driveway of any adjacent building.
 - g. Mobile Food Units cannot impair visibility or safety onsite; and
 - h. When out of service, be parked at a location in compliance with city ordinance and/or county, state and federal law.
4. A mobile food unit must have written authorization from the owner or person in control of each premise from which the mobile food unit will sell or serve food. The authorization must include the specific dates and times during which the unit is authorized to be present on the

premises. A current copy of each authorization must be maintained on file with the City of Celeste, as well as in the mobile food unit files for review by inspectors.

5. If a nearby toilet is used, a separate written agreement granting permission for the mobile food unit employees and customers to access the toilet facilities must be obtained from the owner or person in control of the facilities if the mobile food unit will be at the same location for more than two (2) hours.
6. No cooking may be conducted while the vehicle is in motion.
7. Covers with secure latches for deep fryers, steam tables and similar equipment must be provided and installed while the vehicle is in motion.
8. Shall follow all additional requirements of the Hunt County Health Department which are not included in this Chapter.

Sec. 6 – Structural requirements for Unrestricted Mobile Food Units.

1. Unrestricted mobile food units must have a potable water system under pressure that is equipped with a permanently installed water supply tank of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing, and handwashing.
2. The water supply tank must be equipped with a water inlet that is located where it will not be contaminated by waste discharge, road dust, oil or grease. Any unauthorized connection to the City's public water system and/or the dumping or release of grease into the City's sanitary sewer system shall be prohibited. An Unrestricted Mobile Food Unit may, with approval from the Director of Public Works, connect to the City's water supply provided the mobile food establishment has proper backflow devices installed. All backflow devices must be installed and maintained in conjunction with the City's Code of Ordinances.
3. If liquid waste results from the operation of a mobile food unit, it must have a liquid waste retention system that is equipped with a permanently installed retention tank of at least fifteen (15%) percent larger capacity than the potable water supply tank, is equipped with servicing connections that are located lower than the water inlet to prevent contamination of the potable water system and are of a different size or type than the connection used for supplying potable water to the unit and is properly sloped to drain and collect all potential liquid waste.
4. Floors must be constructed of smooth, durable material such as durable grades of acid-resistant linoleum, or better grades of tile. No carpet is allowed. All junctures between floor and walls, equipment and shelves shall be sealed and covered. Equipment and shelves must be elevated to a minimum of six (6) inches or sealed to the floor. All service lines and pipes must be installed off the floor to allow for easy cleaning.

5. Interior walls, wall coverings and ceilings shall be smooth, non-absorbent with easily cleanable surfaces. All other exposed wood surfaces must be smooth, sealed, or painted with epoxy type products. All edges must be protected, covered, or beveled. Studs, joists, and rafters shall not be exposed.
6. 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.
7. All equipment and utensils must meet or exceed the standards published by the National Sanitation Foundation.
8. All equipment must be placed, installed, stored, and secured on the unit in a manner that allows for thorough cleaning and sanitizing around the equipment and prevents movement of the equipment when the unit is in motion. Counter-mounted equipment must be sealed directly to the countertop or securely installed to provide a four-inch clearance under the equipment. Floor mounted equipment must be sealed directly to the floor or securely installed to provide a six (6) inch clearance under the equipment.
9. The unit must be equipped with a three-compartment sink with two drainboards, both made of stainless steel. The sink must have hot and cold water from an approved source. The sink must be of sufficient depth to completely immerse the largest piece of equipment used in the unit.
10. The unit must be equipped with a separate hand sink that must be fully accessible and separated from the ware washing by a splashguard and have a mixing valve or a combination faucet, and hot and cold water. Handwashing sinks are required to have a soap and paper towel dispenser in proximity.
11. Outer openings of the unit, including but not limited to service windows, doors, pop-up vents, and sunroofs, must be insect and rodent proof. Screens must be tightly fitted and in good repair with a maximum of 16 mesh per square inch. Entrance doors and service windows to the food preparation area must be self-closing and must be kept closed when not in use.
12. The unit must be equipped with a power source, approved by the City of Celeste that can handle the power demands of the unit and equipment when the unit is stopped or in motion. The power source must be permanently installed in an area that is completely separated from food preparation and food storage areas and must be accessible for proper cleaning and maintenance.
13. Light bulbs and tubes must be covered and completely enclosed in plastic safety shields or the equivalent.

Sec. 7 – Application and Review Process.

Any person desiring to engage in, transact or conduct the business or occupation of a Mobile Food Unit vending within the City shall apply for a Mobile Food Unit Permit with the City. Upon City Secretary's receipt of a completed application and proper fee payment, the City shall be provided inspection and compliance documentations showing approval of the unit from any City third party compliance inspector for both structural and fire compliance, Chief of Police, and Hunt County Health Department. Upon payment of the permit fee and approvals of officials set forth above, the City shall deliver to such Mobile Food Unit a permit which shall show the issuance and expiration date, name of Mobile Food Unit and description of Mobile Food Unit. The Mobile Food Unit permit shall be valid for one-year from the date of issuance.

The application for a Mobile Food Unit shall include:

- (1) Applicants' Name and date of birth, Mobile Unit business name, type of business, ownership information if different from applicant, business address, telephone number, and email address.
- (2) Applicant photo identification.
- (3) Additional responsible party name and phone number.
- (4) Description of the nature of the business and the character of food or beverage to be offered for sale.
- (5) Number of employees, together with credentials establishing the exact relationship.
- (6) The entire length of time for which the right to do business is desired and hours of operation.
- (7) Description of Mobile Food Unit type, motor vehicle make/model/year, color, plate number and issuing state and Vehicle Identification Number (VIN);
- (8) Vehicle insurance issuance company name and policy number (together with a copy of current proof of insurance).
- (9) Copy of business liability insurance.
- (10) Acceptable personal identification containing a current photo of applicant, such as a driver's license, passport, or other government issued identification.
- (11) Proof that the applicant has received a state limited sales and use tax permit.
- (12) Current Hunt County Health Department Permit.
- (13) Description of property from which food or beverages are to be displayed, including street name and address number, legal description or designation of the property as shown on the current tax records of the county tax appraisal district, with the name, contact information and tax billing address of the owner of the property.

- (14) A statement signed by the owner of the property acknowledging that said owner has reviewed the completed application forms and has granted permission to the applicant for the use of the property for the purpose set forth and for the time duration stated.
- (15) Date or dates and approximate hours that food or beverages will be displayed or sold during the period the license shall be in force and effect.
- (16) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any provision of this code, the nature of the offense and the punishment or penalty assessed therefor.
- (17) The place where the food or beverages are proposed to be sold, or orders taken for the sale thereof, are produced, where such food or beverages are located at the time such application is filed, and the proposed method of delivery; and
- (18) Applicable permit fee.

Sec. 8 – City’s Third-Party Compliance Inspectors Requirements.

Any person desiring to engage in, transact or conduct the business or occupation of a Mobile Food Unit vending within the City shall adhere to the following requirements:

1. Present a valid invoice from a Certified Master Plumber indicating an annual pressure/ gas test has been successfully completed. This will be required for initial permitting in addition to ongoing permit renewal.
2. Installed Liquefied Petroleum Gas (hereinafter LPG) piping shall be of an approved, labeled and listed type for use with the cooking appliances. Rubber type hoses shall not be allowed. All piping shall be in accordance with the most recently published National Fire Protection Association 58 and shall be protected against physical damage.
3. Maintain within a Mobile Food Unit a maximum of 200 gallons LPG located within a vented compartment: containers shall not be ahead of the front axle or beyond the rear bumper of the vehicle. An ASME tank is required for permanently installed tanks.
4. Maintain within a Mobile Food Unit a maximum of 200 gallons LPG located outside but mounted upon the trailer in a protected location: containers shall not extend beyond the rear bumper.
5. LPG cylinders shall not exceed 100 pounds.
6. LPG cylinders shall have an approved label and listed shut-off valve.
7. All LPG cylinders shall be protected from damage and secured with a solid bracket.

8. The storage of LPG cylinders inside trucks and/or trailers is prohibited.
 9. All valves must be turned off when appliances/ cylinders are not in use.
 10. "No Smoking" signs shall be posted. Additionally, the signage should be visible near any propane container.
 11. Electrical:
 - a. Extension cords shall not be utilized, nor are they a substitute for permanent wiring.
 - b. An appropriately sized power supply cord with corresponding connections will be allowed. The cord will be sized according to the vehicle's electrical demands.
 - c. Appliances shall be plugged directly into electrical outlets.
 - d. All electrical outlets within six feet of a wet location shall be Ground Fault Circuit Interrupter (hereinafter GFCI) protected. All exterior outlets shall be GFCI protected.
 - e. Upon application, a generator may be approved subject to restrictions on noise, hours of use and other regulations and restrictions as determined by the City Administrator.
 12. Fire Extinguishers:
 - a. All fire extinguishers require an annual inspection by a Texas licensed fire extinguisher company. The required extinguishers must be properly mounted and readily accessible.
 - b. At least one portable extinguisher of the 2A10BC rating shall be accessible to the interior of the food truck/trailer.
 - c. Units utilizing oil/grease fryers are required to have a Class K fire extinguisher on the unit.
 13. Fire Suppression System:
 - a. Mobile Food Units which perform cooking operations that produce grease laden vapors shall have a Type 1 hood with ventilation.
 - b. Type 1 hoods shall be protected by a UL 3200 or UL 300A fixed fire extinguishing system.
 - c. A Biannual system inspection is required for all fire suppression systems by a Texas licensed fire suppression company.
 - d. All cooking Surfaces and hoods are to be kept clean to prevent grease build- up.
 14. Cooking Equipment and Appliances:
 - a. All cooking appliances shall be of an approved type, listed and labeled for the intended use. Propane appliance can be approved by the following testing labs: UL, CSA, CGA, AGA and/or ETL.
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- b. Cooking appliances shall have an approved, labeled and listed on- off valve.
- c. All appliances shall be installed according to the manufacturer's instructions.
- d. Water heaters or hot water tanks shall be installed in accordance with the International Plumbing Code and manufacturers installation instructions and shall include venting of the tank.

15. Fire Lanes and Fire Access and Driveways:

- a. Mobile Food Units shall not park in marked fire lanes. They should not block fire department access or driveways that serve as access.

16. Prohibited Cooking:

- a. Solid fuel cooking is prohibited with the following exception: The cooking device is listed and approved for mobile food cooking applications.
- b. Coleman Stove or equivalents are prohibited.

Sec. 9 – License fees; duration; exemptions.

- (a) Every person, unless otherwise exempt, and before engaging in the business or occupation of a Mobile Food Unit in the city, shall pay, in advance, to a city license fee in an amount determined by the City, as the same may be determined from time to time.
- (b) Licenses issued under this paragraph shall expire twelve (12) months following the date of issuance.
- (c) This licensing procedure, application, and fee shall not apply to:
 - (1) The sale of whole vegetables, whole fruits or other cultivated produce; and
 - (2) Permitted Farmers Market that runs from April through October.

Sec. 10 – Suspension of license; appeal; revocation.

- a. In the event of any violation of this ordinance, the Mobile Food Unit shall be subject to suspension or revocation of their Mobile Food Unit permit. Regarding violations involving public health or welfare as determined by the Regulatory Authority, shall cease operations immediately and the Regulatory Authority shall have the right to shut down operations.

- b. A denial or revocation of a Mobile Food Unit permit may be appealed as set forth herein. Within seventy-two (72) hours from the time of revocation or denial of the Mobile Food Unit permit, the vendor may appeal the revocation to the City Administrator, who shall have the authority to reinstate or revoke the license. Upon receiving notice of the appeal, the City Administrator shall set a date for hearing the appeal, such date to be within seven (7) days of receipt of notice of appeal. In the event there is no appeal within seventy-two (72) hours from the time of suspension of the license, the license shall be revoked. In the event of revocation of a Mobile Food Unit permit, vendor shall immediately cease all operations and remove all food or beverages, equipment, vehicles, and related items from the location for which the license had been granted.