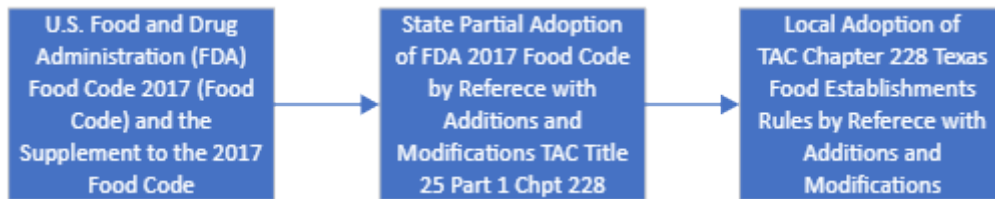


## Ordinance adoption methodology



## Comprehensive Change Log

### Definitions

- Removed definition “Authorized agent or employee.”
  - Addressed in new ordinance under definition “Regulatory Authority”.
- Definition of Bed and Breakfast Limited is changed to Bed and Breakfast Inn
  - Changed to conform with the City’s Zoning definition.
- Removed definition “Frisco, City of Frisco or municipality.”
  - Replaced with “City” – shortened for brevity and added that it included our incorporated areas.
- Revised definition of “Limited Food Establishment” to remove section referring to Bed and Breakfast Limited
  - Bed and Breakfast Limited changed to Bed and Breakfast Inn
- Definition “Misbranded” removed- Not used in new ordinance.
- Definition “Mobile Food Vendor” replaced with “Stationary Food Vendor.”
  - Title changed to conform with the City’s Zoning Ordinance.
- Definition “Private Event” revised.
  - Changed to offer clarity for what is considered a private event.
- Definition “Rules, State Rules, TFER” removed.
  - Not used in proposed ordinance.
- Added definition “bare hand contact.”
  - Added for clarity, used in new ordinance.
- Added definition “certified food protection manager.”
  - Added for clarity, used in new ordinance.
- Added definition “Food Code.”
  - Added for clarity, used in new ordinance.
- Added definition “Seasonal Food Establishment.”
  - Defined a new type that will be offered. This permit is for vendors that are operating more than 14 days but less than 30 days at a single location.

### Management and Personnel

- Removed “Responsibility, assignment” section.
  - Addressed by the 2021 TFER, determines when a food handler is required.
- Removed “30 days to meet certified food manager requirement upon termination.”
  - Certified food managers are required during all hour of operations per TFER. Difficult to determine when an employee was terminated.
- Removed requirement to have CFM within 30 days of change of ownership.
  - TFER requires certified food managers during all hours of operation.

## **Equipment Utensils and Linens**

- Removed the sink compartment sized.
  - Referenced by the 2017 FDA food code-duplicate code.

## **Water Plumbing Waste**

- Added sunset clause for variance process and frequency from Grease Trap section.
  - Pending Grease Trap Ordinance adoption by Public Works.
- Allowing a maximum of one mobile unit/food truck to dispose waste into a grease interceptor of a food establishment if both are owned by the same individual.
  - Allows a business owner to use their own food establishment as a commissary, if they comply with requirements.
- Added requirement for establishments that have containers storing more than 25 gallons of grease/oil to have a spill kit.
  - Recommendation from Stormwater; so that establishments have proper equipment to respond to an oil/grease spill if needed.
- Remove maintaining of refuse areas.
  - Referenced in the 2017 FDA Food Code- duplicate code.

## **Physical Facilities**

- Removed “nonabsorbent for areas subject to moisture. Subject to flushing”
  - Referenced in the 2017 FDA Food Code.
- Changed 6-inch cove base tile to 4-inch cove base tile.
  - To accommodate the need for cove base under equipment that are not at least 6 inches high.
- Added a value to measure light in color.
  - Light in color is not currently defined by the state and leaves it up to interpretation.
- Removed where wall coatings are not approved in areas with uncovered food, changed to allow at height over 8 feet.
  - To accommodate spaces that have 10ft + high walls.
- Removed dogs on patio rules and variance section- Preemption.
  - Law passed in 2019 permitting Dogs on patio; 86<sup>th</sup> Legislation Senate Bill 476.

## **Mobile food unit**

- Removed the requirement for a background check.
  - Outside of work scope
- Removed requirement for a signed affidavit acknowledging sales made in Frisco shall be designated on individual tax returns.
  - Outside of work scope

## **Temporary Food Establishments**

- Removed section stating that baked goods should be wrapped prior to sale.
  - Cottage food vendors must follow state law requirements for baked goods.
- Added section on short term merchant requirements-
  - Previously undefined in ordinance

## **Performance and Risk based inspections**

- Removed the requirement that an establishment is inspected at least once every 6 months-
  - Frequency of inspections are determined by its risk assessment.

## **Variance**

- Added a section “Variances” that provided a process for reviewing deviations from the prescribed methods for variances.

## **Permitting**

- Added applications will no longer be accepted if not submitted within 3 business days for temporary food establishments.
  - This will allow staff time to thoroughly and effectively review the application and ensure that vendors comply to all laws and ordinances.

## **Fees**

- Amended permit subtype ‘Grocery Store’. Proposed fee for this subtype will be lowered from \$650 to \$300 and an additional \$120 for each subsequent department. This includes areas of food employees handling foods in bakery; deli; meat/seafood; produce, dairy, and/or, retail food vendors.
  - Fee change gives the opportunity to distinguish between a smaller grocery store with one department and a larger grocery store with multiple areas.
- Added permit subtype “Seasonal food establishment” and proposed fee will be \$100.
  - This will remove the need for a vendor to apply for multiple permits within the same month when they are attending the same event.
- Adjusted variance fee from \$100 with a 2-year expiration date to \$200 + \$50 per hour after 1 hour with no expiration date as long as they are following the requirements in the Variance section.
  - This will remove the need for a food establishment to submit a variance request every 2 years if they are following the same procedures initially approved.
- Removed requirement that concessions are only permitted for a season. Changed to an annual permit.
  - Removed confusion about when a concession permit expires, trying to figure out when a season starts or ends.

## **Revocation**

- Added reasons why a permit may be revoked, this is to provide clarification for business owners as to why a permit may be revoked.