

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE FEE SCHEDULE FOR THE ENVIRONMENTAL SERVICES DEPARTMENT TO ELIMINATE FEES FOR FARMER'S MARKETS PERMITS, SEASONAL HEALTH PERMITS, FOOD MANAGER CERTIFICATES, ADDITIONAL DAYS FOR TEMPORARY HEALTH PERMITS, LATE FEES FOR TEMPORARY HEALTH PERMITS, AND FEES FOR SPECIAL EVENT INVITATION ONLY TEMPORARY HEALTH PERMITS AND AMENDING THE FEE SCHEDULE TO REFLECT CHANGES IN ANNUAL PERMITTING FEES FOR FIXED FOOD ESTABLISHMENTS, MOBILE FOOD UNITS, TEMPORARY EVENTS, PRE-PERMIT REQUESTS FOR SERVICES, CHANGE OF OWNERSHIP FOR PERMITS, AND RE-INSPECTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Environmental Services Department provides certain functions on a fee-for-service basis, with such fees designed to recover some or all of the costs incurred by the City to provide such services; and

**WHEREAS**, the City charges fees for various permits issued to certain food related businesses; and

**WHEREAS**, the 89<sup>th</sup> Texas Legislature passed Senate Bill 1008, which amends state law to limit the permits a municipality may require for food related businesses; and

**WHEREAS**, Senate Bill 1008 further limits the fees a municipality may charge for permits issued to food related businesses; and

**WHEREAS**, to comply with Senate Bill 1008, the City Council finds it necessary to eliminate the following fees: Annual Health Permits for Farmers Markets, Food Manager Certificates, Seasonal Health Permits, Additional Days for Temporary Health Permits, Special Event Invitation Only Temporary Health Permits, and late fees for Temporary Health Permits; and

**WHEREAS**, to comply with Senate Bill 1008, the City Council finds it necessary to amend the amount of the fees the City charges for its Fixed Food Establishments and Mobile Food Units, Temporary Event Permits for events lasting up to fourteen days, the Permit Reissuance Fee, the Pre-Permit Request for Services Fee, the Change of Ownership Fee, and the Re-inspection Fee;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS THAT:**

**SECTION 1.**

The fee schedule for the following fees is hereby amended to be and read as follows:

Fee	Rate
Fixed Food Establishment $\leq$ \$49,999.99	<del>\$385.00 + 5/Employee Fee</del> <u>\$258.00</u>
Fixed Food Establishment \$50,000.00 - \$149,999.99	<del>\$385.00 + 5/Employee Fee</del> <u>\$515.00</u>
Fixed Food Establishment $\geq$ \$150,000	<del>\$385.00 + 5/Employee Fee</del> <u>\$773.00</u>
Annual Health Permit Fee - Mobile	<del>\$385.00 + 5/Employee Fee</del> <u>\$258.00</u>
Annual Health Permit Fee - Push Cart	<del>\$385.00 + 5/Employee Fee</del> <u>\$258.00</u>
Annual Health Permit Fee - Ice Cream Push Cart	<del>\$85.00</del> <u>\$258.00</u>
Temporary Health Permit - Food & Beverage	<del>\$50.00</del> <u>\$52.00</u>
Permit Reissuance Fee	<del>15% of Invoice</del> <u>\$100.00</u>
Pre-Permit Request for Services Fee	<del>\$125.00</del> <u>\$150.00</u>
Change of Ownership Fee	<del>\$125.00</del> <u>\$200.00</u>
Re-inspection Fee	<del>\$125.00</del> <u>\$200.00</u>
<del>Temporary Health Permit – Food &amp; Beverage</del> additional days	<del>\$15.00 per day</del>
<del>Temporary Health Permit – Special Event Invitation</del> Only	<del>\$200.00</del>
<del>Health Permit Seasonal</del>	<del>\$200.00</del>
<del>Temporary Permit Late Fee</del>	<del>\$20.00</del>
<del>Annual Health Permit Fee – Annual Farmers Market</del>	<del>\$285.00 + \$5/Employee Fee</del>
<del>Food Manager – Certificate</del>	<del>\$15.00</del>

## SECTION 2.

Approval of this Ordinance will not change the designation of other personnel and departments as acting on behalf of the Financial Management Services (FMS) Department in collecting fees and issuing licenses, as applicable, pursuant to Ordinance 27191-09-2024.

## SECTION 3.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

## SECTION 4.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Code of the City of Fort Worth which have accrued at the time of the effective date of this Ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

#### **SECTION 5.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

#### **SECTION 6.**

This Ordinance shall take effect on September 1, 2025.

#### **APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
M. Kevin Anders, II  
Assistant City Attorney

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Jannette S. Goodall  
City Secretary

ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_