

CITY OF BEVIL OAKS, TEXAS

Ordinance NO. 274

AN ORDINANCE OF THE CITY OF BEVIL OAKS, TEXAS, REGULATING TEMPORARY FOOD VENDORS INCLUDING, BUT NOT LIMITED TO FOOD TRUCKS, ROADSIDE STANDS, AND SNOW CONE STANDS; PROVIDING DEFINITIONS, PERMITTING REQUIREMENTS, OPERATIONAL STANDARDS, INSPECTION AUTHORITY, PENALTIES, AND AN EFFECTIVE DATE.

SECTION 1. PURPOSE AND INTENT

The purpose of this Ordinance is to promote and protect public health, safety, and welfare by regulating temporary food vendors operating within the city limits of Bevil Oaks, Tx, including but not limited to food trucks, roadside stands, and snow cone stands.

SECTION 2. DEFINITIONS

For purposes of this Ordinance, the following definitions apply:

1. **Temporary Food Vendor** – Any individual or business offering food or beverage products for sale to the public on a non-permanent basis from a mobile or non-fixed structure.
 2. **Food Truck** – A self-contained motorized vehicle designed to be used as a mobile kitchen to prepare, cook, and sell food.
 3. **Roadside Stand** – A temporary structure or setup (including tables, booths, or trailers) used for the sale of fruits, vegetables, or other food products.
 4. **Snow Cone Stand** – A temporary setup (mobile or stationary) for the sale of shaved ice, snow cones, or similar frozen treats.
 5. **Permittee** – A person or business who has obtained a Temporary Food Vendor Permit from the City of Bevil Oaks.
 6. **Health Authority** – The person or entity designated by the city to inspect food vendors and enforce health and safety regulations.
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SECTION 3. PERMIT REQUIRED

(a) Permit Required

No temporary food vendor may operate within the city limits without first obtaining a Temporary Food Vendor Permit issued by the City.

(b) Application Process

Applications must be submitted to the City Secretary (or designated official) and shall include:

- **Business name and contact information**
- **Type of vendor (food truck, roadside stand, snow cone stand, etc.)**
- **Description of goods to be sold**
- **Copy of valid food handler or food manager's certification**
- **Proof of Texas Sales and Use Tax Permit**
- **Written permission from property owner (if applicable)**
- **Valid inspection report or permit from the County Health Department**

(c) Permit Term & Renewal

Permits are valid for no more than 30 days unless otherwise specified. Renewal requires reapplication and inspection.

(d) Fees

Permit Fee: shall be set by the City Council using a "Temporary Food Sale Fee Schedule" posted online that provides permits for set periods of time.

SECTION 4. OPERATIONAL REQUIREMENTS

(a) Location Restrictions

- **Vendors must operate only in commercially zoned areas unless otherwise permitted.**
- **No vending is allowed within 300 feet of a brick-and-mortar restaurant OR OTHER ESTABLISHED BUSINESS THAT SERVES FOOD without written consent FROM THE OWNER.**
- **Vendors shall not obstruct sidewalks, driveways, or rights-of-way.**

(b) Hours of Operation

- **Permitted hours are between 7:00 a.m. and 10:00 p.m., unless otherwise approved.**
- **Vendors may not operate outside these hours without a special event permit.**

(c) Health and Safety

- **All vendors must comply with local and state health codes.**
- **Proper waste disposal, handwashing facilities, and food storage must be maintained.**
- **No gray water or grease shall be dumped into city storm drains or public property.**

(d) Signage and Appearance

- Vendors must display their City permit and health inspection visibly.
- The vendor's unit must be kept clean and in good repair.
- Only one temporary sign is allowed, not exceeding 16 square feet in area.

(e) Noise and Nuisance

- No loudspeakers, generators, or music systems that disturb the peace shall be allowed.
- Generators, if used, must be muffled.

SECTION 5. INSPECTION AND ENFORCEMENT

(a) City officials and the Health Authority may inspect temporary food vendors at any reasonable time.

(b) Failure to comply with this ordinance may result in:

- Immediate suspension or revocation of the permit
- Fines as outlined in Section 6
- Removal from the site by law enforcement if posing a health or safety risk

SECTION 6. PENALTIES

Any person violating this Ordinance shall be guilty of a misdemeanor and subject to a fine not exceeding \$1500 per violation per day. Each day of noncompliance constitutes a separate offense.

SECTION 7. EXEMPTIONS

(a) Vendors operating solely at City-sponsored events or farmers markets may be exempt from certain provisions of this Ordinance if covered by a separate agreement or permit.

(b) Lemonade stands, snow cone, or sales of pre-prepared food on behalf of a non-profit organization (such as fundraising cookies) at stands operated by minors on private property are exempt.

SECTION 8. SEVERABILITY

If any provision of this Ordinance is found to be invalid, the remainder shall not be affected and shall remain in full force and effect.

SECTION 9. REPEALING CLAUSE:

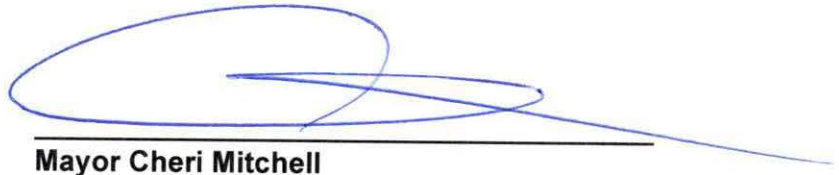
All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE – PUBLICATION OF CAPTION

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of Bevil Oaks. The City Secretary is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

This Ordinance shall take effect and shall be in full force from and after the date of its final passage and publication as provided by law.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Bevil Oaks, Texas, on this 19 day of June, 2025.



Mayor Cheri Mitchell

ATTEST:



Jeff Thibodeaux,
City Council Secretary