EFG/eg
12/17/2015
Item #18

AN ORDINANCE 2015-12-17-1067

AMENDING CHAPTER 13, ARTICLE II, SECTION 13-27 OF THE CITY CODE OF SAN ANTONIO, TEXAS ENTITLED "FOOD AND FOOD HANDLERS" TO REFLECT FEE ADJUSTMENTS FOR FOOD ESTABLISHMENT PERMIT FEES APPROVED WITHIN THE FY 2016 BUDGET AMENDMENTS.

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WHEREAS, an Innovation and Reform study conducted in 2015 of the Health Department's Food & Environmental Division showed that only 58% of the Risk 3 category (High Risk) restaurant inspections were completed in FY 2014; and

WHEREAS, under current staffing levels, approximately 5,000 restaurant inspections (from all risk categories) would be missed in FY2016; and

WHEREAS, the FY 2016 Budget Amendments approved the addition of five inspectors to be funded from increase in the inspection fee for establishments of less than 5 employees; and

WHEREAS, the additional inspectors will enable the program to address the additional workload and meet the FY 2016 goal of completing 100% of all food establishments; and

WHEREAS, it is recommended that Chapter 13, Article II, Section 13-27, be amended to increase the Food Establishment Permit Fee (1-5 Employees) from $220 to $360 to recover the cost of providing inspections to 100% of food establishments; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 13 entitled "Food and Food Handlers" of the City Code of San Antonio, Texas is amended by adding language that is underlined (added) and deleting language that is stricken (~~deleted~~) to the existing text as follows:

Sec. 13-27. - Fees enumerated.

(a) The annual permit fee to cover the cost of inspection of such food establishments shall be paid in advance upon issuance of such permit as follows:

(1) For each establishment employing not more than five (5) persons .....$~~220~~ 360.00

(2) Six (6) persons and not more than ten (10) persons 440.00

(3) Eleven (11) persons and not more than twenty-five (25) persons 660.00

(4) Twenty-six (26) persons and not more than fifty (50) persons 882.00

(5) More than fifty (50) persons 1,100.00

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(6) For each school food establishment (fee includes two (2) inspections per year) 215.00

...

SECTION 2. All other provisions of Chapter 13 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

SECTION 3. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 236000000012 and General Ledger 4201220.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 6. The City Clerk is directed to promptly publish public notice of this ordinance in accordance with Section 17 of the City Charter of San Antonio, Texas.

SECTION 7. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 8. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 17th day of December, 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda Acting, City Attorney

Agenda Item:	**18 (in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16A, 16B, 16C, 18, 19, 20, 21, 22, 23, 24, 25, 26)**
Date:	12/17/2015
Time:	10:36:15 AM
Vote Type:	Motion to Approve
Description:	An Ordinance amending City Code, Chapter 13, Article II, Section 13-27 pertaining to the Food Establishment Permit Fee (1-5 Employees) to reflect fee adjustments approved within the FY 2016 Budget Amendments. [Maria Villagomez, Assistant City Manager; Chad Tustison, Interim Director, Management and Budget]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x