

City of Houston, Texas, Ordinance No. 2025-743

AN ORDINANCE AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO FOOD AND DRUGS; CREATING A FEE; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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WHEREAS, Chapter 20 of the Code of Ordinances, Houston, Texas (“Code”) contains the City of Houston (“City”) regulations of food and drugs; and

WHEREAS, in 2025, the 89th Texas Legislature passed S.B. 1008, which changes state law provisions related to sound, alcohol permitting, and regulation of food establishments; and

WHEREAS, based on the recommendations of the Houston Health Department (“HHD”) and pursuant to Section 102A(002(3-a) of the Texas Civil Practice and Remedies Code, as amended by S.B. 1008, City Council finds that Chapter 20 of the Code should be amended to align the Code with changes in state law created by S.B. 1008; and

WHEREAS, HHD has identified additional provisions of Chapter 20 that are either obsolete or need to be updated to conform with electronic updates to the permitting process; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Sections 20-1, 20-19(d), 20-19(e), 2-19(f), 20-21, 20-21.1, 20-21.2, 20-21.3, 20-21.4, 20-21.5, 20-21.6, 20-21.7, 20-21.8, 20-21.9, 20-21.10, 20-21.11, 20-21.12, 20-21.13, 20-21.14, 20-21.15, 20-21.16, 20-21.17, 20-21.18, 20-21.19, 20-21.20, 20-21.21, 20-21.22, 20-21.23, 20-21.24, 20-21.25, 20-21.26, 20-21.27, 20-21.28, 20-22, 20-23, 20-24, 20-42, 20-44, 20-52, 20-53, 20-56, 20-57. 20-59, 20-60, 20-61. 20-63, 20-64. 20-65. 20-162, 20-163, 20-164, 20-174, 20-175, 20-176, 20-177, and 20-178

of the Code of Ordinances, Houston, Texas, are hereby repealed and these sections are reserved for future use.

Section 3. That Section 20-2 of Article I, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 20-2. Condemnation and disposition of contaminated food.

- (1) The health officer is authorized and directed to take action as may be reasonably necessary to protect the public health, safety and welfare by condemning or initiating the condemnation of any food or drug product or item of food equipment that may be used or held with intent to sell, offer or expose for sale within the city that is suspected to be unsafe, adulterated, misbranded or expired pursuant to applicable ordinances or state or federal laws, rules and regulations.
- (2) Expiration of ready-to-eat time/temperature controlled for safety (TCS) food items that are required to be time and date marked as provided under section 3-501.17(A) of the U.S. Food and Drug Administration Food Code, 2022 ('FDA Model Food Code') shall be determined from the markings. Food that is not from an approved source as specified under section 3-201.11-17 of the FDA Model Food Code shall be discarded.
- (3) Ready-to-eat food that may have been contaminated by an employee who has been restricted or excluded as specified under section 2-201.12 of the FDA Model Food Code shall be discarded.
- (4) Food that is contaminated by food employees, consumers, or other persons through contact with their hands, bodily discharges, such as nasal or oral discharges, or other means shall be discarded.
- (5) Pending disposition, the health officer may direct that the product or item not be used or sold by causing the same to be appropriately tagged if he finds upon diligent inquiry and inspection that the product or item poses an immediate threat of danger to the health, safety and welfare of the public and if the owner or person in possession thereof is afforded the right of a public hearing thereon within 24 hours, exclusive of Saturdays, Sundays and holidays observed by the closure of city offices, before the director of public health or his designee.

- (6) The health officer may utilize the resources of all available state, county or federal offices and agencies as necessary or desirable in the prosecution of condemnation actions hereunder.”

Section 4. That Section 20-4 of Article I, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 20-4. Charity bake sales.

Notwithstanding any provision of this chapter to the contrary, food prepared in a kitchen of a private home that is not licensed hereunder may be offered for sale for human consumption without any food permit, subject to full compliance with the following requirements:

- (1) The items offered for sale shall be limited to foods that are not time/temperature controlled for safety (TCS) food, such as baked goods;
- (2) The sale shall not be conducted in a food establishment;
- (3) The consumer is informed by a clearly visible label. The label shall include:
 - a. The name and physical address of the cottage food production operation;
 - b. The common or usual name of the product;
 - c. Disclosure of any major food allergens, such as eggs, nuts, sesame, soy, peanuts, milk, wheat, fish, or shellfish used in the product; and
 - d. The following statement: ‘This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department.’”

Section 5. That Section 20-17 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 20-17. FDA Model Food Code and TFER compliance.

All provisions of this article are to be read and construed in a manner that is consistent with the Texas Department of State Health Services Texas

Food Establishment Rules ('TFER') set forth in 25 Texas Administrative Code Chapter 228 and those portions of the FDA Model Food Code that the State of Texas has adopted through TFER. Any inconsistency between the requirements of this article, the FDA Model Food Code, and TFER shall be resolved in favor of TFER."

"Section 6. That Section 20-18 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-18. Definitions.

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

Department shall mean the Houston Health Department.

Extensively remodeled shall mean having been subjected to a remodeling that includes a wall reconfiguration, in-wall plumbing modification or change of location or addition of any floor mounted equipment.

Frozen dessert shall mean any of the following: ice cream, light ice cream, ice milk, frozen custard, fruit sherbet, non-fruit water ice, frozen dietary dairy dessert, frozen yogurt, quiescently frozen confection, quiescently frozen dairy confection, mellorine, lorine, parevine, freezer-made milk shake, or nondairy frozen dessert. The term also includes mix used in the freezing of one of those frozen desserts."

Section 7. That Section 20-20 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-20. Inspections; reports.

- (a) The health officer shall inspect each food establishment within the city at least once every 12 months or more often based on the processes of the operation and compliance history, except that *risk category 1 food establishments* shall be inspected at least once every 24 months, and the health officer shall make as many additional inspections as are necessary based on the public health risks posed by the establishment and the establishment's past compliance history. Inspections may also be made where consumer

complaints and/or reports of foodborne illness outbreaks evidence a need to perform inspections.

- (b) The report of inspection shall state that failure to comply with any time limits for corrections will require that the establishment immediately cease food service operations.
- (c) Whenever a reinspection is required by the health officer to determine that conditions responsible for the reinspection no longer exist, the permit holder shall pay the reinspection fee stated for this provision in the city fee schedule, and the permit or permits shall not be renewed until the permit holder has paid any outstanding reinspection fees. The health officer shall conduct a reinspection within a reasonable period of time.
- (d) Whenever a food establishment is required to cease operations under the provisions of this section, it shall not resume operations until a reinspection determines that conditions responsible for the requirement to cease operations no longer exist. The health officer shall conduct a reinspection within a reasonable period of time."

Section 8. That Section 20-26 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-26. Notices required.

FOG notice. Within each food establishment registered under section 20-38(d) there shall be conspicuously posted in an area accessible to all employees thereof a notice that describes ordinance requirements of grease traps."

Section 9. That Section 20-36 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-36. Food dealer's permit.

- (a) Except as permitted in subsection (e) of this section, no person shall operate a food establishment or a food processing plant, other than a mobile food unit, who does not possess a valid permit issued to him by the health officer. The permit shall be known as a 'food dealer's permit'. Only a person who complies with the requirements of this article shall be entitled to receive or retain a food dealer's permit. A food dealer's permit shall only be valid for the location

specified thereon and may not be transferred from place to place. A food dealer's permit shall become void upon the closing of any sale of the establishment. A valid permit shall be posted in view of the public in every food establishment, food processing plant, and temporary food service establishment. Permits for temporary food service establishments shall be issued for a period of time not to exceed 14 consecutive days in conjunction with a single event. A temporary food dealer's permit shall not be required if:

- (1) The temporary food service establishment is operated by a person who holds a valid food dealer's permit issued under this article;
- (2) The operation of the temporary food service establishment is within the scope of the permit holder's regulated and inspected activities as the holder of a food dealer's permit; and
- (3) All food is prepared inside of the permitted establishment by the holder of the valid food dealer's permit and then served outdoors on the same premises.

All food dealer's permits shall remain the property of the department.

- (b) Any person desiring to obtain or renew an existing food dealer's permit shall make written or electronic application for a permit on forms provided by the health officer. The application shall include at least the applicant's full legal name and post office address and the location and type of proposed food processing or food service establishment. An application for a temporary food dealer's permit shall include at least the applicant's full legal name, the inclusive dates of the proposed operations, and the name, address, and telephone number of the owner or owners of the property where the temporary food service establishment is to be located, and attached to the application is a statement signed by the owner of the property or his authorized agent, stating that arrangements have been made for the proper disposal of all rubbish, trash, and garbage and for maintaining the property free from litter and nuisance during the total period of operation up to and including any clean up time required to remove all rubbish, trash, garbage, and litter resulting from the food service.
- (c) Prior to approval of an application for a food dealer's permit or mobile food unit medallion, the health officer shall inspect the proposed establishment to determine compliance with the

provisions of this article. Prior to approval of an application for a temporary food dealer's permit, the health officer shall review the application to determine compliance with the provisions of this article.

- (d) The health officer shall issue a permit to the applicant if inspection or review in the case of a temporary food permit application reveals that the proposed food establishment complies with the requirements of this article."

Section 10. That Subsection 20-37(d) of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

- "(d) Application for a medallion shall be made electronically or on forms provided by the health officer. The application shall include, at a minimum, the applicant's full legal name and post office address; the address of the location at which the mobile food unit is stationed when not in use; the business name and address of the commissary or other fixed food service establishment from which time/temperature controlled for safety (TCS) food supplies are obtained; the address of the servicing area; a description of the mobile food unit that includes the manufacturer's make, model, and serial number, the vehicle's state registration number, and the signature of the applicant."

Section 11. That Section 20-38 of Article II, Chapter 20 of the Code of "Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-38. Fees; transfer of medallion.

- (a) At the time of issuance of an original food dealer's permit and each renewal thereof, the person requesting the permit shall pay to the health officer a permit fee for one complete year from the date of issuance. Except as otherwise provided, permit fees shall be determined by the defined risk level presented by the food establishment.
- (b) Fee amounts shall be determined according to the city fee schedule, as follows:

- (1) *Permit fees.* The nonrefundable annual fee for a food dealer's permit shall be based on the defined risk level presented by the establishment to be licensed.
- (1a) Temporary food establishments, as defined, shall be charged a non-refundable base fee for up to 14 consecutive days in conjunction with a single event. The temporary food service permit fee shall be paid at the time the application is submitted.
- (2) *Mobile food unit medallion—Fee; transferability.* At the time of issuance of an original medallion to operate a mobile food unit and each renewal thereof, the person requesting the medallion shall pay to the health officer a fee for one complete year from the date of issuance. Medallions are not transferable from one person to another nor from one mobile food unit to another mobile food unit.
- (3) *Mobile food unit medallion—Replacement fee.* An individual who has lost a valid, current food dealer's permit or mobile food unit medallion may obtain a replacement from the health officer upon payment of the replacement fee.
- (4) *Special investigative fee.* In addition to the permit fee as specified in item (1) above, there is hereby assessed the special investigative fee stated in the city fee schedule, which shall be payable for any renewal of a food dealer's permit if the renewal application is not received in the offices of the department in completed form and accompanied by the permit fee therefor on or before the business day after the date of expiration of the permit to be renewed. For purposes of this fee, any new permit issued to the same person(s) for a food establishment at the same location shall be deemed to be a renewal, unless the person(s) demonstrate to the health officer, by clear and convincing evidence, that the food establishment has not been operated since the prior permit expired. This investigative fee shall also be applicable in the event that the complete application including payment for a temporary food service establishment permit is not received at the department at least seven days prior to beginning of temporary food service operations as specified in section 20-36(b) of this Code.

This special investigative fee is imposed to partially defray the additional inspection and administrative costs related to late renewals and applications. It shall not be considered to

be a civil or criminal penalty, nor shall its imposition bar or constitute a defense to any prosecution for operation of a food establishment without a food dealer's permit.

- (c) The fees otherwise required by this section shall not be imposed by the health officer for the issuance of a food dealer's permit to operate a temporary food service establishment within a city park if each of the following criteria is met:
 - (1) The temporary food service establishment is being operated by a community-based organization as part of a public gathering for which a permit has been issued under article III of chapter 32 of this Code, and the director of parks and recreation has waived user fees for the gathering pursuant to section 32-69(f) of this Code;
 - (2) All persons responsible for organizing and working in the temporary food service establishment are unpaid volunteers; and
 - (3) All proceeds from the operation of the temporary food service establishment are retained to be used for the benefit of the community-based organization or are donated to the city.

The provisions of this subsection shall not be construed to excuse the community-based organization from obtaining a temporary food dealer's permit or from complying with any other applicable provision of this article.

- (d) All food service establishments, except mobile food units and temporary food establishments, shall pay the nonrefundable annual fee stated for this provision in the city fee schedule for each interceptor to obtain a registration certificate, as provided in section 47-423 of this Code.
- (e) All fees collected pursuant to this section are not refundable."

Section 12. That Section 20-39 of Article II, Chapter 20 of the Code of Ordinances,

Houston, Texas, is hereby amended to read as follows:

"Sec. 20-39. Frozen desserts retail establishments.

In addition to any other information required to be furnished to the health officer pursuant to section 20-36 of this Code, each applicant for a food dealer's permit shall be required to disclose to the health officer

whether the proposed establishment or mobile food unit constitutes a frozen desserts retail establishment. The term 'frozen desserts retail establishment,' as used in this section, shall mean any premises, including a retail store, approved type stand, hotel, restaurant, vehicle or mobile food unit, where frozen dessert mixes are frozen or partially frozen and dispensed for retail sale or distribution."

Section 13. That Subsections (c), (d), and (k) of Section 20-41 in Chapter 20 of the Code of Ordinances, Houston, Texas, are hereby deleted and the remaining Subsections therein are renumbered in sequential order.

Section 14. That Section 20-43 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-43. Service of notices.

Any notice provided for in this article may be served by personal delivery, by registered mail, by public posting at the food service establishment or mobile food unit entrance, by certified mail, return receipt requested, or by any other method authorized by law."

Section 15. That Section 20-54 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-54. Application for certification; training course generally.

- (a) Any person desiring a food handler's certification shall make written application for certification on forms provided by the health officer. The application shall include, but not be limited to:
- (1) The applicant's full name, mailing address, and telephone number;
 - (2) The gender of the applicant;
 - (3) The applicant's Texas driver's license or state identification card or other valid form of photographic identification;
 - (4) The name, address, and telephone number of the establishment where the applicant is currently employed, if employed;

- (5) The signature of the applicant; and
- (6) Date of birth of the applicant.
- (b) A completed application for food handler's training shall serve as a request to obtain a food handler certificate by classroom or online training.
- (c) All applications for food handler training must be accompanied by the appropriate fees as set forth in this division.
- (d) The health officer may deny an application for a food handler's certificate if the applicant knowingly makes any false, fraudulent, or unlawful statement on the application."

Section 16. That Section 20-55 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-55. Duration of certification course and food handler course; passing grade.

- (a) The special course of training for food service manager's certification shall be conducted at an appropriate length of time to cover course material.
- (b) A food handler training course may not exceed two hours.
- (c) An applicant for a food handler's certificate may be required to pass an examination to successfully complete the course.
- (d) All persons successfully completing the course of training for food handlers shall receive a food handler's certificate."

Section 17. That Section 20-58 of Article II, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 20-58. Expiration of food service manager's certification and food handler certificate.

A food handler's certificate shall be valid for a period of two years from the date of issuance. The department shall accept as sufficient for food handler training, as specified in section 20-55 of this Code, written proof that such person has successfully completed a food handler training

program accredited by the State of Texas pursuant to subchapter D of chapter 438 of the Health and Safety Code or similar food safety courses approved by the Conference for Food Protection (CFP) within the immediately preceding period of two years.”

Section 18. That Section 20-161 of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 20-161. 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:

Certified farmers market means a farmers market that has been certified by the Texas Department of Agriculture pursuant to Subchapter D of Title 4 of the Texas Administrative Code.

Department means the Houston Health Department.

Establishment means within a certified farmers market, a building, structure or stand where only farm products are sold or offered for sale.

Farm produce means agricultural products including, but not limited to, fruits, vegetables, fungi, grains, fiber, honey, dairy products, meat, poultry, or eggs, by practice of the agricultural arts upon land that the person or entity owns, rents, leases, or to which the person or entity otherwise has access.

Food shall have the meaning ascribed in the FDA Food Code.

Market manager means a person who is designated as the person-in-charge of a certified farmers market.

Sampling means the demonstration or promotion of a food and its characteristics via the on-site preparation and offering of the food in small servings which cannot be sold and which may not consist of a whole meal, an individual portion or a whole sandwich.

Time/temperature controlled for safety (TCS) food shall have the meaning set forth in Section 1-201.10(B) of the FDA Model Food Code.

Vendor means any person who sells or offers for sale farm products or engages in sampling in a certified farmers market.

Yard eggs means ungraded shell eggs from a producer defined in Chapter 15 of Title 4 of the Texas Administrative Code.”

Section 19. The heading “DIVISION 2. LICENSE FOR PEDDLERS AND SALES ESTABLISHMENTS” in Article III, Chapter 20 is hereby deleted and “DIVISION 3. CERTIFIED FARMERS MARKETS” is hereby renumbered as “DIVISION 2. CERTIFIED FARMERS MARKETS.”

Section 20. That Subsection 20-187(b) of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(b) It shall be unlawful for any vendor to display, sell or offer for sale any food item other than farm produce.”

Section 21. That Items (1), (3), and (9) of Section 20-189 of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

“(1) *Refrigeration.* Mechanical refrigeration shall be provided as required in section 4-301.11 of the FDA Model Food Code for the storage of all time/temperature controlled for safety (TCS) foods. The use of dry ice or cold packs as a substitute for mechanical refrigeration of time/temperature controlled for safety (TCS) foods shall be acceptable only if used for six hours or less during a single day.

...

(3) *Toilet facilities.* Approved toilet facilities shall be available at all times for vendors, their employees, and volunteers. All toilet rooms approved for use by vendors, employees and workers shall conform to the requirements of sections 5-203.12, 5-501.17, 6-202.14, 6-302.11, 6-402.11, and 6-501.18 of the FDA Model Food Code.

...

- (9) *Live animals.* No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored, displayed or held, excluding patrol dogs or service animals when used in the manner specified in section 6-501.115(B) of the FDA Model Food Code.”

Section 22. That Items (9) and (10) of Section 20-190 of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

- “(9) *Hair restraints.* While handling food or utensils, vendors shall wear effective hair restraints and clothing that covers body hair to prevent the contamination of food or food-contact surfaces as specified in section 2-402.11(a) of the FDA Model Food Code .
- (10) *Equipment and utensil cleaning and sanitation.* An approved facility shall be provided for washing, rinsing and sanitizing of equipment and utensils used in the preparation and service of samples. The facility must consist of at least three containers or compartments, each of adequate size so as to permit the total immersion of all utensils used in the vendor's establishment. Washing, rinsing and sanitizing shall be conducted as specified under Sections 4-603.15, 4-603.16, and 4-703.11 of the FDA Model Food Code.”

Section 23. That Subsection 20-192(a) of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 20-192. License.

- (a) *Application.* Any person desiring to obtain or renew a certified farmers market license shall make written or electronic application for a license on a form promulgated by the health officer. The application shall include at least the following:
- (1) The applicant's full legal name, post office address, home and business telephone number;
 - (2) Copy of the current and valid farmers market certification issued to the applicant by the Texas Department of Agriculture;
 - (3) Copy of the certified farmers market association by-laws, list of governing body members, and membership list;
 - (4) A property owner agreement letter; and

- (5) A description of the certified farmers market season, and days and hours of operations.”

Section 24. That Section 20-193(a) of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

- “(a) At the time of application for a certified farmers market license and each renewal thereof, the applicant shall pay to the health officer a nonrefundable annual fee stated for this provision in the city fee schedule.”

Section 25. That the following definitions in Section 20-200 of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

“Easily cleanable has the meaning ascribed in section 1-201.10(B) of the FDA Food Model Code.

Poultry shall have the meaning ascribed in section 1-201.10(B) of the FDA Food Model Code.

Restrict shall have the meaning ascribed in section 1-201.10(B) of the FDA Food Model Code.

Time/temperature controlled for safety (TCS) food shall have the meaning ascribed in section 1-201.10(B) of the FDA Food Model Code.”

Section 26. That the definition for Potable water in Section 20-200 of Article III, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby deleted.

Section 27. That Subsections (h) and (i) of Section 20-204 in Chapter 20 of the Code of Ordinances, Houston, Texas, are hereby deleted and the remaining Subsections therein are renumbered in sequential order.

Section 28. That Subsections (h), (i), and (k) of Section 20-207 in Chapter 20 of the Code of Ordinances, Houston, Texas, are hereby deleted and the remaining Subsections therein are renumbered in sequential order.

Section 29. That Section 20-211(b) of Article IV, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(b) The cavities and door edges of microwave ovens must be cleaned at least once a day with nonabrasive cleaners and shall be kept free of encrusted grease deposits and other accumulated soil. All doors, seals, hinges and latch fasteners (screws and related hardware) shall be kept tight and adjusted in accordance with manufacturer's procedures.”

Section 30. That Section 20-254(2)(b) of Article V, Chapter 20 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“b. Conducting each food service event under the guidance of at least one person who has attended a city-sponsored, free-of-charge food safety training class conducted by the health department and has received an appropriate charitable food service certification (also referred to as a ‘certification’). A person qualified as a food service manager shall also suffice. A certification obtained in this manner shall be valid for a period of five years.”

Section 31. That the City Council of the City of Houston, Texas, hereby approves removal of the following fees as recommended by the Houston Health Department pursuant to Texas Health and Safety Code Section 437.0056:

Fee Name	Description
Food Dealer Permit	Food Dealer (1-9 employees)
Food Dealer Permit	Food Dealer (10-25 employees)
Food Dealer Permit	Food Dealer (26-50 employees)
Food Dealer Permit	Food Dealer Permit (51-100 employees)
Food Dealer Permit	Food Dealer (101+ employees)
Food Dealer Permit	Food Dealer Permit - Nonprofit
Food Service Manager’s Certification	Food Service Manager's Certification-replacement of certificate

Mobile Food Vendor License	Mobile Food Unit Electronic Monitoring System Fee
Mobile Food Vendor License	Mobile Food Unit Medallion
Mobile Food Vendor License	Mobile Food Vendor License Tech and Admin Fee
Mobile Food Vendor License	Permit or medallion replacement
Spec Food Permits	Frozen Dessert - Annual Permit
Spec Food Permits	Frozen Dessert Prorated, Monthly
Spec Food Permits	Frozen Dessert Prorated Monthly - Minimum
Spec Food Permits	Temporary Food Dealer Permit – 10+ consecutive days
Spec Food Permits	Temporary Food Dealer Permit – Per Day
Special Food Permits	Food Service Manager Certificate – renewal application
Special Food Permits	Food service manager - replacement certificate card
Special Food Permits	Food service manager certificate – technology and administrative fees
Special Food Permits	Food service manager certificate, without Certification training course - application and testing fee
Special Food Permits	Frozen Dessert Non-Profit Organization
Special Food Permits	Frozen Dessert Permit, Replacement
Special Food Permits	State accreditation reciprocal food service manager certificate - initial application

Section 32. That the City Council of the City of Houston, Texas, hereby approves the following new and amended fees recommended by the Administration and Regulatory Affairs Department pursuant to Texas Health and Safety Code Chapter 437:

Fee Name	Description	Statutory Authority	Current Fee	Updated Fee
Food Dealer Permits	Food Dealer Permit – School Food Establishment for Profit	Texas Health and Safety Code 437.0126	N/A	\$258.00
Food Dealer Permits	Food Dealer Permit - Low Risk	Texas Health and Safety Code 437.0126	N/A	\$258.00
Food Dealer Permits	Food Dealer Permit - Medium Risk	Texas Health and Safety Code 437.0126	N/A	\$515.00
Food Dealer Permits	Food Dealer Permit - High Risk	Texas Health and Safety Code 437.0126	N/A	\$773.00
Food Dealer Permits	Food Dealer Permit – Amend an Existing Permit	Texas Health and Safety Code 437.0125(a)(1)	N/A	\$125.00
Mobile Food Vendor License	Mobile Food Unit Medallion	Texas Health and Safety Code 437.0126	\$708.54	\$258.00
Spec Food Permits	Temporary Food Dealer Permit (Single Event up to 14 Days)	Texas Health and Safety Code 437.0125(a)(1)	N/A	\$52.00
Food Dealers Permits	Special investigative fee (Late application for renewal)	Texas Health and Safety Code 437.0125(c)(1)	\$66.21	\$100.00
Special Food Permits Inspection	Required Reinspection	Texas Health and Safety Code 438.0126	\$112.57	\$200.00
Special Food	General Inspection Fee	Texas Health and Safety Code 437.125(a)(1)	N/A	\$150.00

Section 33. That the fees listed in the table in Section 32 of this Ordinance shall be excepted from annual CPI increases.

Section 34. That the provisions of Chapter 20 of the Code of Ordinances, Houston, Texas, as amended in Section 2 of this Ordinance are saved from repeal for the limited purpose of their continuing application to any requirements and violations of Chapter 20 of the Code of Ordinances, Houston, Texas, before the effective date of this Ordinance.

Section 35. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

Section 36. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 37. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the

Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED ON

08/27/2025

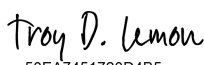
APPROVED ON

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is: 09/02/2025.

ATTEST:

CITY OF HOUSTON, TEXAS


Signed by:

Signed by:

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City Secretary of the City of Houston

Mayor of the City of Houston

PREPARED BY:

DocuSigned by:

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Senior Assistant City Attorney

RAW/kro 8/25/2025

Requested by by Stephen L. Williams, Director,
Houston Health Department

L.D. File No. LD-GC-0000000567

