

ORDINANCE NO. O-2023-196

AN ORDINANCE AMENDING CHAPTER 18, CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK, TEXAS, BY AMENDING SECTIONS 18-1 AND 18-2 REGARDING FOOD ESTABLISHMENTS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 18, Section 18-1, Code of Ordinances (2018 Edition), City of Round Rock is hereby amended to read as follows:

CHAPTER 18 - FOOD ESTABLISHMENTS

Sec. 18-1. - Texas Food Establishment and Retail Food Establishment Rules adopted.

Regulations of food service establishments, retail food stores and mobile food establishments, V.T.C.A., Health and Safety Code ch. 437; and the Texas Administrative Code, title 25, part 1; ~~Texas~~ Department of State Health Services, chapter 229 Food and Drug, subchapter K; Texas Food Establishments, ~~sections 161 through 171 and sections 173 through 175, including the provisions of 25 Texas Administrative Code, and~~ chapter 228 Retail Food Establishments when adopted, are hereby adopted by the city. Penalties, conditions and terms of the said Texas Food Establishment and Retail Food Establishment Rules are hereby adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes as set forth in this chapter.

II.

That Chapter 18, Section 18-2, Code of Ordinances (2018 Edition), City of Round Rock is amended to revise the definition of "temporary food establishment" as follows:

CHAPTER 18 - FOOD ESTABLISHMENTS

Sec. 18-2. – Definitions.

*Temporary food establishment* means a food establishment that operates for a period of no more than 14 consecutive days in conjunction with a special-single event or celebration, ~~that:~~

~~(1) Operates for more than four hours in a single day, serves potentially hazardous foods, and is open to the general public; or~~

~~(2) Operates for a period of no less than two consecutive days and no more than 14 days.~~

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**III.**

**A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**B.** The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

**C.** The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED, and ADOPTED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2023.

Alternative 2.

**READ and APPROVED** on first reading this the \_\_\_\_ day of \_\_\_\_\_, 2023.

1 **READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_\_ day of  
2 \_\_\_\_\_, 2023.

3  
4 Redline only - No signature  
5 \_\_\_\_\_  
6 CRAIG MORGAN, Mayor  
7 City of Round Rock, Texas

8 **ATTEST:**

9  
10 Redline only - No signature  
11 \_\_\_\_\_  
MEAGAN SPINKS, City Clerk