

(O-87-34)

ORDINANCE NUMBER O- 16769 (NEW SERIES)

ADOPTED ON DEC 08 1986

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 2,  
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 42.0130 AND 42.0130.1  
RELATING TO FOOD VENDING VEHICLES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter IV, Article 2, Division 1 of the San Diego Municipal Code be and the same is hereby amended by amending sections 42.0130 and 42.0130.1 to read as follows:

SEC. 42.0130 FOOD HANDLING ESTABLISHMENTS - SANITATION  
REQUIREMENTS - FOOD VENDING VEHICLES

(a) As used in this section the term "vending vehicle" means any vehicle selling or offering to sell food or beverages to the public. It also includes a "mobile food preparation unit" as defined in Health and Safety Code section 27526 and "vehicles" as defined in Health and Safety Code section 27540 vending prepackaged food and approved unpackaged food.

(b) No change.

1. Every owner or operator of vending vehicles shall have a service room or other sanitary location approved by the Director of Health Services for the preparation of food sold from vending vehicles. Only food prepared in the service room or other approved location shall be sold from a vending vehicle. Service rooms or other approved locations

shall comply with regulations for food handling establishments. A headquarters shall be established for all vending vehicles. All vehicles upon which food is prepared as defined in section 27522 of the California Health & Safety Code shall be stored at the headquarters when not in use. Vehicles which transport and sell nonfrozen potentially hazardous foods as defined in section 27531 of the California Health & Safety Code shall be stored at the headquarters when the vehicle is not in use.

2. through 7. No change.

SEC. 42.0130.1 FOOD VENDING VEHICLES - SPECIAL EVENT  
EXCEPTIONS

Notwithstanding the provisions of section 42.0130;

(a) As used in this section, the term "vending vehicle" means any vehicle selling or offering for sale prepackaged food or beverages to the public. It also includes "vehicles" as defined in Health and Safety Code section 27540 vending prepackaged and approved unpackaged food.

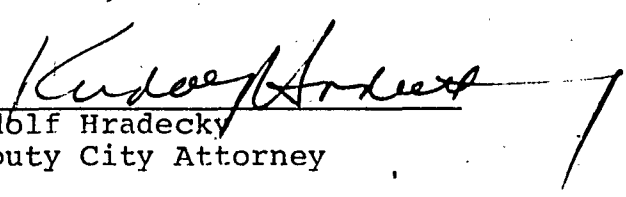
(b) As used in this section, the term "mobile food preparation unit" means any wheeled vehicle upon which ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale or distribution on board the vehicle to the public. It also includes a "mobile food preparation unit" as defined in Health and Safety Code section 27526.

(c) through (f) No change.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By

  
Rudolf Hradecky  
Deputy City Attorney

RH:mem  
08/18/86  
Or.Dept:Cit.Asst.  
O-87-34  
Form=o.code

Passed and adopted by the Council of The City of San Diego on.....  
by the following vote:

DEC 08 1986

Council Members	Yeas	Nays	Not Present	Ineligible	
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By *Maureen O'Connor*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 24 1986

DEC 08 1986

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By *Maureen O'Connor*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16769 Adopted DEC 08 1986

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 12TH FLOOR  
SAN DIEGO, CA 92101

NO.

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 2, DIVI-  
SION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTIONS 42.0130 and 42.0130.1 RELATING TO FOOD  
VENDING VEHICLES.

**ORDINANCE NUMBER O-16769 (NEW SERIES)**

**AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 2, DIVI-  
SION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMEN-  
DING SECTIONS 42.0130 and 42.0130.1 RELATING TO FOOD  
VENDING VEHICLES.**

This ordinance amends sections of the San Diego Municipal Code to exempt vending vehicles which vend prepackaged nonperishable foods, prepackaged frozen foods or unprocessed foods from the requirement that food vending vehicles be stored at a headquarters facility when not in use. Vehicles upon which foods are prepared or from which nonfrozen potentially hazardous foods are sold must be stored at a headquarters facility. The amendments also incorporate definitions from the Health and Safety Code to supplement the definition adopted by the Municipal Code.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

INTRODUCED ON NOVEMBER 24, 1988  
Passed and Adopted by the Council of The City of San Diego on  
DECEMBER 8, 1988

AUTHENTICATED BY: MAUREEN O'CONNOR  
Mayor of The City of San Diego, CA  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, CA

(SEAL)  
By MAYDELL L. PONTECORVO, Deputy.  
Pub. December 22

66313

I, THOMAS D. KELLEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16769

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

DECEMBER 22, 1986

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 22 day of DEC, 19 86.

(Signature)

01480

5 1/4" x \$10.24 = \$53.76