

ORDINANCE O-16-2026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS, AMENDING CERTAIN SECTIONS OF THE ZONING ORDINANCE OF THE CITY OF JACKSBORO PROVIDING FOR ZONING REGULATIONS RELATING TO: CHAPTER 9 PLANNING AND DEVELOPMENT REGULATIONS; ARTICLE 9.03 ZONING; DIVISION 2 DISTRICT REGULATIONS; PART III COMMERCIAL DISTRICT REGULATIONS; SECTION 9.03.085 MOBILE FOOD VENDOR ZONING DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 8, 2022, the City Council of the City of Jacksboro, Texas adopted the Mobile Food Vendor Zoning District addition to the Zoning Ordinance of the City of Jacksboro, Texas; and

WHEREAS, the 89th Legislature of the State of Texas enacted House Bill 2844, regulating mobile food vendors and preempting in part a local authority's power to prohibit or regulate mobile food vendors; and

WHEREAS, the City Council has reviewed the current Section of the Code of Ordinances for the City of Jacksboro and finds that there is a need to amend the Ordinance to comply with new laws passed and taking effect July 1, 2026.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS, THAT:

SECTION 1. The attached changes are hereby incorporated into the City of Jacksboro Zoning Ordinance as stated.

SECTION 2. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the city council would have enacted them without the invalid portion.

SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 4. REPEALING CLAUSE. All provisions of the Code of Ordinances of the City of Jacksboro, Texas in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and affect.

SECTION 5. SEVERABILITY. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance since the city council would have enacted them without the invalid portion.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its passage, approval and adoption.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS, THIS 22ND DAY OF JUNE, 2026.

CITY OF JACKSBORO


ALTON MORRIS
MAYOR

ATTEST:

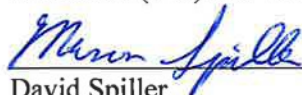

SHALYN BURRITT
CITY SECRETARY

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EXHIBIT A

CITY OF JACKSBORO CODE OF ORDINANCES
CHAPTER 9 PLANNING AND DEVELOPMENT REGULATIONS
Article 9.03 ZONING
Division 2 District Regulations
Part III Commercial District Regulations

§9.03.085 Mobile food vendor zoning district.

- (a) Definitions. For the purpose of this section, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

Charitable organization. An entity that the United States Internal Revenue Service recognizes to be a charitable organization or a church.

City. The City of Jacksboro, Texas.

Edible goods. Shall include, but are not limited to:

- (1) Prepackaged food including, but not limited to, candy, beverages, and ice cream.
- (2) Prepared food which is prepared off-location for sale in a mobile food unit.
- (3) On-site prepared food which is prepared in a mobile food unit.

Food service establishment. Businesses that sell edible goods and have been inspected and approved by the state, including commercial kitchens and commissaries, and shall specifically exclude accessory or self-serve retail food sales.

Mobile. The state of being in active, but not necessarily continuous, movement.

Mobile food vendors. Any business which sells edible goods from a non-permanent (i.e., mobile food unit) location within the city. The term shall include, but is not limited to:

- (1) Concessions carts means a mobile vending unit that must be moved by non-motorized means.
- (2) Concession trailers means a mobile vending unit which is pulled by a motorized unit that has no power to move on its own.
- (3) Mobile food trucks means a self-contained motorized mobile vending unit selling items defined as edible goods.

Non-refrigerated. Edible goods that are not required to be kept at a temperature below 41 degrees Fahrenheit according to the federal Food and Drug Administration and the Texas Food Establishment Rules.

Sell. The act of exchanging a good for payment or in return for a donation.

Tax-exempt organization sponsored events. An open to the public function where a tax exempt (charitable, religious, educational or philanthropic) organization is the host.

~~(b) Permit and application.~~

- ~~(1) Permit application. No person shall act as a mobile food vendor in the city without a permit issued by the city. Every permit, including those from the city and from the state, shall be displayed at all times in a conspicuous place where it can be read by~~

~~the general public on the mobile food vendor's truck, concession cart, or concession trailer. A person shall make application for a permit to the city on forms furnished by the city and shall provide the following information:~~

- ~~(A) Name, legal name of business or entity, business address, and telephone number of the applicant;~~
 - ~~(B) A copy of a valid identification issued by any government that includes a photograph of the applicant;~~
 - ~~(C) The address where the applicant permanently resides;~~
 - ~~(D) The trade name under which the applicant conducts business;~~
 - ~~(E) Sales tax number with a copy of sales tax permits;~~
 - ~~(F) Signed permission from all private property owners where the mobile food vending unit will be stationed;~~
 - ~~(G) The year, make, model, and color of the mobile food truck, concessions cart, or concession trailer;~~
 - ~~(H) Contact name and phone number for mobile food vending unit;~~
 - ~~(I) A photograph of the exterior and interior of the mobile food truck, concessions cart, or concession trailer;~~
 - ~~(J) Proof of motor vehicle insurance, current inspection and current registration;~~
 - ~~(K) Description of product being sold;~~
 - ~~(L) A copy of a valid registration certificate issued by the state for the mobile food truck, concessions cart, or concession trailer.~~
- ~~(2) Fees. The application fee for a mobile food vendor permit shall be in accordance with the city's fee schedule. Each mobile food vendor unit shall be permitted separately; provided, however, only one permit shall be required for a mobile food court.~~
- ~~(3) Permit.~~
- ~~(A) Permits shall be issued for one-year terms.~~
 - ~~(B) Permits are required to be renewed by resubmitting an application at least thirty (30) days prior to the expiration date of the current permit.~~
 - ~~(C) Permits are not transferable.~~

(c) Location restrictions.

(1) Distance regulations.

- (A) No mobile food vendor shall conduct business within 300 feet of any church, school building, or residence, unless requested for a special event from the

owner or administrator of same.

- (B) A mobile food vendor may not be located within one hundred (100) feet of the property line of an open and operating fixed-location food service establishment. This buffer may be reduced upon receiving written permission from said establishment.

(2) Location restrictions.

- (A) No mobile food vendor shall locate on any private property without written permission to do so and must comply if asked to leave by the property owner. A copy of the written permission to operate in a specific location, signed by the private property owner, shall be kept within the mobile vending unit at all times.
- (B) A mobile food vendor may not be located within ten (10) feet of another mobile food vendor unless they are within a mobile food court and located in accordance with the approved mobile food court site plan.

~~(C) Upon final approval of a mobile food court by the city council, all future mobile food vendors must locate within the approved mobile food court unless or until all sites within the mobile food court are full. Requests for multiple mobile food courts will be considered by the city council.~~

(d) Mobile food vendor requirements.

- (1) Each unit shall be equipped with a trash receptacle with lid to prevent windblown litter and shall be disposed of in accordance with the city solid waste ordinance.
- (2) A five-foot clear space shall be maintained around the mobile food vendor.
- (3) If fats, oils or grease results from food processing of a mobile food vendor's truck, a grease trap shall be required.
- ~~(4) The mobile food vendor shall be subject to inspection by the city upon permit application and may be subject to random inspections and upon reissuance of the permit.~~

(e) Mobile food courts.

- (1) A mobile food court is any parcel of land where three or more mobile food vendors congregate to offer food or beverages for sale to the public.
- (2) Mobile food courts will be allowed on private property located within city limits.
- (3) The developer of a mobile food court will be responsible for adhering to site development standards, drafting food court rules, and meeting all permitting requirements.
- (4) The mobile food court site plan for installation, construction, utility connections, signs and operation must be approved by the city.

~~(5) Upon final approval of a mobile food court by the city council, all future mobile food vendors must locate with the approved mobile food court unless or until all sites within the mobile food court are full.~~

(6) The following site requirements must be met in order to issue a permit:

- (A) There must be a minimum of three (3) mobile food vendor sites for a mobile food court permit.
- (B) Each food truck shall be located on an improved surface.
- (C) Electrical service must be provided for each individual mobile food unit by a permitted electrical contractor.
- (D) One main water connection must be provided for on-site use. One water connection must be provided for every three (3) mobile food vending units.
- (E) Accessible restroom facilities: A minimum of one male and one female restroom must be provided within the mobile food court. Portable sanitary facilities will not be allowed.
- (F) Garbage receptacle: At minimum, one two-yard commercial garbage receptacle shall be provided and must be located on-site, accessible to all vendor activities, and a minimum of 50 feet away from all mobile food vending units and seating area(s).
- (G) One sign identifying the food truck park is permitted, and must be in accordance with the city's signage ordinance.
- (H) Seating must be provided for patrons with [within] the proposed site. Seating layout must be included in the site plan.

(I) All other requirements for a mobile food vendor shall be applicable to mobile food courts.

(Ordinance O-06-2022 adopted 8/8/2022; **Amendment O-16-2026 adopted 6/22/2026**)