



City of Austin

Recommendation for Action

File #: 25-2671, **Agenda Item #:** 121.

12/11/2025

Posting Language

Approve an ordinance waiving or reimbursing certain late fees related to food establishment permits. Funding: This item will increase unrealized revenue by an amount not to exceed \$252,150.

Lead Department

Austin Public Health.

Fiscal Note

This item will increase unrealized revenue by an amount not to exceed \$252,150. The Fiscal Year 2025-2026 General Fund Operating Budget included \$58,400 in permit late fee revenue for food establishment permits. Any additional unrealized revenue above this amount would have no budgetary impact.

Prior Council Action:

September 25, 2025 - Council approved Ordinance No. 20250925-084 allowing the City to waive or reimburse certain late fees related to food establishment permits approved on consent on an 11-0 vote.

August 28, 2025 - Council approved Resolution No. 20250828-103 directing the City Manager to explore maintaining a risk-based permit fee calculation for food service establishment permits in compliance with State law approved on consent on a 10-0 vote.

For More Information:

Adrienne Sturup, APH Director, 512-972-5167; Marcel Elizondo, Division Chief, APH Environmental Health Services Division, 512-978-0308.

Additional Backup Information:

City staff is bringing an extension of the late fee waiver related to certain late fees related to payment of food establishment permit fees in the food protection section of Austin Public Health's fee schedule to a proposed February 28, 2026 end date to give staff additional time to explore amendments to certain food establishment permits. Austin Public Health (APH) has conducted two stakeholder focus groups with the goal of identifying concerns related to permit fees for food service establishments. Staff needs additional time to work through reconciling the preferences expressed by the stakeholders with the financial challenges for the City involved if there was a reduction of permitting fee revenue impacting the City's budget.

This process requires assessing cost-of-service fee models to determine appropriate fees to support APH Environment Health Services permitting operations. Under Senate Bill 1008, food establishment fee modifications will require the City to register any new food establishment permit fee schedule with the Texas Department of State Health Services 60 days before the new fee schedule's effective date.