

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 2/4/2026)

[Health, Business and Tax Regulations, Public Works Codes - Compact Mobile Food Operation Definitions and Fees]

Ordinance amending the Health and Business and Tax Regulations Codes to revise the definition of a mobile food facility permit, add definitions for compact mobile food operations, mobile support unit, and permitted auxiliary conveyance permits to reflect recent amendments to the California Retail Food Code, revise existing definitions of various other terms to reflect State law definitions in that Code, and expand the definition of stadium concession to include food facilities in stadiums with a seating capacity of 5,000 or more; establish annual permit and plan check fees for auxiliary conveyance, compact mobile food operation, and mobile support unit permits, and waive license and permit fees for compact mobile food operations; amending the Public Works Code to include a definition for compact mobile food operations and to expand the Department of Public Works' street vending authority to include regulation of compact mobile food operations, and to require that Department to consult with the Department of Public Health and the Fire Department when issuing rules and regulations that regulate street vendors.

Existing Law

Article 8 of the Health Code defines various types of food preparation and service establishments, including Mobile Food Facilities (MFF), Commissaries, and Catering operations. But the current law does not include definitions for Compact Mobile Food Operations (CMFOs), Mobile Support Units, or Permitted Auxiliary Conveyances. The Public Works Code regulates mobile food vendors but does not currently define or authorize regulation of CMFOs, nor does it require interdepartmental consultation when issuing rules for street vending.

Amendments to Current Law

This ordinance makes changes to the Health Code, the Business and Tax Regulations Code, and the Public Works Code to align local law with recent amendments to the California Retail Food Code and to update related sections.

In the Health Code, the ordinance revises the definition of stadium concession to include food facilities in stadiums with a seating capacity of 5,000 or more. It eliminates MFF categories 1 through 3 and renames MFF categories 4 and 5 as MFF-high risk and MFF-low risk. The ordinance also introduces new definitions for CMFOs, Mobile Support Units, and Auxiliary Conveyances. CMFOs are further categorized into low-, moderate-, and high-risk tiers based on the type of food sold and the level of food preparation involved.

In the Business and Tax Regulations Code, the ordinance establishes plan check and annual license fees for CMFOs: \$188 for low-risk operations, \$377 for moderate-risk operations, and \$502 for high-risk operations, with an additional \$188 fee for permitted auxiliary conveyances. It also introduces a \$781 annual license fee and a \$502 plan check fee for Mobile Support Units and increases the hourly plan check fee for an initial MFF permit from \$181 to \$251.

The ordinance further waives all permit and license fees required under the Municipal Code for the operation of a CMFO, except for the Business Registration Fee imposed under Article 12 of the Business and Tax Regulations Code.

In the Public Works Code, the ordinance adds a definition for CMFOs, expands the Department of Public Works' authority to regulate them, and requires the Department to consult with the Department of Public Health and the Fire Department when issuing rules and regulations governing street vendors.

Background Information

The California Legislature amended the California Retail Food Code to formally recognize CMFOs as a distinct category of food facility. These changes were intended to support small-scale food vendors by creating a more accessible and tiered regulatory framework. This ordinance brings San Francisco's local codes into alignment with those state-level changes. This ordinance also modernizes and clarifies definitions and fee structures across the Health Code and Business and Tax Regulations Code. The ordinance is designed to support public health, economic opportunity, and regulatory clarity for vendors and enforcement agencies alike.

This Legislative Digest reflects an amendment adopted by the Budget and Finance Committee on February 4, 2026. The amendment waives all permit and license fees required under the Municipal Code for the operation of a CMFO, except for the Business Registration Fee imposed under Article 12 of the Business and Tax Regulations Code. It also clarifies the consolidation of five MFF categories into two by renaming the remaining categories as MFF-low risk and MFF-high risk, retaining the \$778 annual fee previously applied to MFF categories 4 and 5, and eliminating the proposed \$893 fees.

Finally, this ordinance, as introduced on September 30, 2025, proposed to amend the Business and Tax Regulations Code by eliminating a permit fee for a catering facility and rescinding Section 249.21, which established a Food Facility Charge. But those changes to the Business and Tax Regulations Code had already been effectuated through the enactment of Ordinance No. 279-24, which was approved on January 18, 2025, and Ordinance No. 140-25, which was approved August 31, 2025. Therefore, the inclusion of those proposed amendments was in error. The committee amendments introduced on February 4, 2026 omit those proposed changes from the ordinance.