



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

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Food Establishment Variance Request Form

Overview:

The Food Establishment Variance Request Form shall be used in conjunction with any Food Establishment Application when seeking a variance from a regulation adopted by the City of Wimberley. The decision to approve or deny a variance is at the full discretion of the City of Wimberley.

Instructions:

The Variance Request Form shall be completed in its entirety. Any incomplete forms will not be accepted and returned to the Owner / Applicant. Documents are required to be attached to the Variance Request Form. Submittal of a Variance Request Form does not guarantee approval of any variance from a regulation adopted by the City of Wimberley.

Fee:

Food Establishment Variance - \$100.00 per request

Definitions:

Applicant – A person seeking approval of an application submitted pursuant to the City of Wimberley Regulations.

Hazard Analysis and Critical Control Point (HACCP) – A written document that delineates the formal procedures for following HACCP principles developed by the National Advisory Committee on Microbiological Criteria for Foods.

Owner(s) – The holder(s) of a legal or equitable interest in real property as shown by the deed records of the county in which the property is located, and which has been included in an application under the City of Wimberley Development Regulations.

Standardized Procedures – Also known as Standard Operating Procedures (SOP) are written procedures for performing various tasks, ensures that quality, efficiency, and safety criteria are met each time the task is performed by detailed procedures for controlling foodborne illness risk factors.

Variance – A written document issued by the Regulatory Authority that authorizes a modification or waiver of one or more requirements of the Regulations if, in the opinion of the Regulatory Authority, a health hazard or nuisance will not result from the modification or waiver.

Owner Information:

Owner Name: _____

Owner Address: _____

Primary Phone: _____ Secondary Phone: _____

Primary E-mail: _____ Secondary E-mail: _____

Establishment Information:

Establishment Name: _____

Establishment Address: _____

Primary Phone: _____ Secondary Phone: _____

Primary E-mail: _____ Secondary E-mail: _____

Website: _____

Applicant Information (if not the owner):

Applicant Name: _____

Applicant Address: _____

Primary Phone: _____ Secondary Phone: _____

Primary E-mail: _____ Secondary E-mail: _____

Type of Variance (check all that apply):

- Variance to the City of Wimberley Food Establishment Regulations
- Variance to Title 25 of the Texas Administrative Code, Chapter 228 and/or
- 229 Variance to the City of Wimberley Food Establishment Fee Schedule

Variance Justification:

All variance requests must be accompanied by the section of current Regulation(s) being appealed and the reason sought for the variance. Please fill out the below section, attaching any additional sheets needed to support the reason sought for the variance.

Chapter / Section of regulation being appealed	Reason for Variance (A brief explanation of how potential public health hazards and nuisances addressed by the Code sections will be alternatively addressed by the proposal.)

Required Document

1. Hazard Analysis and Critical Control Point (HACCP) Plan (if required by the Food Code as specified under ¶ 8-201.13(A) that includes the information specified under § 8-201.14 as it is relevant to the variance requested).
2. Standardized Procedures (if applicable or not found in the HACCP Plan)

Acknowledgement:

I hereby certify that I have submitted an application in compliance with the City of Wimberley Food Establishment Regulations and other applicable local, state, and federal laws. I understand this Request Form will not be acted upon unless a completed application currently exists with City of Wimberley. Submittal of this Request form without an existing application may result in immediate denial.

Owner's / Applicant's Certification:

I hereby certify that I have carefully read and completed this Request Form. All information is true and correct to the best of my knowledge. I hereby agree to comply with all provisions of local, state, and federal laws whether they are herein specified or not. As the Owner of the above-mentioned property or a duly authorized Applicant, I hereby grant permission to the County on behalf of the City of Wimberley to enter the premises and make all necessary inspection and to take all other actions necessary to review and act upon this request. If not the owner, I attest to have written confirmation from the owner of the property to submit an application and Variance Request Form on his/her behalf.

Date: _____

Print Owner / Applicant Name: _____

Owner / Applicant Signature: _____