

How to Start a Mobile Food Vending Business

The Mobile Food Vending Permit allows a business to sell, serve, or give away food and/or drinks to the public from a wheeled unit. Examples of a wheeled unit are auto, trailer, kiosk, or pushcart.

A mobile food vendor may work at many sites inside the region listed on the mobile food vending permit. Regions include the City of Austin, rural Travis County, or local cities contracted with Austin Public Health.

The mobile food vending permit does not replace the base fixed food permit. All mobile food vendors must have a Central Preparation Facility (CPF), which is a fixed food business that provides services to the mobile.

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PERMIT TYPES

There are 2 types of Mobile Food Vending permits offered based on the food-handling method.

- 1) **Unrestricted** Permits are for vendors handling open food and/or drinks inside the mobile unit.
 - Examples include snow cones, BBQ, any cooking of foods, and staff-handled drinks.
- 2) **Restricted** Permits are for vendors handling *ONLY pre-wrapped* food and/or drinks that must be stored hot, cold, or with time control to keep from spoiling.
 - NO open food work allowed, and
 - All food, drinks, and toppings must be prepackaged (wrapped) at a permitted food business.
 - Examples include packaged frozen foods, grab-and-go tacos, and self-serve drink urns.

WHERE MOBILES CAN WORK

Vendors may only work in the jurisdiction (region) listed on their Mobile Vending Permit. Each jurisdiction requires a separate application and permit. City of Austin Zoning has other mobile vending site [rules](#).

The options are City of Austin, unincorporated Travis County and ETJs, Sunset Valley, Bee Cave, Lakeway, Manor, Rollingwood, Volente, and Westlake Hills. Map of address jurisdictions can be found [here](http://www.austintexas.gov/GIS/JurisdictionsWebMap/).

APPLY FOR A PERMIT

All applications must be walked-in to 1520 Rutherford Lane, Austin, TX 78754 only on **Tuesdays and Thursdays from 7:45am-11am**. After the application is approved then a physical mobile unit inspection is scheduled. After the physical inspection is passed a mobile vending permit is issued.

For application help call (512) 978-0300. Please see “Permit Process” on next page for additional details.

APPLICATION CHECKLIST

In order to be accepted, a complete application must include:

- A filled out Mobile Food Vendor: Operational Permit **Application**,
- A current & valid government-issued photo **identification card** for each owner and responsible party,
- Mobile Vending Permit **Fee**, Application Fee, and Fire Inspection fee (if needed),
- Active **Sales & Use Tax** number for the owner (except vendors only getting a Travis County Permit),
- UNRESTRICTED mobiles require a unique, original, & valid **Food Manager Certificate**, and
 - City of Austin vendors must [register](#) Certificate with APH.
 - One Food Manager Certificate needed per mobile vending unit.
 - Multiple mobile vending units require multiple Food Managers.
- Other requests by Austin Public Health
Example: Fixed Food Health Permit for self-packaging Restricted Mobile Vendors.

PERMIT PROCESS

Vendors with missing info, failing inspections, unpaid fees, or signed-in after 11:00am may have to return later.

New Permit:

- 1) Applications will be reviewed by walk-in process only on **Tuesdays and Thursdays from 7:45am-11am**. The order of the process is 1st) application approval, 2nd) fees collected and 3rd) appointment scheduled for a future time to inspect the mobile vending unit.

Do NOT bring unit in without an appointment, you will not be inspected, no exceptions.

- 2) Mobile vending unit inspections are in the parking lot at 1520 Rutherford Lane, Austin, TX 78754. Look for guide signs, a check-in security guard, and marked parking spaces for friends and family.

Units must be ready for inspection at the start of the scheduled time. If the vendor misses the appointment time, or arrives more than 10 minutes late, they will have to reschedule.

First inspections require a generator or power source to check hot water & refrigeration.

Expiring Permit:

- 1) Renewal of permit must be done every year. Begin 45 days before the expiration date. Late renewals will be charged a late fee. Permits have a fixed expiration day, so renewing early will NOT lose time.
- 2) Renewals are the same as a new permit, except:
 - Bring the expiration notice with a complete and current application.
 - No generator or power source will be needed for renewing permit inspections.

Close a Permit:

If the mobile vending unit is closing or changing owner, the business owner must tell Austin Public Health. Email the below info to ehsd.service@austintexas.gov

- Business owner's name
- Name of the mobile vending unit
- Permit number, and
- Last date of work.

SCOPE OF PERMIT

Mobile Vendors accept that they will follow their “Responsibilities” (application page 2) for following the State and Local Rules **at all times** to avoid reinspection fees, closures, and/or legal charges in court.

Self-contained:

Permits are only valid for what is located **physically on the tires** of the mobile vending unit. Do NOT place anything on the ground. Store all items that are not in use at the CPF. Examples of banned items on the ground include storage sheds, coolers, propane tanks, generators, BBQ pits, grease containers, cash registers, clean & dirty water storage tanks, etc.

Ready mobility:

The unit must remain in a state of **ready mobility** at all times. Do not add permanent utility (gas, electrical, or plumbing) connections to the mobile vending unit.

Tandem trailer:

Smokers and BBQ pits may be allowed on a tandem trailer. Tandem trailers must be separate and completely enclosed with 1/16” mesh screen. Tandem trailers must accompany the main mobile vending unit for all inspections and may not operate without the main mobile vending unit.

CLOSURES

Austin Public Health protects the public from imminent health hazards. Imminent health hazards often require instant closure, repair, and reinspection. Examples of some imminent health hazards are:

- **Home-prepared foods,**
- **Refrigeration** problems,
- **Sewage,**
- Inadequate **hot running water,**
- Unapproved **modifications,**
- **Infestations,** and/or
- No unique, original, and valid Certified **Food Manager** Certificate (reinspection only).

Reinspections:

Pay the fee and bring the unit with power supply to the time and place directed by the inspector.

CENTRAL PREPARATION FACILITIES (CPF's)

The CPF is a mandatory base of operation for the Mobile Food Vendors. **CPF's provide food and equipment storage, servicing, cleaning, and waste disposal.**

Professional waste hauler services may be used to remove the wastewater from a mobile vending unit. This service is in addition to having a CPF. Waste haulers cannot replace the CPF requirement. Provide a copy of the waste hauler contract with your application if this service will be used.

CPF's located in the City of Austin must register. To register, a place must hold a valid food permit and must have sufficient waste disposal facilities in place. Residential homes and daycares cannot register as a CPF.

Absolutely NO open food work may occur by the mobile vendor inside the CPF unless the mobile vendor holds a separate fixed food permit inside the CPF kitchen.

CPF's are visited by Inspectors to check mobile vending unit sign-in logs. Logs must show all dates the mobile vendor accessed the CPF.

PHONE NUMBERS

City of Austin (COA) Info/Complaint –	311, or 512-974-2000
Austin Public Health, EHSD –	512-978-0300 or ehds.service@austintexas.gov
Austin Fire Marshal's Office –	512-974-0160 or afdspecialevents@austintexas.gov
Travis County Fire Marshal's Office –	512-854-4621 or fire.marshall@traviscountytexas.gov
Austin Code Compliance –	512-974-2875
Austin Energy (Utility) Customer Service –	512-494-9400
Austin Planning and Zoning –	512-978-4000
Austin Right-of-Way Management (permits to vend on public property, roads, sidewalks) –	512-974-1150
Austin Water Utility (OSSF) –	512-972-0000
Austin Water Utility (WEIRS/Grease Traps) –	512-972-1060
Lower Colorado River Authority –	512-473-3216
Texas Alcohol and Beverage Commission –	512-206-3333
Texas Commission on Environmental Quality, Water Utilities Division –	512-239-4691
Texas Comptroller's Office (Sales & Use Tax) –	512-463-4600, or 1-800-252-5555
Texas Department of Licensing and Regulation (Electrician license lookup) –	512-463-6599
Texas Department of State Health Services –	512-834-6770, or 512-458-7111
Texas Railroad Commission (LP gas technician license lookup) –	1-877-228-5740
Travis County On-site Sewage Facility Licenses –	512-854-9383

SPECIAL UNITS

- 1) **Unrestricted Pushcart:** Unrestricted pushcarts that meet **all** the items below may use a fresh water holding tank of 10 gallons minimum (wastewater holding tank is still required to be 15% larger).
 - a. non-motorized,
 - b. maneuverable by one person when fully loaded,
 - c. limited to dimensions of 4' X 5' for all vendors operating on City of Austin right-of-ways,
 - d. construction must be smooth, durable, non-absorbent and easily cleanable surfaces,
 - e. mounted overhead covering to protect the entire food preparation and service area,
 - f. 3 enclosed sides of protection to the food preparation and service area,
 - g. 3-compartment sink with hot and cold water supplied under pressure,
 - h. separate hand sink,
 - i. water tank with fill valve cover, and
 - j. wastewater tank with clean-out valve.

- 2) **Kiosk:** Kiosks that meet **all** the items below may request an onsite permitting inspection appointment.
 - a. supported on wheels,
 - b. connected to move as one solid unit,
 - c. meets all rules for unrestricted/restricted mobile vending units,
 - d. no direct plumbing, and
 - e. too large to exit through the doors of the building where it will be operated.

- 3) **Hand Carry (Foot Peddler):** One (1) single small transport device may obtain a mobile permit.
 - a. examples include an ice chest or hot box,
 - b. meets all rules for restricted mobile vending units,
 - c. only prepackaged foods,
 - d. all item storage and vending must occur from this single transport device,
 - e. maneuverable by one person when fully loaded,
 - f. no tables, and
 - g. no stands.

FIRE DEPARTMENT INSPECTIONS

Do I need a Fire Inspection?

- Austin Fire Department Safety Inspection:** All mobile vendors with propane, gas, or a similar combustible material getting a City of Austin Mobile Vending Permit.
- Travis County Fire Department Safety Inspection:** All UNRESTRICTED mobile vendors getting a Travis County Mobile Vending Permit.

Austin Fire Marshal's Office and Travis County Fire Marshal's Office provide fire/life safety inspections. Fire inspections are done at the same time and place as Health inspections.

The fee for a fire inspection is \$125. Fire fees are collected at the same time as Health fees. If a unit is getting a Travis County permit along with any other jurisdiction, then Travis County will provide the only safety inspection needed (one \$125 fee only).

AUSTIN FIRE DEPARTMENT SAFETY INSPECTION

Guidelines provided by Austin Fire are available on our website or by following this link:

http://austintexas.gov/sites/default/files/files/Health/Environmental/RevisedSite/FIRE_Mobile_Food_Vending_Checklist_10_01_15_2_.pdf

Vendors required to complete an Austin Fire Department Safety Inspection must provide the following documents/items at time of inspection. Additional inspection requirements may be necessary upon request.

- System Pressure Test Documentation** – A valid invoice from a LP Gas Technician licensed by the Texas Railroad Commission indicating an [annual pressure test](#) has been successfully completed recently.
- Fire Extinguisher** – A Class 2A10BC Fire Extinguisher is required on all units. In addition, units utilizing oil/grease fryers are required to have a Class K Fire Extinguisher on unit. Extinguishers must be tested and certified annually with proper documentation of this testing provided.
- Documents of Approved Appliance Testing** – Listing identifying that propane appliances have been tested through an approved testing lab such as UL, CSA, CGA, AGA, and/or ETL.
- Ancillary Fire Suppression System** – Ancillary Fire Suppression Systems are NOT required. However, if an Ancillary System is present then biannual system testing invoices must be provided.

TRAVIS COUNTY FIRE DEPARTMENT SAFETY INSPECTION

Guidelines provided by Travis County Fire are available on our website or by following this link:

http://austintexas.gov/sites/default/files/files/Health/Environmental/Mobile_Food_Vending_ChecklistV3.pdf

Vendors required to complete a Travis County Fire Department Safety Inspection must provide the following documents/items at time of inspection. Additional inspection requirements may be necessary upon request.

- All 4 items listed under Austin Fire Department Safety Inspection (above), and
- Electrician Inspection Documentation** – A valid invoice from an Electrician licensed by the Texas Department of Licensing and Regulation indicating an annual electrical systems test has been successfully completed recently.

HEALTH PHYSICAL MOBILE VENDING UNIT INSPECTION CHECKLIST

Mobile vending units must be ready for inspection at the start of the scheduled time. If the vendor misses the appointment time, or arrives more than 10 minutes late, they will have to reschedule.

Initial inspections require a generator or internal power to check running hot water & refrigeration.

- License Plate - Present and current.
- Adequate Clean & Wastewater Capacities – Wastewater tank must be sized with a minimum capacity of 15% larger than potable water tank's capacity. Unrestricted mobile vending units need a minimum 30 gallon fresh water tank. Unrestricted pushcarts need at least a 10 gallon fresh water tank.
- Water Tank Security – All tanks must be permanently mounted to unit.
- Wastewater Tank Clean-out Valve – Clean-out valve must be located on the exterior of unit; diameter of clean-out must be 1" in diameter or larger and may not be the same size as clean water fill up valve; clean-out valve must be located at height below clean water fill up valve.
- Clean Water Tank Fill Valve – Fill valve must be located on exterior of unit; fill valve must be located at height above waste water clean-out valve; fill valve may not be the same size as waste water clean-out valve; ¾" in diameter or smaller.
- Hand Washing Sink – Hand wash sink present and available for convenient use with a dedicated faucet providing hot and cold water under pressure.
- Ware Wash Sink – 3-compartment ware wash sink present; faucet able to reach all compartment for filling (spray nozzles do not meet this requirement); hot and cold water provided under pressure to all basins; compartments capable of holding water; compartments must be large enough to fully submerge all commonly used food contact wares requiring regular washing and sanitizing; customers may only receive single-use service ware – no customer returned dishes allowed in mobile units.
- Splash Guard – A splash guard around the handsink to prevent splashing cross contamination.
- Hot Water Heater – Water heating device present and secured in unit. Must provide enough hot water to meet all business needs during peak demand.
- Water Pump – Mechanical pump present for delivery of hot and cold water to all required sinks; on/off switches utilized for pumps must be readily accessible; gravity-fed systems are not accepted.
- Light Shields – All lighting needs protective covers or shields in place to contain broken light bulbs.
- Completely Enclosed – All exterior openings left open while in operation such as doors, windows, and vents must be provided with 1/16" mesh screening material to prevent pest or contaminant entry.
- Cold Hold Unit – Mechanical cooler/refrigerator present in unit; it is highly recommended that unit is equipped with commercial refrigeration unit; residential refrigeration units often lack the capability to maintain food items at appropriate temperature in mobile unit operating environments.
- Cleanable Surfaces – All interior surfaces must be smooth, durable, easily cleanable, non-absorbent.
- Readily Movable – Vehicles must be self-powered; trailers must be towable; tires must be on and aired up; anything requiring a special permit to move on Texas roadways does not qualify as a mobile vending unit; no permanent utility connections allowed; electric plugs for power are allowed.
- Physical Condition – No conditions present which may pose a risk to food or personal safety.

*This checklist is solely intended to provide guidance in adherence to the TX Food Establishment Rules and City of Austin Ordinance. This guidance is not all inclusive of the rules and regulations for mobile vending units.