



**Environmental & Consumer Health Unit**  
**Austin-Travis County Health & Human Services Department**  
<http://www.ci.austin.tx.us/health/commercial.htm>

PO BOX 1088 Austin, TX 78767 512-978-0300 Phone 512-978-0322 Fax

**Walk-in Location:** 1520 Rutherford LN,  
 NE corner of Rutherford LN @ Cameron RD, Building ONE East Entrance (No Mail Accepted here)

## Starting A Food Business in Austin & Travis County

9/13/2011

This guide is for prospective operators of Food Enterprises (food establishments, retail food stores, food warehouses, and food processors) operating within the jurisdiction of the City of Austin and Travis County. These establishments fall under the regulatory responsibility of the Austin/Travis County Health and Human Services Department (ATCHHSD). Guidelines for Farmers Markets, Mobile Vendors and Temporary Food Events are found at 1520 Rutherford LN, Building ONE, East Entrance, or at: <http://www.ci.austin.tx.us/health/commercial.htm> .

Both Austin and Travis County are divided into districts, each having a designated Health Inspector. Your Health Inspector will assist you with questions on pre-opening processes for Food Enterprises. Contact the Health Department Plan Review Desk (512) 974-3325 for questions concerning your building plans. Staff is also available to assist with questions on Food Manager Certification, Food Handler Registration and application & inspection payments. Call us at (512) 978-0300 to contact your designated Health Inspector or our administrative staff.

Some incorporated cities within Travis County also have contracts for Food Enterprise inspections with ATCHHSD. The city offices in these cities will advise you if this is the case where you are operating. Almost all categories of Food Enterprises require the approval of ATCHHSD.

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### Home Preparation of Food Prohibited

Except for those businesses that meet the requirements of a Cottage Food Industry, home preparation of food for public consumption is prohibited. All food that is to be consumed by the public, whether free or for sale, must be prepared at a permitted establishment that is inspected by a federal, state, or local Health Authority.

### Cottage Food Industry

A cottage food production operation is not required to have a City of Austin food permit. Before operating a food business, check with other City of Austin Departments to determine if there are laws or ordinances, such as zoning, that will affect your business. For information on the Cottage Food Industry visit: <http://www.ci.austin.tx.us/health/commercial.htm>

## **Operating Permits - Food Enterprises**

The Food Enterprise application is available at **1)** City of Austin “One Stop Shop” located at One Texas Center, 505 Barton Springs Rd. Austin, TX 78704, **2)** 1520 Rutherford LN, Bldg 1, East Entrance or **3)** our website, <http://www.ci.austin.tx.us/health/commercial.htm>. We recommend you submit a *fully completed* application and fees one month prior to your anticipated opening date. This gives our staff the needed lead time to process it and schedule any needed pre-opening inspections. Our staff thoroughly reviews each form to ensure accuracy of info provided. Incomplete applications will delay your approval.

Food permits are in effect for one year from the date of issue, and are renewable each year, thereafter, when the appropriate fee is paid and the enterprise remains in compliance with Health Dept regulations.

## **Permit Fees**

### **City of Austin & Contracted Cities**

<b>Food Service, Retail Food, Food Processing Plant or Warehouse</b>	<b>FEES</b>
1 to 9 employees	\$310
10 to 25 employees	\$435
26 to 50 employees	\$620
Over 100 employees	\$990
<b>Farmers Market Sampling Permit</b>	\$210
<b>Farmers Market Special Event Temp Permit</b>	\$ 35 (one day/week) or \$490 14 weeks (one day/week)
<b>Mobile Vendor</b>	
Mobile Vendor Application	\$125
Unrestricted Permit/unit	\$210
Restricted Permit/unit	\$ 90
<b>Temporary Food Establishments</b>	
1-2 calendar days	\$35/booth
3-5 calendar days	\$70/booth
6-14 calendar days	\$90/booth
<b>Vending Machines</b>	
1 <sup>st</sup> ten machines	\$110
Additional machines	\$ 1 each

### **Travis County**

<b>Food Service, Retail Food</b>	<b>FEES</b>
1 to 15 employees	\$150
16 to 30 employees	\$250
Over 30 employees	\$300
<b>Food Processing Plant or Warehouse</b>	n/a
<b>Mobile Vendor</b>	\$60
<b>Temporary Food Establishments</b>	
1-2 calendar days	\$20/booth
3-5 calendar days	\$30/booth
6-14 calendar days	\$40/booth
	n/a
	n/a

## **Food Enterprise Pre-Opening Processes**

When starting a Food Enterprise business you are required to go either thru A) a Change of Ownership inspection or B) the Plan Review process. Read through option A & B below to determine which best fits your situation. Contact the Health Dept. if you need help in making that determination (978-0300). Before starting either of these processes call 311 to obtain Zoning approval and a copy of the Certificate of Occupancy for your location.

## **A) Change of Ownership Inspection Process-**

Processed at 1520 Rutherford LN, phone: (512) 978-0300 fax: 978-0322

Before opening for business you may be required to go through a change of ownership inspection. This inspection verifies your enterprise complies with current regulations and has a clear *Certificate of Occupancy*. **Contact the Development & Review Department to request a copy (974-9781)**. The fee for this inspection is required to be paid before the inspector conducts the inspection. There is no Change of Ownership fee for those enterprises located in Travis County outside of Austin City limits. A Request for a Change of Ownership application is available online at <http://www.ci.austin.tx.us/health/commercial.htm> or at 1520 Rutherford LN, Building ONE, East Entrance. A *fully completed* application may be 1) faxed (978-0322) and paid for by credit card (978-0300), 2) dropped off at 1520 Rutherford LN, Bldg 1, East Entrance with the fee or 3) mailed in with the fee. After submitting the application; call to schedule the inspection with your inspector at 978-0300. If the enterprise doesn't comply with current regulations you will be required to bring it up to code before your operating permit is approved. Many times prospective business owners will request a Change of Ownership inspection before finalizing the sale. This gives the prospective business owner a heads up on any items that may be required for the enterprise to be in compliance with city codes. ***Under no circumstances begin operations without approval from the Health Dept. Legal charges may be filed against you if you do.***

## **B) Health Department Plan Review Process-**

(Newly built business or remodel of existing business)

Health Plan Review Application: <http://www.ci.austin.tx.us/health/commercial.apps.htm>

- **City of Austin Health Plan Review Office:** Food Enterprises under jurisdiction of the City of Austin "One Stop Shop", One Texas Center, 505 Barton Springs RD, 78704  
Office hours: 8:00AM - 3:00PM M-TH and 8:00AM-1:00PM Fridays, phone: (512) 974-3325 fax: 974-6372
- **Travis County Health Plan Review Office:** Food Enterprises located in Travis County outside of City of Austin  
1520 Rutherford LN, Bldg 1, East Entrance Office hours: 7:45 AM-4:45 PM M-F, phone: (512) 978-0300 fax: 978-0322
- **Contracted Cities Health Plan Review Office:** Food Enterprises located in Incorporated Cities of Travis County  
1520 Rutherford LN, Bldg 1, East Entrance Office hours: 7:45 AM-4:45 PM M-F, phone: (512) 978-0300 fax: 978-0322

### **Health Plan Review Fees (Fees subject to change)**

#### **City of Austin and Contracted Cities**

New Food Enterprise	\$185.00
Remodel > 10,000 sq. ft.	\$185.00
Remodel 2,500 to 10,000 sq. ft.	\$125.00
Remodel < 2,500 sq. ft.	\$ 65.00

#### **Travis County**

\$10.00 for all Reviews

A Health Department Plan Review is required whenever a building is constructed or substantially remodeled to be a Food Enterprise, whenever a substantial change is made to an existing food facility or if a building permit or other construction related permit is required by the City of Austin.

The Plan Review Application, including proposed menu, Fees, and 2 Sets of building plans are to be submitted as a package, not separately. Our staff thoroughly reviews each form to ensure accuracy of information provided. Incomplete applications will delay your plan review. Upon approval, the plans are stamped by the Health Dept and the person submitting the plans will be called to pick them up.

Submit building plans after the type of food operation and menu has been determined and after receiving Zoning approval if located in the City of Austin. The 2 sets of building plans are to be in a scale of 1/4" = 1Ft. and detail the layout of the kitchen, dining area, restrooms, storage areas, break room, wait stations and bar. The plans are to include a materials list of specifications for all floors, walls, and ceilings.

### **Certificate of Occupancy**

All City of Austin Food Enterprises are required to have a Certificate of Occupancy (CO). A CO is issued after the Building and Health Officials inspect the building and find no violations of the Building or Health Codes during new construction and/or a remodel. The CO will also state the use for which the building will be used. The CO Inspection is the final inspection received before your Operating Permit is approved. The fee for the CO must be paid before your Health Inspector will schedule and conduct your inspection. Call 978-0300 for payment & scheduling.

## **Permit Approval**

Once you have completed the pre-opening processes and your Health Inspector has approved your operating permit, you may open for business. ***Under no circumstances begin operations without approval from the Health Dept. Legal charges may be filed against you if you do.***

## **Other City of Austin Approvals**

**Building Permits:** Plans must also be submitted to the Commercial Plan Review Dept. for further review. Call 311.

**Industrial Waste:** If you are taking over a previous business and changing the type of operation, ensure the grease trap meets the requirements for your new operation. For example, when a “sandwich shop” becomes a “fried chicken” location, the existing grease trap may need to be modified. Call 311.

**Fire Inspections:** Fire department representatives are concerned with grease-laden vapors and proper hood protection in food facilities. All **gas equipment** must be installed under proper ventilation. In addition, establishments in excess of 5,000 sq. ft. are required to provide a sprinkler system. Establishments with an occupancy load in excess of 50 people are required to provide fire alarms. Call 311.

## **Include and Identify the following on your Building Plans**

### **• Major pieces of equipment**

Refrig/freezer Units	Vent-hood	Ice machines/ bins/dispensers
Steamers	Microwaves	Warming Drawers
Stoves	Prep tables	Ice Cream Dispenser
Ovens	Dish machine	Beverage Station/dispenser
Grills	Mixers	Blender Station
Fryers	Food Processors	Salad/Food Buffets

### **• Sinks**

Hand sinks (food prep areas • ware-washing area • restrooms)      Ware washing sinks  
Service Sink/Mop sink/curbed floor sink                                      Food Prep Sink

- Dumpster
- Grease Barrel
- Chemical Storage area
- Mop drying area
- Employee area for belongings
- Dry Food Storage area
- Doors
- Mechanical ventilation in restrooms
- Outdoor food prep area (bars/wait station/BBQ)
- Water Well
- Underground and overhead sewer and waste lines
- On Site Sewage Facility

## **Health Department Building Plan Notes**

- 1) **Refrigeration** All refrigerated units are to hold foods at or below 41°F.
- 2) **Restrooms** (two are normally required). If the facility has only carry-out or seating for less than 20 people, and less than 10 employees, then only one employee restroom is required by the Health Dept. Two restrooms are required if alcohol is served on the premises or more than 20 seats are provided. Each restroom must have a hand sink with hot (at least 100°) and cold water, mechanical air ventilation to the outside, and a solid, self-closing door.

Restrooms may not open directly into a kitchen. The total number of restrooms for a Childcare facility is dependent on the “minimum standards” of the Texas. Dept. of Family and Protective Services (834-3195) as it relates to Childcare.

3) **Sinks**

**A. Service Sink/Mop Sink/Curbed Floor sink:** At least one of these must be available for mop washing and disposal of mop water in an approved waste water disposal system. A drying rack is required for mops to air dry. This sink must be provided with a backflow preventer on any threaded hose bib to protect the water supply. Note: the mop sink may be located in a different area of the building than the kitchen.

**B. Hand washing sinks:** Shall be located to allow convenient use by employees in food preparation, food dispensing, ware wash areas, and any wait station where ice is dispensed, bar area or in a walk-in where meat is cut or trimmed. At least one hand sink will be required; additional, separate hand sinks may also be required. Small kitchens with food prep and ware washing in close proximity may be allowed to use one hand sink to serve both activities. Other hand sinks must be associated with restrooms. Provide at least 12” tall splashguards if a hand sink is located near food prep, open food, ice, or clean food contact surfaces. Otherwise, the hand sink must have at least 18” lateral separation from these. A sign or poster that notifies food employees to wash their hands shall be provided to all hand washing sinks and be clearly visible. A small, swinging door (as in a bar area) could separate a hand sink from a work area, otherwise no doors separating hand sink from work areas.

Each sink must be supplied with hot (100°) and cold water, soap and disposable towels. Childcare facilities must have hot water in the diaper changing area and kitchen. If plans do not provide sufficient hand sinks to meet the requirements of the facility you will be asked to provide a revised plan with additional hand sinks.

**C. Ware Wash Area:** A commercial dishwasher or 3 compartment sink is required in most cases. Dish machines must be able to effectively sanitize all equipment and utensils. They must dispense a chemical sanitizer or provide a final rinse of at least 180° F. (single, stationary rack machines are required to reach 165° in the sanitize cycle). Test strips are required. Above-the-counter dish machines are required to have Type II vent-hood.

Ware washing sinks shall be of sufficient size to immerse the largest piece of equipment. Cold and hot (100° minimum) water under pressure delivered through a mixing valve shall be provided. Provide at least 2 integral drain boards or 1 integral drain board and a mobile dish cart. Drying racks or shelves will aid in adequately air drying all wares. Facilities with very limited ware washing and using disposable containers may request a variance to install a 2 compartment sink (example: convenience store). These sinks are required to have a drain board. The sinks must have an indirect connection to the sanitary sewer (at least a one inch air gap). This includes all food prep sinks and ware wash sinks.

4) **Ceiling Construction:** Ceilings over open food, ice, soda fountains, ware washing, restrooms and bars must meet construction criteria and be smooth, durable, nonabsorbent, and cleanable. Open rafters, trusses or grid work and exposed duct work, pipes or utility lines are prohibited. No open structure permitted. If drop down acoustic tiles are used, they must be properly constructed. These tiles are to be washable and have a smooth surface without pinholes. Painted dry wall or boards are acceptable.

5) **Walls/Floors:** Must be constructed of approved materials. Cleanable water-based enamel paint is acceptable for most wall surfaces. Areas that are subject to regular cleaning and splash may be covered with FRP, stainless, or galvanized metal. Floor/wall junctures shall provide no greater than 1/32” gap. Baseboards are required. Caulk wall/floor junctures to prevent the collection of food particles and water. Masonry (brick/concrete) wall/floor junctures DO NOT require baseboards since a masonry juncture provides no gap. Raw brick and concrete in the kitchen area requires sealing. The sand grout of all tiles needs to be sealed. Epoxy grout does not require sealing. VCT floor tiles require a coat of wax to seal out liquids.

- 6) **Solid Waste:** Dumpster and grease barrels shall rest on a machine laid asphalt or concrete pad. These containers must have tight fitting lids and drain plugs in place.
- 7) **Outdoor Cooking facilities:** Barbeque pits or smokers shall be enclosed, and if screened in, at least a 1/16" mesh screen is required. They shall rest on a concrete or asphalt pad. The meat may only be placed on the smoker; no food prep allowed in this enclosure. Any seasoning, cutting, etc. must take place inside the establishment. Outdoor bars and wait stations will be approved on a case by case basis by the dept.
- 8) **Water and Sewage Systems:** All private on site sewage facilities and wells serving a new Food Enterprise, an extensively remodeled Food Enterprise, or a Food Enterprise coming under new ownership must meet current standards. These systems are required to be evaluated with respect to whether the system (a) meets current standards and (b) is adequate for the proposed use.

Contact the following agencies to ensure your system is adequate.

Austin Water Utility (972-0101) systems in the City of Austin  
 Industrial Waste (grease Traps) 972-1060  
 Travis County Transportation & Natural Resources Dept. (854-9383), systems in the county  
 Lower Colorado River Authority (473-3216) systems within 2,000 ft of Lake Travis  
 TX Commission on Environmental Quality (TCEQ) Water Utilities (239-4691), Private Wells

A food service facility or Childcare facility using a well for more than 59 days/yr. and serving more than 24 people is considered a public water supply.

- 9) **Protecting the Water Supply:** Threaded hose bibs are required to have a backflow prevention device attached. Spray hoses and fill hoses shall hang at least 1 inch above the maximum flood rim of a basin or the hoses shall be provided with an atmospheric vacuum breaker or backflow prevention device.
- 10) **Indirect Connections:** Jockey boxes, ice bins, ice machines and sinks (as identified above in # 3) must be provided with indirect connections to the sewer. Floor sinks are required on new construction.
- 11) **Lighting:** Adequate amount of light shall be provided to all areas. At least 20 foot candles is required where food is provided for customer self-service such as buffet and salad bars or where fresh produce or packaged foods are sold. At least 50 foot candles is required at surfaces where employees are working with food using utensils or knives, slicers, grinders, saws, or where employee safety is a factor.
- 12) **Outer Openings:** All windows, vents and exterior doors shall be tight fitting. If needed, use weather stripping to provide a tight fit. All exterior doors shall have a self-closure. Screens on windows and doors shall be at least 1/16" mesh. Roll up doors to be screened or the proposed food service area provided with physical doors to create a separate walled room. Exhaust fans must be screened, or if they are louvered, must automatically close when the fan is disengaged.
- 13) **Food Contact Surfaces:** Stainless steel, Formica, polished marble, Corian, machined stone, approved ceramics or plastics may be used for food contact surfaces.
- 14) **Counters:** All raw wood must be painted in areas that come in contact with food, liquid or food containers of any kind. Included is the underside of the bar above the ware wash and/or hand sink (and the splash area).
- 15) **Toxic Materials:** Specify an area where chemicals are to be stored. A well-labeled, separate shelf or cabinet is best.

## **City of Austin Food Enterprise Food Handler Registration**

[http://www.ci.austin.tx.us/health/commercial\\_food\\_handler.htm](http://www.ci.austin.tx.us/health/commercial_food_handler.htm) phone 512- 978-0300

Food Enterprise annual permit renewal notices require that Food Operators provide a list of all employees and shall indicate which are registered with the City of Austin (COA) either as a Food Handler or Food Manager by including their COA registration number and Date of Birth.

A Food Handler registration is required for any permitted Food Enterprise employee that meets the following definition: a Food Enterprise employee who works with unpackaged food, food equipment, food utensils, or food contact surfaces.

Food Handlers are required to register with the City every two years. We offer both online and classroom classes in English and Spanish.

### **Business Exemptions**

1. A Food Enterprise that provides only beverages or prepackaged food that is not a potentially hazardous food;
2. A nonprofit organization that serves food only to members of the organization;
3. A Food Processing plant that is inspected at least once each week by a state or federal food sanitation inspector or that only stores prepackaged food that is not potentially hazardous;
4. A Vending Machine or a mobile food establishment that offers only prepackaged food, if a certified food manager is in charge at a central preparation facility that supplies the products for the vending machine or mobile food establishment;
5. A Temporary Event or
6. A Food Enterprise located in unincorporated areas of Travis County.

### **Employee Exemptions**

1. A Food Enterprise employee with a valid City of Austin issued Food Manager Certificate.
2. A Food Enterprise employee who does not work with unpackaged food, food equipment, food utensils, or food contact surfaces.

## **City of Austin Food Enterprise Certified Food Manager**

[http://www.ci.austin.tx.us/health/commercial\\_food\\_certification.htm](http://www.ci.austin.tx.us/health/commercial_food_certification.htm) 978-0300

**Food Manager Certification:** The Austin City Code requires the majority of permitted Food Enterprises in Austin to have at least one employee to be currently registered as a Certified Food Manager with the **City of Austin** and to have their current **City of Austin** Certified Food Manager Certificate **posted** in the establishment. Travis County does not have this requirement. A Food Manager Certificate is recognition that a person has received training in food sanitation. The Austin-Travis County Health Dept. offers Online and Classroom certification in English and Spanish. For details including a certification application and schedule or information on registering by obtaining a Certificate of Reciprocity visit our website.

**Exemptions:** Please call us for exemption clarification 978-0300

1. A Food Enterprise that provides only beverages or pre-packaged food that is not a potentially hazardous food
2. A nonprofit organization that serves food only to members of the organization
3. A food processing plant that is inspected at least once each week by a state or federal food sanitation inspector or that only stores prepackaged food that is not potentially hazardous
4. A vending machine or a Mobile Food Establishment that offers only prepackaged food, if a Certified Food Manager (CFM) is in charge at the Central Preparation Facility that supplies the products for the Vending Machine or Mobile Food Establishment. Note: **Unrestricted** mobile units are required to have a CFM.
5. A. Temporary Event
6. A Food Enterprise located in unincorporated areas of Travis County.

## **APPLICATIONS & GIUDES**

Austin/Travis County HHSD, Environmental and Consumer Health Unit- -Website:  
<http://www.ci.austin.tx.us/health/commercial.htm>

## **REGULATIONS**

Texas Food Establishment Rules  
<http://www.ci.austin.tx.us/health/commercial.htm>

City of Austin Food Code Chapter 10-3,  
<http://www.ci.austin.tx.us/health/commercial.htm>

Chapter 47, Travis County Food Order (food enterprises not under the jurisdiction of the City of Austin)  
<http://www.ci.austin.tx.us/health/commercial.htm>

Chapter 437, Texas Health and Safety Code, under Statutes and Rules  
<http://www.ci.austin.tx.us/health/commercial.htm>

Chapter 431, Texas Food, Drug and Cosmetic Act, Texas Health and Safety Code  
<http://www.ci.austin.tx.us/health/commercial.htm>

City of Austin Smoking Ordinance Chapter 10-6,  
<http://www.ci.austin.tx.us/health/commercial.htm>

## **Phone Numbers**

Austin/Travis County Health & Human Services Dept (A/TCHHSD) Consumer Health Program – 978-0300  
Child Care Licensing - Texas Department of Family and Protective Services – 834-3195  
City of Austin Information line – 311 for all City of Austin offices and personnel.  
City of Austin, Building Inspections -974-2027, Automated Inspection Request Line 480--0623  
City of Austin, Coordinator of Early Childhood Development, AHHSD – 972-5028  
City of Austin, Development Review & Inspection Department (permits and reviews) 974-2380  
City of Austin, Fire Department, Code Enforcement (inspections) – 974-0160  
City of Austin, Plan Review, Commercial - 974-2949 or 974-3469  
City of Austin, Plan Review, Food Enterprises- 974-3325  
City of Austin, Utility Customer Service- 494-9400  
City of Austin Water and Waste Water- 972-0000, WWW Inspection Recorder 972-0002  
City of Austin, Water and Wastewater - 972-1060 (grease trap)  
Lower Colorado River Authority - 473-3216  
Texas Alcohol and Beverage Commission – 206-3333  
Texas Comptroller Office - 463-4600  
Texas Department of Health, Environmental & Consumer Safety – 834-6770  
Texas Department of Family and Protective Services - 834-3195  
Texas Environmental Quality Commission, Water Utilities Division - 239-4691  
Travis County On-site Sewage Facility Licenses – 854-9383

## **NOTES**