



Walk-in Location: 1520 Rutherford LN, NE corner of Rutherford LN @ Cameron RD, Building 1 East Entrance (No Mail Accepted here)

## Starting a Mobile Food Vending Business in the City of Austin and Travis County

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 within the jurisdiction listed on the Mobile Food Vending permit. Jurisdictions include the City of Austin, unincorporated Travis County, or five other Municipalities contracted with Austin Public Health including: Bee Cave, Sunset Valley, Manor, Lakeway, and Westlake Hills.

The Mobile Food Vending permit does not replace the permit to operate for a Food Enterprise. All Mobile Food Vendors must have a Central Preparation Facility (CPF), which is a fixed food business that provides services to the Mobile Food Vending unit. When a Mobile Food Vendor unit is sold, the permit is non-transferrable and a new application must be completed by the new ownership.

### Table of Contents

Applications, Fees, Regulations	Page 6
Application Checklist	Page 2
Closures	Page 3
CPFs	Page 3
Fire Checklist	Page 4-5
Food Handler/Manager	Page 6
Health Checklist	Page 5-6
Permit Process	Page 2
Phone Numbers	Page 6
Scope of Permit	Page 3
Special Units	Page 4

### Permit Types

There are two 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 listed on their Mobile Food Vending Permit. Each jurisdiction requires a separate application, fees, and permit. The jurisdictions that Austin Public Health permits are City of Austin, unincorporated Travis County and seven other municipalities including: Sunset Valley, Bee Cave, Lakeway, Manor, Rollingwood, Volente, and Westlake Hills. If you have a question about jurisdiction, you may contact our office at 512-978-0300 or go to this website: <http://www.austintexas.gov/GIS/JurisdictionsWebMap>.

City of Austin Zoning has other Mobile Food Vending rules available at their website: <http://www.austintexas.gov/departments/neighborhood-planning-resources> under Mobile Food Establishments.

### Applying for a Permit

All applications must be walked-in to 1520 Rutherford Lane, Building 1, Austin, TX 78754 on only **Tuesdays and Thursdays from 7:45 a.m. to 11:00 a.m.** After the application is accepted and paid for, you will receive an appointment for the physical mobile unit inspection. After the physical mobile unit inspection is passed, a Mobile Food Vending permit is issued. For application help, please call our office at 512-978-0300.

## Application Checklist

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

- A *completely filled out* Mobile Food Vendor: Operational Permit **Application**,
- A current, valid government-issued photo **identification card** for each owner and responsible party,
- Mobile Food Vending Permit **Fee**, Application Fee, and Fire Inspection fee (if applicable),
- Active **Sales & Use Tax** number for the owner (except vendors only getting a Travis County Permit),
- Unrestricted** mobiles require a unique, original, and valid certified **Food Manager Certificate**, and
  - City of Austin vendors must [register](#) Certificate with Austin Public Health.
  - One Food Manager Certificate needed per Mobile Food Vending unit.
  - Multiple Mobile Food 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

*Mobile Food Vendors with missing information or documents, failing inspections, unpaid fees, or signed-in after 11:00 a.m. may have to return at a later date.*

### New Permit

Applications will be reviewed by walk-in process only on **Tuesdays and Thursdays from 7:45 a.m. to 11:00 a.m.** The order of the process is 1<sup>st</sup>) application approval, 2<sup>nd</sup>) fees collected and 3<sup>rd</sup>) appointment scheduled for a future time to inspect the Mobile Food Vending unit.

Do NOT bring Mobile Food Vending unit in without an appointment. You will not be inspected. No exceptions.

Mobile Food 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 and may be subject to a fire re-inspection fee, if applicable.

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

### Renewing Permit

Mobile Food Vending permits are renewed each year and can be processed as early as forty-five (45) days before the expiration date. Late renewals will be charged a late fee. Permits have a fixed expiration date. Renewing your permit prior to your expiration date will not result in any loss of time.

Renewals have the same requirements as a New Permit, except:

- Must bring the expiration notice along with a complete, current application, and
- No generator or power source will be needed for renewing permit inspections.

### Close a Permit

If the Mobile Food Vending unit is closing or changing owner, the business owner must notify Austin Public Health. Email the below information to [ehsd.service@austintexas.gov](mailto:ehsd.service@austintexas.gov)

1. Business owner's name
2. Name of the Mobile Food Vending unit
3. Permit number, and
4. 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 Food Vending unit. Do **not** place anything on the ground. All items that are not in use must be stored at the CPF. Examples of banned items on the ground include storage sheds, coolers, propane tanks, generators, BBQ pits, grease containers, cash registers, clean and 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 Food 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 Food Vending unit for all inspections and may not operate without the main Mobile Food 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 and/or cold running water,**
- Unapproved **modifications,**
- **Infestations,** and/or
- No unique, original, and valid Certified **Food Manager** Certificate (reinspection only).

### Reinspections

You must pay the fee and bring the unit with the power supply at the time and place scheduled by the inspector.

## Central Preparation Facilities (CPF)

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

Professional waste hauler services may be used to remove the wastewater from a Mobile Food Vending unit. This service is *in addition* to having a CPF. **Waste haulers cannot replace the CPF requirement.** You will need to provide a copy of the waste hauler contract with your application if this service will be used.

CPFs located in the City of Austin must register their establishments. To register, an establishment 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.

CPFs are visited by Inspectors to check Mobile Food Vending unit sign-in logs. Logs must show all dates the mobile vendor accessed the CPF.

## Special Units

### 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.

### 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 Food Vending units,
- d. no direct plumbing, and
- e. too large to exit through the doors of the building where it will be operated.

### 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 Food 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 Food Vending Permit.
- Travis County Fire Department Safety Inspection:** All **unrestricted** mobile vendors getting a Travis County Mobile Food 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. Fire Inspection fees are collected at the same time as Austin Public Health fees. If a unit is requesting a Travis County permit along with any other jurisdiction, then Travis County will provide the only safety inspection needed.

### Austin Fire Department Safety Inspection Checklist

Guidelines provided by Austin Fire are available at 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](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.

**Continued on page 5**

- 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](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.

## Physical Mobile Food Vending Unit Inspection Checklist

### Austin Public Health Checklist

Mobile Food 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. During the Mobile Food Vending inspection process, no repairs can occur on city property.

### 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 Food 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.

Continued on page 6

- 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 Food 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 Texas Food Establishment Rules and City of Austin Ordinance. This guidance is not all inclusive of the rules and regulations for Mobile Food Vending units.

## **City of Austin Food Enterprise Food Handler/Food Manager Requirements**

All food employees shall successfully complete an accredited food handler training course, within 60 days of employment as required by §228.33 (d).

A Food Manager Certificate is recognition that a person has received training in food sanitation. The Austin City Code requires the majority of permitted Food Enterprises in Austin to have one employee to be currently **registered** as a Certified Food Manager (CFM) with the **City of Austin** and to have their current **City of Austin** Certified Food Manager Certificate prominently **posted** in the establishment. For more detailed information visit our website at: <http://www.austintexas.gov/department/food-manager-certification>.

**Exemptions:** (please call for exemption clarification at 512-978-0300)

- A Food Enterprise that provides only beverages or pre-packaged food that is not a potentially hazardous food
- A nonprofit organization that serves food only to members of the organization
- 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
- A Mobile Food Vending Unit 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 Vending Unit. Note: **Unrestricted** Mobile Food Vending Units are required to have a CFM
- A Temporary Food Event
- A Food Enterprise located in unincorporated Travis County (Food Manager certificate required, but it is not required to be registered in the City of Austin)

## **Resources**

### **Applications, Fee Schedule, and Regulations**

<http://www.austintexas.gov/department/mobile-food-vendors>

### **Phone Numbers**

City of Austin (COA) Info/Complaint – 311 for all City of Austin offices and personnel  
 Austin Public Health, EHSD – 512-978-0300 or [ehsd.service@austintexas.gov](mailto:ehsd.service@austintexas.gov)  
 Austin Fire Marshal's Office – 512-974-0160 or [afdspecialevents@austintexas.gov](mailto:afdspecialevents@austintexas.gov)  
 Travis County Fire Marshal's Office – 512-854-4621 or [fire.marshall@traviscountytexas.gov](mailto: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