



Guidelines for:

MOBILE FOOD ESTABLISHMENTS

These guidelines are provided in two parts:

PART 1 – For mobile food vendors/operators, including where food establishments can operate, and how to obtain a health permit.

PART 2 – For property/business owner who want to host mobile food establishments, including event permitting requirements.

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- I. Where Mobile Kitchens Can Operate

PART 1 – For Mobile Food Vendors/Operators

I. Types of Mobile Food Establishments

The City of Allen permits the following types of Mobile Food Establishments:

1. **Mobile Kitchen (Food Truck or Trailer)** means a motorized vehicle or tow-behind trailer equipped with kitchen facilities such as plumbing, hot water supply, mechanical refrigeration, cooking equipment, and dry goods storage used for the preparation and sale or service of food and beverages. Customer service is provided at a counter or window in the vehicle. Mobile Kitchens may include, but are not limited to, Mobile Food Trucks and Mobile Food Trailers. Mobile Kitchens shall not include individual Non-Motorized Vending Carts, Mobile Construction Site Food Vehicles or Mobile Ice cream/frozen Dessert Vehicles.
 - a. **Mobile Food Trailer** means a Mobile Kitchen that serves food or beverages from an enclosed, self-contained, non-motorized vehicle that is normally pulled behind a motorized vehicle.
 - b. **Mobile Food Truck** means a Mobile Kitchen that serves food or beverages from an enclosed, self-contained, motorized vehicle.
2. **Mobile Construction Site Food Vehicle** means a vehicle with no or limited kitchen facilities that carries prepackaged food or non-prepackaged foods prepared at an approved commissary that contains no potentially hazardous food, as defined by Code Chapter 6, Art. VIII, Division 2 of the Code of Ordinances, and services only active construction sites.
3. **Mobile Ice cream/Frozen Dessert Vehicle** means a motorized vehicle that normally contains a commercial freezer in which all products for sale are prepackaged and frozen, and operate by driving through residential neighborhoods. Mobile ice cream vehicles are limited to residential areas within the City, and are required to obtain a Solicitor's permit.
4. **Non-Motorized Vending Cart** means a non-motorized vehicle that is normally propelled by the operator, contains products for sale that are prepackaged and/or frozen, and operates independent of any fixed food establishment.

II. Obtaining a Permit

Steps for receiving a Health Permit for a Mobile Food Establishment:

1. Submit an application and fee for a Health Permit. Please be sure to select the correct type of permit:
 - a. **Mobile Kitchens** (Trucks and Trailers) have two options:
 - i. Check "Mobile Kitchen" to receive an annual permit. This will be valid for attending any event in the City for one year.
 - ii. Check "Temporary Event" to receive a one-time permit. This will be valid only for one event. If you attend another event in the City, you will have to apply for and receive another Health Permit.
 - b. **Mobile Construction Site Food Vehicle** - This permit is valid for one year from

the date issued.

- c. Mobile Ice cream/Frozen Dessert Vehicle** - This permit is valid for one year from the date issued. If you are only attending a Temporary Event, check the box for "Temporary Event". This will be valid only for one event.
 - d. Non-Motorized Vending Cart** – Check "Temporary Event". Carts are only permitted at Temporary Events.
2. City staff will contact you and schedule an appointment to complete an inspection of the vehicle.
 3. The Health Permit will be issued upon completion of the inspection.
 4. City inspectors will verify compliance during regular inspections throughout the year. Please inform City staff of your intent to operate at different events.
 5. The Health Permit must be renewed annually.

III. Scheduling an Inspection

Mobile Food inspections are scheduled from Monday to Friday between **8A.M to 5 P.M. at City Hall** located at 305 Century Parkway, Allen, TX 75013.

For any questions or to schedule your inspection, please contact Health Department at 214-509-4160.

The following requirements must be met to pass inspection and obtain a Health Permit:

1. Provide current vehicle registration, inspection and insurance.
2. Provide driver's license of operator.
3. Provide Certified Food Manager & Food Handler Certifications.
4. Provide a notarized copy of a commissary authorization letter and last three inspection reports.
5. A menu.
6. Equipment must be commercial grade or NSF or ANSI approved.
7. Vehicle must meet required sanitary conditions.
8. Compliance with food temperatures: Cold food temperature must be 41 °F or below and Hot holding must be 135°F or above.
9. Mobile Kitchens must provide hot water at hand wash sinks and three (3) compartment sinks.
10. Provide a solicitor permit, issued by the Police Department, for Mobile Construction Site Food Vehicles and Mobile Ice cream/Frozen Dessert Vehicles.

IV. Specific Requirements

Below are the permitting requirements for each type of Mobile Food Establishment.

1. Mobile Kitchen (Food Truck or Trailer)

Where can they operate? Mobile Kitchens (trucks and trailers) are only permitted to operate in the following locations:

- A. Temporary Event – permitted by the City of Allen
- B. Food Truck Site – permitted by the City of Allen
- C. Food Truck Park – permitted by the City of Allen
- D. An event hosted or sponsored by the City pursuant to a written agreement with the City.

What are the health permit requirements?

All units applying for a Mobile Kitchen permit must meet the definitions above.

A health inspection is required for the vehicle prior to issuing a permit. Below are the minimum requirements for the health inspection.

- a. A metal stem thermometer (0 °F to 200 °F) accurate to +/- 2°F to must be present on all temperature control units to monitor the internal temperature of food (cold holding and hot holding).
- b. All equipment must be commercial grade, ANSI or NSF approved.
- c. Vehicle must be clean and have properly sanitized food and nonfood contact surfaces.
- d. Chemicals must be properly stored in a separate section/compartiment away from food and food contact surfaces.
- e. A hand wash facility with running hot and cold water.
- f. A three-compartment sink.
- g. Properly installed and properly operating water/waste water retention tanks.
- h. See additional inspection information below.

2. Mobile Construction Site Food Vehicles

Where can they operate? Only allowed to operate at active construction sites within City limits

What are the health permit requirements?

Mobile Construction Site Food Vehicles are required to meet the following minimum requirements:

- a. Business name clearly visible on two sides of the vehicle with lettering at least three (3) inches high.
- b. A metal stem thermometer (0 °F to 200 °F) accurate to +/- 2°F to must be present on all temperature control units to monitor the internal temperature of food (cold holding and hot holding).
- c. All food products must be properly packed, labelled, and date marked.
- d. Chemicals must be properly stored in a separate section/compartiment away from food and food contact surfaces.
- e. All food and single service article (SSAs) storage areas must be clean.

3. Mobile Ice cream/Frozen Dessert Vehicle

Where can they operate? Only allowed to operate in residential zones. Vendors are not allowed in parks, or near school property without prior permission, or an invitation from the school to attend a special or temporary event.

What are the health permit requirements?

Mobile Ice cream/Frozen Dessert Vehicles must meet the following minimum requirements to be considered for an annual permit:

- a. Business name clearly visible on two sides of the vehicle with lettering at least three (3) inches high.
- b. All freezer units must be commercial grade, ANSI or NSF approved.
- c. A hand wash sink must be provided for vehicles with running hot and cold water.
- d. The internal thermometer in all freezers and must measure Zero (0°F) degree Fahrenheit.
- e. All food items must be prepackaged, properly labelled, and purchased from a permitted facility.
- f. Dry ice may be used to help maintain proper freezing temperature, but must not be served for consumption.
- g. Vehicle must be clean and have properly sanitized food and nonfood contact surfaces.
- h. Music on ice cream trucks can only be played between the hours of 7:00 A.M. to 8:00 P.M. It may not exceed 65 dB between 7A.M. to 8. P.M, while nighttime (between 7 P.M. to 8. A.M.) may not exceed 58 dB.

4. Non-motorized vending Carts

Where can they operate? Non-motorized vending carts or push can only operate at Temporary Events that have received a permit from the City of Allen. Non-motorized vending carts are not allowed in parks, or near school property without prior permission or invitation from the school to attend a special or temporary event.

What are the health permit requirements?

Vending carts must meet the following requirements:

- a. Business name clearly visible on two sides of the vehicle with lettering at least three (3) inches high.
- b. All food items on the cart must be pre-packaged and properly labelled.
- c. A metal stem thermometer (0 °F to 200 °F) accurate to +/- 2°F to must be present on all temperature control units to monitor the internal temperature of food (cold holding and hot holding).
- d. Valid identification of the cart operator.

V. General Health Requirements

1. City of Allen Health Department inspects and permits all mobile food vendors as defined by the Allen Land Development Code Sec. 6.06.15.
2. For purposes of health code compliance, the phrase "Mobile Food Establishment" shall be synonymous with the phrase "Mobile Food Unit" as used in the Texas Food Establishment Rules.
3. Health Permits for Mobile Food Establishments are valid for one year, except for temporary events. Health permits are not transferrable, and must meet and maintain all requirements of the City of Allen.
4. A vendor who is found selling food without a valid Health Permit is subject to fines. Health Permits may be revoked if vendors are found selling food at unapproved locations or events.
5. Food trailers which are not self-contained, or fail to meet the definition of a Mobile Kitchen may not receive an annual Health Permit. These trailers, however, can obtain a temporary permit to attend a special event.
6. To apply for and obtain an annual Health Permit for a Mobile Kitchen, the vendor must pass a Fire Inspection with the City of Allen Fire Department. Please contact **David Cannaday at 214-509-4403**.
7. A mobile food kitchen is not allowed to operate at City Parks or School property without permission from the property owners, and must also comply with all other applicable City ordinances.
8. Mobile Food Vendors are subject to inspection any time when the vehicle is stopped and/or serving to the public.
9. Any violation of the permit requirements is subject to corrective action up to and/or including revocation of the Health Permit, discarding food products and fines.

VI. General Operational Requirements

Any person operating a Mobile Food Establishment shall comply with the following:

1. All food preparation, cooking, service, or other food service related activities must take place within the confines of the vehicle used in such operation.
2. Signs advertising a Mobile Food Establishment and/or the menu of food and beverages sold from the food truck shall be limited to:
 - i. signs permanently attached to the Mobile Food Establishment; and
 - ii. one (1) menu board sign with a sign face area of not greater than eight (8) square feet, placed adjacent to the Mobile Food Establishment on private property.
3. The Mobile Food Establishment must remain moveable and operable;
4. The water supply shall be from an internal water tank which must be filled from an external source when not in operation. Temporary connection of a Mobile Food Establishment to a potable water source while in operation is prohibited.
5. Electricity for a Mobile Food Establishment shall be from an internal or portable generator or an electrical outlet by way of connected to a portable cord in compliance with Section 3.09 (National Electrical Code), as amended.
6. Service from a Mobile Food Establishment through a drive through window is prohibited.

7. Mobile Food Establishment must be parked, situated and operated in a manner that does not restrict orderly and/or safe vehicular and/or pedestrian movements.
8. Loud speakers or loud noises of any kind for the purpose of attracting attention to a Mobile Food Establishment are prohibited.
9. No Mobile Food Establishment operator shall operate a generator and/or vehicle motor which generates visible smoke, excessive noise, or excessive gasoline/diesel fumes.
10. Mobile Food Establishment operators shall provide solid waste containers for customers to dispose of trash and food waste when the Mobile Food Establishment is parked and food is being sold and served. All such solid waste containers and the solid waste collected therein shall be removed from the site by the Mobile Food Establishment operator when leaving the site; provided, however:
 - i. If the operator of a Food Truck Park is responsible for the disposal of waste generated from operation of the site and place in solid waste receptacle provided by said operator, the Mobile Food Establishment operator shall be responsible for ensuring that all solid waste generated from the vendor's operations is placed in the provided receptacles before departing; or
 - ii. If there is a solid waste dumpster located on the Food Truck Site or Food Truck Park that is available for disposal of solid waste generated by the operation of a Mobile Food Establishment, the Mobile Food Establishment operator may dispose of the solid waste in said dumpster before departing the site.
11. Vehicles will not be allowed to touch, lean against or be affixed temporarily or permanently to any building structure, wall, tree, shrubbery or planting bed.
12. Operators shall not hang or display merchandise on trees, umbrellas, or walls, or sell from any other temporary structures located upon any public street, sidewalk, right-of-way or other public property.
13. Mobile Food Establishment operators shall only engage in the sale and service of food and beverages. The sale of other products or services from a Mobile Food Establishment is prohibited, including but not limited to, tobacco products, alcoholic beverages, sexually explicit and/or drug related paraphernalia, obscene material, sales real estate and vacation packages, marketing and advertising activities, sales of tickets for events, any non-food vending, and other services or products not approved by the City prior to issuance of the permit.
14. Mobile Food Establishment operators shall properly dispose of all wastewater and grease generated during the operation. This waste must be disposed of at an approved facility, and must not be dumped or disposed of at the site of operation.

PART 2 – For Property/Business Owners Hosting Mobile Food Vendors

This section explains how a property or business owner can obtain permission for a mobile food establishment (food truck) to operate on their property / business location.

I. Where Mobile Kitchens (Food Trucks) can operate

Mobile Kitchens (trucks and trailers) are only permitted to operate in the following locations:

1. Temporary Event

Mobile Food Establishments may be permitted to operate in association with Temporary Use Permits issued for seasonal sales, Christmas tree sales or temporary events. The temporary food vendor information shall be submitted with the Temporary Use Permit application for seasonal sales, Christmas tree sales or temporary event, and a separate temporary use permit for the mobile food establishment is not required. The temporary use permit must be obtained prior to the Mobile Food Establishment commencing the preparation or sale of any food on the property.

For more information on obtaining a permit for a Temporary Event please visit the City's website: www.cityofallen.org.

2. Food Truck Site

A Food Truck Site is an existing, developed site where a Mobile Kitchen operates as an accessory use to the primary active business located on the same site. A property owner may apply for a permit to operate a Food Truck Site on their property subject to the following requirements (see Section 6.06.15 of the Allen Land Development Code):

- a. Submit a Temporary Use Permit application and site plan that demonstrates compliance with all requirements described below.
- b. Limited to the following zoning districts: "CC" Corridor Commercial, "SC" Shopping Center, "LI" Light Industrial, and "O" Office.
- c. Located on private property where a permanent business is operating in accordance with a certificate of occupancy.
- d. No Mobile Food Establishment shall sell or serve food to the public within 300 feet of any existing restaurant without permission from that restaurant.
- e. Mobile Kitchens cannot operate within any public street, public alley, driveway, or fire lane.
- f. Mobile Kitchens may operate only during the business hours of the primary business on the property where the Food Truck Site is located.
- g. Access to restrooms available for use by operators, employees, and customers of a Food Truck Site shall be provided no farther than 1000 feet from the location of the mobile food establishment.
- h. A Mobile Kitchen shall not be left unattended. Mobile Kitchens shall not be stored at any location visible to the public when not in operation.

For more information on obtaining a Temporary Use Permit to operate a Food Truck Site please visit the City's website: www.cityofallen.org.

3. Food Truck Park

A Food Truck Park is permanent development, where three or more Mobile Kitchens congregate to offer food or beverages for sale to the public as the principal use of the land. A Food Truck Park is established through approval of a Specific Use Permit in accordance with Section 6.06.15 of the Allen Land Development Code.

For more information on developing a Food Truck Park, please contact the Community Development Department at 214-509-4160.