



City of Lorena
107-A S. Frontage Road
Lorena, Texas 76655
(254) 857-4641 Fax (254) 857-4118

Mobile Food Unit Application Packet





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Texas 76655
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Checklist for Mobile Food Unit Application

- Site Plan.
- Photo of mobile food unit(s) listed on application.
- Confirmation that property is zoned for commercial use.
- Written permission on letterhead from property owner to allow operation of a mobile food unit.
- Written permission on letterhead from property owner to allow restroom use to mobile food unit employees.
- List of food products sold, or a copy of the menu for all food items to be sold.
- A copy of the Central Preparation Facility (CPF) – Commissary permit or a copy of the Food Establishment License issued by the Waco – McLennan County Public Health District. If mobile food unit does not have a CPF – Commissary permit an authorization letter from a permitted CPF – Commissary can be submitted along with a copy of the permit that matches the authorization letter.
- A copy of the current health inspection report of the CPF.
- Current and valid food handler cards issued by the Waco – McLennan County Public Health District for each and every employee including the driver.
- A copy of the certified food manager certificate is required unless the mobile food unit provides only commercially prepackaged non-temperature-controlled storage (TCS) foods and beverages.
- A copy of the commercial general liability insurance for the business, naming the City of Lorena as a certificate holder, that the mobile food unit operates under.
- A copy of the automobile liability insurance for the mobile food unit.
- A copy of a valid Driver's License or Commercial Driver's License if required to operate the mobile food unit.
- A completed and signed mobile food unit application.

TEXAS FOOD ESTABLISHMENT RULES (TFER)

§228.221. Mobile Food Units.

(a) Mobile Food Unit provisions.

(1) **General.** Except as otherwise provided in this paragraph and in paragraph (2) of this subsection, the regulatory authority:

- (A) may impose additional requirements to protect against health hazards related to the conduct of the food establishment as a mobile operation;
- (B) may prohibit the sale of some or all time/temperature controlled for safety (TCS foods); and
- (C) when no health hazard will result, may waive or modify requirements of this rule relating to physical facilities, except those requirements as specified in paragraphs (7)- (9) of this subsection; subsection (c)(1)(A) - (E) of this section, and Food Code, Subparts 3-401, 3-402, 3-403, 3-404, and 3-501.

(2) Restricted operation.

A mobile food unit (MFU) that serves only food that is prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of this chapter, or beverages that are non-time and temperature control for safety food and are dispensed from covered urns or other protected equipment, need not comply with the requirements of this chapter, relating to the necessity of water and sewage systems nor to those requirements, relating to the cleaning and sanitization of equipment and utensils if the required equipment for cleaning and sanitization exists at its central preparation facility.

(3) Readily movable.

(A) The regulatory authority prohibits alteration, removal, attachments, additions, placement or change in, under, or upon the Mobile Food Unit that prevents or otherwise reduces ready mobility.

(B) A regulatory authority may require a MFU to come on an annual basis or as often as required, to a location designated by the regulatory authority as proof that the Mobile Food Unit is readily moveable.

(4) Initial permitting inspection.

The regulatory authority requires an MFU to come to a location designated by the regulatory authority. The mobile unit must be totally operable at time of inspection, including but not limited to handwash facilities, warewash facilities, refrigeration, and wastewater disposal. Required documentation to have available includes:

- (A) Certified Food Protection Manager Certification.
- (B) Central Preparation Facility Authorization (if required). A signed letter of authorization is required, to verify facility use, if the central preparation facility is not owned by the mobile unit operator.
- (C) Central Preparation Facility Inspection Report. A copy of the most current health inspection of the central preparation facility must be maintained on the mobile unit at all times.
- (D) Servicing Area Authorization. A signed letter of authorization may be required by the regulatory authority to verify service area use if the servicing area is not owned by the mobile unit operator.
- (E) Menu. A menu of all food items to be sold.

(5) Single-service articles.

Mobile Food Units shall provide only single service articles for use by the consumer.

(6) Equipment, numbers and capacities.

(A) Cooling, heating, and holding capacities. Equipment for cooling and heating food, and holding cold and hot food, shall be sufficient in number and capacity to provide food temperatures as specified under Food Code, Chapter 3 - Food.

(B) Manual warewashing, sink compartment requirements.

(i) A sink with at least three compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils as specified in Food Code, Paragraph 4-301.12(A).

(ii) Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils as specified in Food Code, Paragraph 4- 301.12(B).

(C) At least one handwashing sink shall be available for convenient use by employees and properly provisioned in accordance with Food Code, §6-301.11-12.

(7) Mobile water system materials, design, and operation.

MFU water systems shall meet the requirements of Food Code, Part 5-3.

(8) MFU drinking water tank shall meet the requirements of Food Code, §5- 303.13.

(A) Fill hose and water holding tank shall be labeled as "Potable Water."

(B) Drinking water in an MFU holding tank shall be tested for contamination by sampling upon request by the regulatory authority.

(9) Sewage and other liquid waste.

(A) If liquid waste results from operation of an MFU, the waste shall be stored in a permanently installed retention tank for waste retention

(B) A leak-proof sewage holding tank in an MFU shall meet the requirements of Food Code, §5-401.11 for capacity and drainage.

(C) All connections on the vehicle for servicing the MFU waste disposal facilities shall be of a different size or type than those used for supplying potable water to the MFU

(D) Discharge liquid waste shall not be discharged from the retention tank while the MFU is in motion.

(E) Flushing a waste retention tank shall meet the requirements of Food Code, §5-402.15.

(F) Removing MFU wastes shall meet the requirements of Food Code, §5- 402.14.

(G) Liquid waste holding tank shall be labeled as "waste water."

NOTE- Food Code, 5-401.11

Mobile Holding Tank

Capacity and drainage. A leak-proof sewage holding tank in a Mobile Food Unit shall be:

(i) sized at least 15% larger in capacity than the water supply tank; and

(ii) sloped to a drain that is 25 millimeters (1inch) in inner diameter or greater, equipped with a shut-off valve.

(10) Mobile Food Unit water and wastewater exemption.

(A) A roadside vendor that sells only prepackaged food is exempt from these rules pertaining to water and wastewater.

(B) A Mobile Food Unit that prepares food requiring no water for operations and no hand contact with food is exempt from these rules pertaining to water and wastewater if the required cleaning and sanitization equipment exist at its central preparation facility. Chemically treated towelettes for handwashing may be used as specified in

Food Code, Paragraph 5-203.11(C).

(11) Toilet rooms, convenience and accessibility.

Toilet rooms shall be conveniently located and accessible to employees during all hours of operation.

(b) Central preparation facility.

(1) Supplies, cleaning, and servicing operations. Mobile Food Units shall operate from a central preparation facility or other fixed food establishment and shall report to such location daily for supplies and for cleaning and servicing operations

(2) Construction. The central preparation facility or other fixed food service establishment, used as a base of operation for Mobile Food Units, shall be constructed and operated in compliance with the requirements of Food Code, Chapter 6 - Physical Facilities.

(c) Outdoor Servicing area and operations.

(1) Protection.

(A) An MFU servicing area shall include at least overhead protection for any supplying, cleaning, or servicing operation. Those areas used only for the loading of water or the discharge of sewage and other liquid waste, through the use of a closed system of hoses, need not be provided with overhead protection.

(B) Within the servicing area, the location provided for the flushing and drainage of liquid wastes shall be separate from the location provided for potable water servicing and for the loading and unloading of food and related supplies.

(C) A servicing area will not be required where only packaged food is placed on the MFU or where MFU does not contain waste retention tanks.

(D) The surface of the servicing area shall be constructed of a smooth nonabsorbent material, such as concrete or machine-laid asphalt and shall be maintained in good repair, kept clean, and be graded to drain.

(E) Potable water servicing equipment shall be installed in the servicing area according to the Plumbing Code and shall be stored and handled in a way that protects the water and equipment from contamination.

(2) Construction exemption.

The construction of the walls and ceilings of the servicing area is exempted from the provisions of Food Code, §6-201.11.



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MOBLIE FOOD UNIT PERMIT APPLICATION

PLEASE READ ENTIRE APPLICATION AND FILL IN ALL BLANKS COMPLETELY.
FAILURE TO DO SO CAN RESULT IN DELAYS OR DENIAL OF PERMIT

This application is hereby submitted for a permit to operate as a mobile food unit. By this application, the applicant represents and warrants that the mobile food unit will comply with any and all provisions of the food regulations applicable to this type of establishment.

Name of Mobile Food Unit: _____

Mobile Food Unit Owner's Name: _____

Mobile Food Unit Owner's Phone Number: _____

Mobile Food Unit Owner's Email: _____

Mailing/Billing Address of Mobile Food Unit: _____
Street _____ City _____ State _____ Zip Code _____

CPF/Commissary Street Address: _____
Street _____ City _____ State _____ Zip Code _____

Description of Each Mobile Food Unit:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Color</u>	<u>License Plate#</u>
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A. _____

B. _____

C. _____

Types of food products that will be sold? _____
(Menu of all food items sold may be submitted)

Office Use Only

Permit Number: _____ Permit Issue Date: _____

Permit Issued by: _____ Permit Expiration Date: _____

MOBILE FOOD UNITS MUST ADHERE TO THE FOLLOWING

A. Location

1. All mobile food units must be located on an individual parcel, which is appropriately zoned for commercial development, where an existing permanent business operates in a building with a certificate of occupancy.
2. Mobile food units shall provide the City with written permission on letterhead from the property owner on an annual basis to allow the operation of a mobile food unit. If preparing food on location or on the vehicle (including snow cone stands), permission letters from the property owner where selling must be submitted before issuing a permit.
3. Mobile food units shall provide their employees with the use of a commercially plumbed restroom. Mobile food units shall provide the City, on an annual basis, with written permission (on letterhead) from the property owner, adjacent property owner, or property owner directly across from the operational location giving express written consent to allow the employees of the mobile food unit use of commercially plumbed public restroom. If preparing food on location or on the vehicle (including snow cone stands), permission letter pertaining to the use of restroom facilities must be submitted before issuing a permit.
4. Mobile food units shall submit a site plan depicting the location of the food truck on the property.
5. Mobile food units shall secure current and valid food handler cards from Waco - McLennan County Public Health District, providing copies of these documents to the City of Lorena. All food workers, helpers, and drivers must have food handler cards, and a certified food manager is required unless the mobile food unit provides only commercially prepackaged non temperature-controlled storage (TCS) foods and beverages.
6. Mobile food units shall be located within 500 feet of an entrance of a primary building that holds the certificate of occupancy.
7. No mobile food unit shall be located on a vacant lot.
8. No mobile food unit, their merchandise, advertising, or seating shall obscure traffic sight visibility.
9. No mobile food units operating under this regulation shall be allowed to sell or service food on any public street, sidewalk, or other public right-of-way unless approved in writing by the City of Lorena.
10. Mobile food units shall not operate in driveways or fire lanes.
11. Mobile food units, including any applicable seating may operate in parking spaces in a commercially zoned individual property, parcel, tract or platted lot, if the required parking for the center remains in compliance with the parking code located in Article 7 of the Lorena Zoning Ordinance. A site plan indicating the specific location is required.
12. Mobile food units shall be removed from the parcel on a daily basis and may only operate during the business hours of the primary business and may not be parked longer than twelve (12) hours.

B. Licensing

All food trucks shall have a valid vehicle registration, motor vehicle operator's license, proof of vehicle liability insurance, a Texas Sales Tax Permit and meet all other state laws and/or licensing requirements.

Applicant's initials: _____

Office Use Only

Permit Number: _____

Permit Issue Date: _____

Permit Issued by: _____

Permit Expiration Date: _____

C. Operations

1. A drive-through is not permitted in conjunction with the mobile food unit and shall not provide a drive-through service of any kind.
2. Mobile food units shall be equipped with a self-closing lidded, trash receptacle. The trash receptacle must be placed outside next to the mobile food unit for use by the patrons of the mobile food unit. The area around the mobile food unit shall be kept clean and free from all litter, garbage, and debris.
3. Temporary connections to potable water are prohibited. Water shall be from an internal tank, and electricity shall be from a generator or an electrical outlet via a portable cord that is in conformance with the Electrical Code as adopted by the City of Lorena
4. Except as otherwise limited by the City of Lorena Code of Ordinances, or other City codes, a mobile food unit may utilize outside seating consisting of a portable table and a seating capacity of not to exceed four (4).

Applicant's initials: _____

By signing the application below the applicant represents and warrants that they shall operate the mobile food unit in compliance with all above regulations, and any other laws that may apply to the operation of mobile food units. The applicant also agrees that the City has the right, at any time, to have an inspection of the mobile food unit completed by the McLennan County Public Health District or a representative thereof. The City will be responsible for any costs associated with this inspection. Should a mobile food unit not pass inspection, the City will revoke any and all permits issued for that mobile food unit, and the mobile food unit will cease all operations until such time that it passes inspection, and provides the city with a copy of the inspection. The mobile food unit owner is responsible for any and all costs associated with reinspection. Mobile food units found to be out of compliance with the terms of this permit shall have the permit revoked and all operations shall immediately cease. A new permit application will be required for any permit that has been revoked by the City.

Permits are non-transferable

Name: _____ Date: _____
(Printed)

Signature: _____

Please fill out the contact information below if the applicant is not the owner of the mobile food unit

Applicant's Address: _____

Applicant's Phone: _____ Applicant's Email: _____

Office Use Only

Permit Number: _____ Permit Issue Date: _____

Permit Issued by: _____ Permit Expiration Date: _____