

TEMPORARY / PORTABLE BUSINESS

3219 California Pkwy, Forest Hill, TX 76119

Phone: (817) 806-4561 Fax: (817) 984-8254



Applicant Name: _____

Home Phone: _____ Cell Phone: _____

Mailing Address: _____

Nature of Business: _____

Address where business will be conducted: _____

Property Owners Name: _____ Phone: _____

Property Owners Address: _____

List of Products to be sold:

Days & Hours of Operation: _____ Number of Employees: _____

Names of Employees (Should you have more than 5 please attach another sheet) Food Handler's Permits?

- | | |
|----------|--------------------|
| 1. _____ | Yes _____ No _____ |
| 2. _____ | Yes _____ No _____ |
| 3. _____ | Yes _____ No _____ |
| 4. _____ | Yes _____ No _____ |
| 5. _____ | Yes _____ No _____ |

Check list of items that must accompany application:

- | | |
|--|------------------------------------|
| _____ Valid Driver's License | _____ Tarrant County Health Permit |
| _____ Texas Sales Tax Certificate | _____ Vehicle Liability Insurance |
| _____ Food Handler's Permit for all employees | |
| _____ Notarized Letter from Property Owner for permission to conduct business on the property and use of restrooms | |

As the undersigned applicant, I affirm that I have read and received a handout of the regulations of a temporary / portable business and agree to adhere to all said regulations of the City of Forest Hill. I agree to remove all evidence of said business at the end of each business day; i.e. trash, trash containers, and vending unit.

Applicant Signature: _____

Date: _____



Temporary / Portable Businesses

DEFINITIONS

Beverage: a liquid for drinking, including water.

Change of ownership: a change of owner or operator of the business, and does not refer to a change of owner of the building where the business is located.

Commercially manufactured vehicle: a vehicle originally manufactured as a mobile food vehicle to be used for the preparation of open potentially hazardous food, which was manufactured by a person regularly in the business of manufacturing mobile food vehicles for sale. Commercially manufactured vehicles shall not include any vehicle that is converted or retrofitted to be a mobile food unit or vehicle.

Commissary: a fixed food service establishment permitted and regularly inspected for compliance with health regulations. NOTE: The City of Forest Hill does not recommend nor regulate commissaries.

Employee: any person manufacturing, packaging, producing, processing, storing, selling, offering for sale, vending, preparing, serving, or handling any food in a food establishment.

Fixed vending unit: a food service operation that is movable but remains on the premises during the entire time such permit is valid. Examples of this include, but are not limited to the following a snack bar, sno-cone stand, and beverage stand.

Food: any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption, or chewing gum.

Food establishment: any place where food is manufactured, packaged, produced, processed, transported, stored, sold, commercially prepared, vended, or otherwise handled. The term includes any such place regardless of the duration of the permit or whether there is a charge for the food. The term does not include private homes where food is prepared or served for guests and individual family consumption.

Food handler: any person who prepares, serves, packages or handles open food or drink, or who handles clean utensils, pots, pans or single-service items.

Food operations: manufacturing, packaging, producing, processing, transporting, storing, selling, commercially preparing, or otherwise handling food, ice or drinks, whether offered for sale, given in exchange or given away for use as food or offered for human consumption.

Health department: the Tarrant County Health Department.

Mobile food unit: a vehicle-mounted food service operation designed to be readily movable and remains on the premises only during the operating hours. Examples of this include, but are not limited to barbecue vendors, roasted corn vendors, fruit and produce vendors, and lunch wagons.

Mobile food solicitor: a mobile food service unit powered either by human beings or a motorized means and does not remain at any location longer than sixty (60) minutes. Examples of this include, but are not limited to ice cream trucks, ice cream carts, and favored ice carts.

Non-potentially hazardous food: all food that is not potentially hazardous food. The following list is exemplary of such food and shall not be construed to be exclusive of any other non-potentially hazardous food:

- (a) Popcorn;
- (b) Shelled, unshelled, raw or roasted nuts; and
- (c) Pretzels.

Potentially hazardous food: a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms; the growth and toxin production of *Clostridium botulism*; or in raw shell eggs, the growth of *Salmonella enteritis*.

Produce vendor: any person vending unprocessed fresh fruits, vegetables or other produce.

Pushcart: a mobile food unit powered by human beings only.

Seasonal food establishment: an establishment that operates more than fourteen (14) consecutive days but less than one hundred eighty (180) days each year, and not associated with a special event, at a fixed location in a temporary building; ie. Sno-Cone Stands, Snack Bar Stands, or Beverage Stands.

Single-service articles: tableware, carry-out utensils, and other items such as bags, containers, placemats, stirrers, straws, toothpicks, and wrappers that are designed and constructed for one time, one person use.

Temporary food service establishment: a food establishment that operates at a fixed location for not more than fourteen (14) consecutive days in conjunction with a single event or celebration.

Utensil: any food-contact implement or container used in the storage, preparation, transportation, dispensing, sale, or service of food, such as kitchenware or tableware that is multi-use, single-service, or single-use; glove used in contact with food; and food temperature measuring devices.

MOBILE VENDING UNITS

- (a) Mobile barbecue trailer cooking surfaces shall be tightly enclosed and constructed in such a way as to protect all food contact surfaces from possible contamination both in transit and during use.
- (b) All mobile food units and pushcarts handling open potentially hazardous foods is recommended to operate from a commissary or other fixed food service establishment that are regularly inspected by a regulatory health agency and should service and clean the unit at least once a day.
- (c) All mobile food units handling open potentially hazardous foods shall be commercially manufactured. This shall not apply to sno-cone vendors, pre-packaged ice cream, corn roasters, or other foods as determined by the Planning Department.
- (d) All mobile food units handling open foods shall have a servicing area which shall have overhead protection, a location(s) for draining and flushing liquid wastes, and a location(s) for the loading and unloading of food and related supplies.
- (e) All liquid waste containers shall be thoroughly flushed and drained daily. Flushing and draining activities shall not be performed on public streets, on any private or public property, or any area other than a servicing area of a commissary.
- (f) Liquid waste retention tanks shall have a minimum capacity that is at least fifteen (15) percent larger in capacity than the fresh water supply tank.
- (g) All mobile food units handling open potentially hazardous foods shall provide not less than fifteen (15) gallons of hot/cold water under pressure at all times for the use in utensil cleaning, sanitizing, and hand washing. A single water inlet shall be located so as not to be contaminated by waste discharge. Such inlet shall be capped at all times except when being filled, and shall contain only potable water. Connections or direct water hook-up sources other than those on the vending unit shall not be allowed unless approved by the Building Official.

PUSHCARTS

- (a) Each pushcart vending open food shall have a conveniently accessible supply of paper towels, soap and detergent
- (b) Pushcarts shall provide only single service articles for use by consumers.
- (c) A cleanable canopy shall extend over the pushcart and cover its top surface.
- (d) Separate space shall be set aside from areas where food is served or prepared for nonfood related items which are displayed on pushcarts.
- (e) Each pushcart shall have a stainless steel hand wash lavatory and a stainless steel sink with a minimum of two (2) compartments when utensil washing is required on the pushcart. Both will have adequate amounts of hot and cold water under pressure. Each pushcart shall also have adequate drainboard space. This part (4) does not apply to pushcarts vending only prepackaged food products.
- (f) Each pushcart employing butane or propane tanks shall comply with any and all applicable fire department regulations and obtain an inspection from the Fire Marshall. Ground fault interrupters may be required by the fire department as a safety feature to prevent electrical shock. Each pushcart shall be equipped with an approved fire extinguisher with a 2A 10BC rating.
- (g) Foods must be stored, displayed and served in a fly and rodent proof manner. Properly installed sneeze guard shields shall be used during food preparation. Scooped ice cream sellers shall have a running water dipper well.
- (h) All food and condiments shall be dispensed in a sanitary manner.
- (i) Pushcart operators shall not cook on or adjacent to a pushcart.
- (j) Pushcarts which stock and sell potentially hazardous food shall maintain each compartment or area used for storage, display or service of potentially hazardous food shall be maintained at proper temperatures for the food item stored therein. Hot foods shall be kept at 140°F or above; cold foods shall be kept at 41°F or below; and frozen foods shall be maintained frozen.

PRODUCE VENDORS

- (a) Fresh fruits, vegetables or other produce displays shall be confined to the bed of a vehicle or to tables that are at least six (6) inches above the ground.
- (b) Fresh produce shall not be cut or sliced.

OTHER GENERAL REQUIREMENTS FOR ALL VENDORS

- (a) Shall provide a sanitary restroom facility built in the mobile unit or have access to the primary business owner's commercially plumbed restroom that provides hot and cold running water through a mixing valve or combination faucet and is within three hundred (300) of the unit and that shall be accessible during the hours of operation for the vending unit.
- (b) Food and non food items shall not be sold from the same vending unit
- (c) No onsite dining shall be allowed.
- (d) The owner or operator of a vending unit commits an offense if the unit is operated in violation of any provisions of this section
- (e) Solid waste shall be contained in an easily cleanable, self-closing, lidded trash receptacle which shall be kept on or near the food establishment unit at all times. The area around the unit shall be kept clean and free from litter, garbage, and debris in a radius area of twenty-five (25) foot from the vending unit.

- (f) All evidence of a vending unit must be removed from the premises each day after operations have ceased.
- (g) Hours of operation are limited to the hours between 7:00 a.m. to 10:00 p.m. daily
- (h) No mobile vending unit may operate within 50 feet from a single-family or multi-family residential use. Single-family or multi-family residential use shall not include a residence that is part of a business or a mixed-use structure.
- (i) All mobile vending units must park on an improved surface
- (j) No mobile vending unit may be located on a vacant lot or on a lot if the primary business does not have a valid Certificate of Occupancy.
- (k) No mobile vending unit, displays of merchandise, seating, or temporary shelters may obscure traffic.
- (l) No mobile vending unit shall be allowed to sell merchandise, sell, or serve food on any public street, sidewalk, or other public right-of-way.
- (m) All mobile vending units handling or selling potentially hazardous food products must be a commercially manufactured vehicle as defined in this ordinance.
- (n) No more than one mobile vending unit per individual tract, parcel or platted lot shall be allowed.
- (o) No offsite signage shall be allowed.
- (p) The zoning location of any vending unit which operate from a fixed location shall be allowed in Local Retail (LR), General Business (GB), Light Industrial (LI), or Planned Development (PD) only.
- (q) Owner/Operators and employees of a mobile food unit, temporary food service establishment, produce vendors and pushcarts shall obtain a criminal background check and be clear of any offenses classified as Felonies in the last ten (10) years.
- (r) No roadside vending shall be allowed within the city limits.
- (s) The Planning Department may deny a permit, or after notice suspend or revoke a permit for failure to comply with the requirements of this article or any state law adopted by this article. Notice of a permit denial shall be served upon the owner or operator of the food establishment either in person or by certified mail, return receipt requested, at the mailing address specified in the permit application.