

TO BE COMPLETED BY OFFICE STAFF:

Mobile Food Unit _____

Itinerant Food Vendor _____

LP # _____

VIN # _____

City of Midlothian, Texas

2023 MOBILE FOOD UNIT PERMIT

This permit application must be submitted for EACH Mobile Food Unit, Concession Trailer or Push Cart

APPLICATION FOR MOBILE FOOD UNIT OR CONCESSION TRAILER ANNUAL PERMIT USED FOR MOBILE OR ITINERANT VENDING

ANNUAL PERMIT FOR MFU/ CONCESSION TRAILER - **\$225.00** – PERMIT VALID JAN 1- DEC 31

PERMIT EXPIRES DEC 31 EACH YEAR- FAILURE TO RENEW PRIOR TO EXPIRATION WILL RESULT IN DOUBLED PERMIT FEES TO \$450.00

NOTE: This application must be filled out **completely. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR APPROVED.** Application for a permit to operate does not guarantee permit. Permit approval based upon the establishment or mobile food unit’s compliance with local and state health requirements, submission of insurance, food handler certification, commissary information, payment of fees and inspection findings.

Is this Food Truck or Food Unit going to be going to neighborhoods, construction sites and move from place to place to sell food items from the public street? _____ YES _____ NO (If yes, Mobile Food Unit)

Is this Food Truck or Food Unit going to be parked on private property in one location for the duration of the day or event? _____ YES _____ NO

Mobile Vendor or Concession Trailer Business Name:

NAME ON FOOD TRUCK OR CONCESSION TRAILER: _____

Mobile Vendor Unit Owner Name: _____

Owner of Mobile Food Unit Phone Number: _____

Mobile Vendor Responsible Party (Operator of Unit) Person’s Name: _____

Phone: _____

Residence Address: _____

City: _____ State: _____ Zip Code: _____

Date of Birth: _____

Driver’s License or Identification Number/State: _____

E-mail address (not required): _____

Check One: Proprietorship Partnership Corporation

Type of vendor: () Unrestricted (open food) () Restricted (pre-packaged food)

Vehicle: Truck, Van, Step-van, Trailer, Pushcart, Car, Other (Specify)

Food Unit Vehicle Make _____

Model _____ Year _____

Code Enforcement Division

MAILING ADDRESS
1150 N HWY 67 Suite 100
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(972) 775-7614

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Color _____ Food Unit License Plate # _____
Food Unit VIN # and State registered _____

Where is the Mobile Food Unit stored when not in use? _____

What Commissary is Used in the Business? _____

Name of Central Preparation Facility (CPF): _____

Address: _____ City: _____ State: _____ Zip Code: _____

Phone: _____

Type of Food to be Sold From Mobile Unit (include menu): _____

Provide copy of menu or photo of food board on the vehicle

Additional Permit Requirements for Mobile Vendors- City of Midlothian:

The information detailed below must be adhered to in addition to the statements made above for Mobile Food Vendors operating within the city limits of Midlothian.

- **PROVIDE WITH THIS APPLICATION—**
- Proof of Texas sales and use tax permit. This permit application is available at: <http://www.window.state.tx.us/taxpermit>
For additional questions on how to attain a Sales Tax Permit call 1-800-252-5555.

The City of Midlothian wants you to be successful during the annual inspection/ permitting of your Mobile Food Unit. You are not allowed to begin mobile food or itinerant vending until an inspection of the unit is made and you are issued a valid mobile food or itinerant vendor permit for your unit and a personal solicitor permit (if applicable). Requirements include:

To be successful- remember we will be checking for the following during the inspection of your unit.

- 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
- 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
- Hand Washing Sink – Hand wash sink present and available for convenient use

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- Ware Wash Sink – 3-compartment ware wash sink present; fill faucet able to reach all compartments for filling; compartments capable of holding water; compartments must be large enough to fully submerge all food contact wares requiring regular washing
- Hot Water Heater – Water heating device present and secured in unit
- Light Shields – All lighting must have protective covers or shields in place to prevent contamination from possible breakage of bulbs
- Exterior Openings – All exterior openings such as doors, windows, and vents must be provided with 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 environment
- Cleanable Surfaces – All interior surfaces must be constructed of smooth, durable, easily cleanable, non-absorbent materials
- Physical Condition – No conditions present which may pose a risk to food or personal safety

MOBILE FOOD VENDOR RESPONSIBILITIES

1. NO HOME PREPARED FOOD ALLOWED OR SERVED TO THE PUBLIC.

2. THE USE OF EXTERNAL FOOD PREPARATION AND STORAGE EQUIPMENT IS NOT ALLOWED. All equipment **MUST** be contained within or on the mobile unit and **MUST** be properly enclosed.

3. CENTRAL PREPARATION FACILITY (CPF) USE: Report to your central preparation facility to service your unit.

4. REFRIGERATION AND HEATING: You must have adequate hot and cold food storage facilities to maintain food products at the required temperatures. **Hot foods** must be held at **135°F** or above. Cold foods must be stored at **41°F** or below. Inadequate refrigeration may result in closure of the food unit or permit suspension.

5. THERMOMETER: Metal stem dial thermometers with a range of 0-220°F and accurate to +/- 3°F must be provided on mobile food units on which food is prepared in order to monitor food temperatures. Locate additional thermometers in all refrigeration units.

6. LABELING: All foods must have complete and proper labels.

7. WATER/UTILITIES: All mobile food units that are required to have water supplies must have properly designed waste water holding tanks of a 15% greater capacity than the hot and cold water supply. The holding tank must be permanently installed in the unit and equipped with a drain valve to empty the tank on the outside of the vehicle. Leaking wastewater tanks may result in permit suspension. At no time during operation is the mobile unit to be attached

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to a water hose or any other permanent water supply. Also, permanent utilities (i.e. gas, electrical) may not be attached to the mobile unit at **ANY** time.

8. **HOT AND COLD WATER:** If the mobile food unit's operation requires hot and cold water, it must be supplied and working at all times during operation. Failure to comply may result in closure or permit suspension.

9. **HANDWASHING:** Soap and paper towels must be supplied to the hand sink.

10. **CERTIFIED FOOD MANAGER / FOOD HANDLER: CURRENT VALID CERTIFIED FOOD PROTECTION MANAGER REQUIRED ON EACH FOOD UNIT- ALL OTHER STAFF CAN HAVE CURRENT VALID FOOD HANDLER CARDS PRIOR TO PERMITS BEING ISSUED.**

MOBILE FOOD VENDING INFORMATION AND REQUIREMENTS

- **Permits for Mobile Food Vendor** must be obtained before operating. Information may be obtained by calling 972-775-7614. Permits expire on December 31 (each year).
- **Central Preparation Facilities (CPF)** must be used as a base of operation for most types of mobile food vendors. The CPF is an approved site at which food preparation, storage, and cleaning occurs. The Central Preparation Facility may be operated by you, or you may obtain permission from existing establishments to use their kitchen as your Central Preparation Facility. A copy of your lease or written permission to use the CPF is required along with a copy of the most recent annual inspection report from a city or the state. All Food must be prepared or cooked at the CPF or on the Mobile Food Unit.
- **Per state law your Central Preparation Facility has to be in a fixed food establishment or a commissary. State law prohibits you from using your home as your Central Preparation Facility. Food units cannot be stored in residentially zoned areas Per City Ordinance. INITIAL: _____**

Mobile vending units equipped with water and wastewater retention tanks must be serviced at the Central Preparation Facility as needed. The Mobile Vending Unit may also dispose of their wastewater through an agreement with an approved liquid waste hauler. If your unit generates any grease or grease by-products, then the CPF must have an approved and permitted grease trap / interceptor.

1. Single service items: Only disposable place settings are to be used by customers.

2. Central Preparation Facility: Required for all Mobile Vending Units.

3. Vehicle Construction (excluding pushcart): The interior of the vehicle must be constructed of smooth, easily cleanable surfaces. The vehicle must be completely enclosed. (No open truck beds; windows must be screened or kept closed.) The vehicle must be equipped with facilities to hold potentially hazardous foods at a temperature either above 135°F or below 41°F. Sterno or other open flame is not an acceptable means of maintaining food temperatures.

4. Ice Beds, when used: No foods may be bedded in ice except for canned drinks and milk cartons. Foods may be placed in a container, and the container must be bedded in the ice. Ice used for this purpose may not be used in beverages and must drain to a holding tank, which is of at least 15% greater capacity than the ice beds

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5. Trash Receptacles: Must be provided for all mobile units.
6. Bare hand contact with ready to eat foods is prohibited. Food service workers must wash hands frequently and wear disposable gloves, use deli tissues or utensils when handling food.
7. Eating, drinking and the use of tobacco is prohibited in the food preparation and service area.
8. Ice used for human consumption must be stored separately from the ice used for cooling. Ice storage units must be self-draining.
9. Discharging wastewater onto the ground or into the storm drain is prohibited.
10. Storage unit and probe thermometers must be provided.

A VALID COPY OF A PICTURE ID (DRIVERS LICENSE) OF THE APPLICANT IS REQUIRED TO BE SUBMITTED WITH THIS FORM AND A VALID COPY OF REQUIRED INSURANCE FOR THE MOBILE FOOD UNIT.

Insurance requirements. Before a permit is issued by the chief of police or designee, the applicant will be required to furnish a policy of liability insurance, in the amount of **\$250,000.00 per incident**. **This policy must include a provision that the city is listed as an additional insured and will be notified within 30 days if this policy of insurance is to be cancelled for any reason.**

(1) Cancellation of an insurance policy for a mobile ice cream truck, mobile frozen dairy vendor, frozen food, hot or cold food truck, pushcart vendor or other itinerant street vendor shall be an **automatic revocation** of the permit issued to that mobile ice cream truck, mobile frozen dairy vendor hot or cold food truck, or other itinerant street vendor.

(2) Cancellation of an insurance policy for any company that operates any mobile ice cream truck, mobile frozen dairy vendor, hot or cold food truck or pushcart vendor or other itinerant street vendor shall be an automatic revocation of all city permits issued to all mobile ice cream trucks, hot or cold trucks or pushcart vendor, mobile frozen dairy vendors, or other itinerant street vendors operated by that company.

(e) Vehicles must be in good condition and have a current safety inspection sticker and current license plates from the Texas Department of Motor Vehicles.

A mobile food vendor permit granted under this article shall be valid for one year - from between January 1st and December 31 - regardless of the date of application. Permits are not transferable. Each application for renewal must verify permit information as correct.

  **Sec. 4.03.013 Annual issuance; transferability**

A mobile food vendor permit granted under this article shall be valid for one year - from between January 1st and December 31 - regardless of the date of application or issuance. Permits are not transferable. Each application for renewal must verify permit information as correct. Permit renewal fees paid on or after January 1st of each year will be doubled. Violations of the above requirements and owner responsibilities, food protection manager certification, required

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insurance or other requirements in this document may result in immediate suspension or revocation of the mobile food permit.

I have read and understand the items of responsibility listed above, and I agree to comply with all of the requirements.

This permit is valid Jan.1- Dec 31 each year. The City of Midlothian Mobile food permit fees for Mobile Food Truck or Concession trailer is \$225.00- for the annual permit which is valid Jan 1 to Dec 31. **This \$225.00 permit fee is for the food truck only** no employees or drivers. Additional permit required for drivers and other persons on the food unit. All of the information contained in this application is true and correct to the best of the applicant's knowledge and belief. Applicant acknowledges that the permit applied for shall be subject to all provisions of the orders and ordinances of the City of Midlothian and shall be subject to all provisions of the statutes and rules adopted under the statutes of the State of Texas governing food service establishments, retail food stores, mobile food units and roadside food vendors. _____

I, _____ (Print), being duly authorized to sign for the business named above as _____ **(position with the company)** hereby make application for a Mobile Food Unit Permit to solicit for the sale of goods or services within in the City of Midlothian, Texas. I certify that I have read and understand the City of Midlothian applicable ordinances. I certify that the information provided by me is true and correct to the best of my knowledge. I also consent to a criminal background check and driving record check as part of the permitting process. This form must be notarized prior to submitting to Community Services. City Staff may not notarize this form. (NOTE: DO NOT SIGN this application until a notary is present)

Applicant's Signature

Date

STATE OF TEXAS
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ (date) by _____ who is personally known to me or has produced a _____ as identification.

Signature of Notary Public

Name of Notary Typed, Printed, or Stamped

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ITEMS REQUIRED TO BE TURNED IN WITH APPLICATION

OFFICE USE:

- MOBILE FOOD UNIT FORM COMPLETED
- PAYMENT OF \$225.00 FOR ANNUAL PERMIT FEE FOR MOBILE FOOD UNIT
- VALID COPY OF REQUIRED INSURANCE INCLUDING PROOF OF INSURANCE LIMITS AND CITY OF MIDLOTHIAN ADDITIONAL INSURED
- INSPECTION COMPLETED FOR MOBILE FOOD UNIT
- COPY OF CENTRAL PREPARATION FACILITY LAST INSPECTION RECORD
- COPY OF OWNER OR AGENTS ID
- VEHICLE TO BE USED IN MOBILE VENDING
- VEHICLE TO BE USED IN ITINERANT VENDING
- VEHICLE TO BE USED IN BOTH MOBILE AND INTINERANT VENDING

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