MOBILE FOOD VENDOR PERMIT APPLICATION

GENERAL INFORMATION

BUSINESS NAME: ________________________________

LICENSE PLATE: ____________________ VEHICLE MAKE: ____________________

MODEL: ____________________ YEAR: ________ COLOR: ____________________

PRIMARY CONTACT

NAME: ______________________________ PHONE: _________________________

MAILING ADDRESS: ______________________________

OPERATOR INFORMATION

NAME: ______________________________ PHONE: _________________________

DRIVER’S LICENSE NUMBER: _________________________ STATE: __________

CHECK ALL THAT APPLY

☐ LUNCH TRUCK    ☐ MOBILE FOOD PREPARATION VEHICLE (“FOOD TRUCK”)    ☐ PRODUCE TRUCK

☐ OPERATING AT SINGLE SITE    ☐ OPERATING AT MULTIPLE SITES

APPLICANT NAME: ______________________________

SIGNATURE: ______________________________ DATE: ______________________

PERMITS & PLANNING DEPARTMENT
405 MUNICIPAL DRIVE
KENNEDALE, TEXAS 76060

CITYOFKENNEDALE.COM/PERMIT
CLERK 817-985-2133
FAX 817-483-0182
DOCUMENTATION INFORMATION REQUIREMENTS

Along with this completed application form, provide the following:

1) A copy of operator’s state driver’s license;
2) A copy of valid vehicle registration;
3) A copy of proof of vehicle liability insurance;
4) A copy of Texas Sales Tax Permit;
5) A copy of site plan: the site plan must show the proposed location, the number and location of customer parking spaces for the mobile food establishment, the number and location of parking spaces reserved for the primary use onsite, the location of all drive ways, drive approaches, sidewalks, fire lanes, and fire hydrants. In addition, if residential uses are located within 300 feet of the proposed mobile food establishment location, then these uses must also be shown on the site plan. City permit staff may request additional information to be shown on the site plan if needed to determine compliance with city regulations;
6) A copy of the health permit from Tarrant County Public Health;
7) Written permission from property owner (on city form) for any property on which the vehicle will be operating. For any mobile food vendor that will be operating within Kennedale for more than one (1) hour, you must also have permission in writing from the owner of the primary business on the site where you will be operating allowing the food establishment’s employees and customers to use the restroom facilities of the primary business.

YOU MUST ALSO OBTAIN A CITY OF KENNEDALE BUSINESS LICENSE IN ORDER TO OPERATE A MOBILE FOOD VEHICLE WITHIN THE CITY LIMITS.

ACKNOWLEDGEMENT

I ACKNOWLEDGE AND CERTIFY THAT THE INFORMATION PROVIDED ON AND WITH THIS APPLICATION IS TRUE AND COMPLETE. I UNDERSTAND THAT IF ANY CHANGES ARE MADE TO THIS INFORMATION IN THE FUTURE (PARTICULARLY WHEN AUTO INSURANCE IS RENEWED/CHANGED/OBTAINED), I SHALL NOTIFY, IN WRITING, THE CITY OF KENNEDALE – PERMITS AND PLANNING DEPARTMENT, WITHIN TEN (10) DAYS OF SUCH CHANGE. I ACKNOWLEDGE AND CERTIFY THAT I HAVE READ THE REGULATIONS FOR MOBILE FOOD VENDORS AND SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS CONTAINED THEREIN.

APPLICANT NAME (PRINT):

SIGNATURE: ___________________________ DATE: ___________________________

FOR OFFICE USE ONLY

Payment: □ Cash     □ Check #___________     □ Credit Card     Staff Initials: ___________________________

□ Approved     □ Denied     Building Official: ___________________________ Date: ___________________________
FOOD VENDOR AND PROPERTY OWNER AGREEMENT

All mobile food vendors must provide restroom facilities for employees and customers.
Proof of written permission is required. You may submit this form to meet this requirement. This agreement between the owner/agent of the property/restroom and the mobile food vendor signifies that both parties agree to the allowed use of the property/restroom facilities as specified and are allowing this vendor to park on this property for no longer than eight (8) hours. EACH SITE REQUIRES A SEPARATE PROPERTY/RESTROOM AGREEMENT.

PROPERTY/RESTROOM ACCESSIBILITY INFORMATION

NAME OF BUSINESS WHERE OPERATING: ____________________________________________

ADDRESS: ____________________________________________________________________

CONTACT PERSON: ____________________________________ TITLE: __________________________

PHONE: ____________________________ EMAIL: __________________________

BUSINESS HOURS OF OPERATION: _________________________________________________

MOBILE FOOD VENDOR INFORMATION

NAME OF MOBILE VENDOR: ____________________________________________

ADDRESS: ____________________________________________________________________

OWNER/OPERATOR: _____________________________________________________________

PHONE: ____________________________ EMAIL: __________________________

DAYS/TIME FOR USE OF THIS PROPERTY/RESTROOM: __________________________________

______________________________________________________________________________

PROPERTY/RESTROOM OWNER/AGENT SIGNATURE

DATE

______________________________________________________________________________

MOBILE VENDOR SIGNATURE

DATE
MOBILE FOOD VENDOR REGULATIONS BY TYPE

CATERING TRUCK
A mobile food establishment used to deliver food prepared offsite (not in the vehicle) to a catered operation. A mobile food vendor permit is not required to cater a private event; however, other permit requirements may apply if you are a vendor based in Kennedale.

ICE CREAM TRUCK
A mobile food establishment that sells some or all of the following: pre-wrapped and sealed ice cream, frozen dairy products, ice confection products, canned soft drinks, packaged candy, chips, and pickles. A mobile food vendor permit is not required for ice cream trucks, but other permit requirements may apply if you are a vendor based in Kennedale.

LUNCH TRUCK
A mobile food establishment which serves a construction work-site and from which only the following foods and beverages are served, sold, or distributed, in such a manner that the vendor does not have direct contact with the food or beverages being sold:
1. Food that is prewrapped, bottled, or otherwise packaged in individual servings and typically intended for immediate consumption.
2. Beverages that are not time/temperature controlled for safety and are dispensed from covered urns or other protected equipment or are sold in bottles or cans.
Lunch trucks are not permitted to serve the general public and must serve only those employees working at the site visited by the lunch truck unless the lunch truck operator satisfies all of the requirements of mobile food preparation vehicles in section 10-75.

MOBILE FOOD PREPARATION VEHICLES (“FOOD TRUCKS”)
A mobile food establishment in which ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale, or distribution.
(a) Site plan required. A site plan must be submitted with the mobile food establishment permit application. A site plan and location permit shall be valid for one (1) year from the date of issuance, provided no changes are made to the site plan and all property owner permissions and required licensing remain in effect. The site plan must show the proposed location, the number and location of customer parking spaces for the mobile food establishment, the number and location of parking spaces reserved for the primary use onsite, the location of all drive ways, drive approaches, sidewalks, fire lanes, and fire hydrants. In addition, if residential uses are located within 300 feet of the proposed mobile food establishment location, then these uses must also be shown on the site plan. City permit staff may request additional information to be shown on the site plan if needed to determine compliance with city regulations.
(b) Operational requirements.
(1) Outdoor seating. Outdoor seating may be provided with the following restrictions:
   a. Outdoor seating must be totally removed from the site by the mobile food establishment at the close of business each day.
   b. Outdoor seating shall not block any driveways, fire lanes, fire hydrants, dumpster, or parking required for the main use of the property.
   c. Outdoor seating shall not obstruct visibility of intersections or roadways.
(2) Permission to use restrooms required. For any property on which the mobile food preparation vehicle is to be parked for the purposes of preparing or serving food, the mobile food establishment is required to have permission in writing from the owner of the primary business on site allowing the food establishment’s employees and customers to use the restroom facilities of the primary business. The mobile food establishment shall be open only during hours the primary business is also open, except the establishment may remain open one (1) hour after the primary business has closed for the day.
(3) Operation restricted in single family and duplex residential districts. Mobile food preparation vehicles are permitted in single family and duplex residential districts to provide food for residents or guests attending a catered event at a property within that district. Food shall not be sold to the general public. Only one (1) mobile food preparation vehicle is permitted at a particular location for a catered event.
PRODUCE TRUCKS
A mobile food establishment from which only raw vegetables and fruits are served, sold, or distributed. The produce sold is in its original form and has not been altered or cooked in any other way inconsistent with it coming fresh from the fields and/or gardens in which it was grown. Slicing, dicing, and chopping of vegetables, fruits, or other food items for sale is prohibited. Produce can only be displayed on the body of the vehicle and on a maximum of one (1) table, which must be removed at the dose of the business day. Placing produce on the ground is prohibited.

REQUIREMENTS FOR ALL MOBILE FOOD ESTABLISHMENTS
(a) Permit required. Any person desiring to operate as a mobile food establishment within the city must receive a permit to do so after submitting a written application on forms provided by the city, except that ice cream trucks, catering trucks, and mobile food preparation vehicles serving residential districts do not require a permit. Failure to provide all required information or falsifying information required may result in denial or revocation of the permit. Renewals of permits are required on an annual basis. A mobile food establishment permit shall expire on December 31 on the calendar year it was issued.

(b) Food establishment rules. Every mobile food establishment is required to be in compliance with all applicable local and state laws and regulations, including, but not limited to, Chapter 10, Article II, Division 3 "Food Establishment Rules" of the Kennedale City Code, as amended, and 25 Texas Administrative Code, Chapter 228, as amended.

(c) Valid driver's license required. A mobile food establishment is required to have onsite, at all time, at least one (1) employee or representative who has a valid driver's license to operate the vehicle and who is authorized to move the vehicle if required.

(d) Vehicle requirements. All mobile food establishments shall have a valid vehicle registration, motor vehicle operator's license, proof of vehicle liability insurance, and a Texas Sales Tax Permit.

(e) Drive-through service. Drive-through service is prohibited for mobile food establishments.

(f) Hours of operation. If permitted to operate from a fixed location by this code, no mobile food establishment shall operate from the same location for longer than eight (8) consecutive hours. No mobile food establishment may remain on a particular site after the end of the establishment's business day or after eight (8) consecutive hours. No mobile food establishment may operate between 1:00 AM and 7:00 AM. In addition, no mobile food establishment operating within 300 feet of a residential use may operate between the hours of 10:00 PM and 7:00 AM.

(g) Lighting. Exterior lighting on a mobile food establishment must be hooded or shielded so that the light source is not directly visible to a residential use.

(h) Location.

1. Mobile food establishments are not permitted to park in or operate in a public right-of-way or street, except that ice cream trucks are permitted to stop and serve customers from the right-of-way or public street when the customer has signaled for the ice cream truck to stop for a sale. This provision does not prohibit mobile food establishments from operating in a public-right-of-way or on public property during a special event sponsored by the city, if permission has been obtained in writing from the city.

2. No mobile food establishment shall be permitted to operate on any property unless permission, in writing and on a form supplied by the city, has been granted by the property owner.

3. Mobile food establishments are not permitted to operate:
   a. within five (5) feet of any drive way or sidewalk;
   b. within 300 feet of a school during school hours;
   c. within any area, or in any manner, that impedes, endangers, or interferes with pedestrian or vehicular traffic.

(i) Mobility required. Mobile food establishments must be mobile and able to be moved within one (1) hour of close of business or upon request by the city.

(j) Obstructing fire lanes or hydrants prohibited. Mobile food establishments must not block or obstruct any
fire lane or be located within fifteen (15) feet of a fire hydrant.

(k) **Parking on improved surface required.** Mobile food establishments are only permitted to locate on and operate from an asphalt or concrete surface.

(l) **Removal of trash and debris.** The area around the mobile food establishment must be clear of litter, trash, and debris at all times.

(m) **Signs.** Mobile food establishments may use sandwich board signs in accordance with the requirements of Article 14 of the Unified Development Code.

(n) **Sound.** No mobile food establishment may emit music or other sounds in violation of the city's nuisance regulations.

### HEALTH NUISANCES

*Any and all of the following conditions are hereby specifically declared to be nuisances dangerous to the public health:*

1. Any condition or place allowed to exist in populous areas which constitutes a breeding place for flies;

2. Any spoiled or diseased meats intended for human consumption;

3. Any restaurant, food market, bakery or other place of business or any vehicle where food is prepared, packed, stored, transported, sold or served to the public which is not constantly maintained in a sanitary condition;

4. Any place, condition or building controlled or operated by any governmental agency, state or local, which is not maintained in a sanitary condition;

5. All sewage, human excreta, wastewater, garbage or other organic wastes deposited, stored, discharged or exposed in such a way as to be a potential instrument or medium in the transmission of diseases to or between any person or persons;

6. Any vehicle or container used in the transportation of garbage, human excreta or organic material which is defective and allows leakage or spilling of contents;

7. Any collection of water in which mosquitoes are breeding within the limits of the city;

8. Any condition which may be proved to injuriously affect the public health and which may directly or indirectly result from the operations of any bone boiling, fat rendering, tallow or soap works or other similar establishments;

9. Any place or condition harboring rats;

10. The presence of ectoparasites (bedbugs, lice, mites, etc.) suspected to be carriers of disease in any place where sleeping accommodations are offered to the public; and

11. The maintenance of any open surface or pit privy, cesspool or of any overflowing septic tank, the contents of either of which may be accessible to flies.

### ABATEMENT

(a) Every person possessing any place in or on which there is a health nuisance shall, as soon as its presence comes to his knowledge, proceed at once and continue to abate the nuisance.

(b) The city health officer, when information and proof of the existence of a nuisance within the city is received, shall issue a written notice to any person responsible for the nuisance and order the abatement of same. He shall at the time send a copy of the notice to the city attorney. Such notice shall specify the nature of the nuisance and shall designate a reasonable time within which such abatement shall be accomplished. If the notice is not complied with within the specified time, the city attorney shall be so advised by the health officer and he shall immediately institute proceedings for the abatement thereof.