



CITY OF COLLEGE STATION
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MOBILE FOOD VENDOR GUIDEBOOK

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DEFINITION

Mobile Food Vendors are any business that sells edible goods from a stationary location within the City. The term “mobile food vendors” shall include, but not be limited to:

- **Mobile food trucks:** A mobile food truck is a self-contained motorized unit selling items defined as edible goods.
- **Concession carts:** Concession carts are mobile vending units that must be moved by non-motorized means.
- **Concession Trailers:** A concession trailer is a vending unit which is pulled by a motorized unit and has no power to move on its own.

Edible goods shall include, but are not limited to:

- Prepackaged food, including, but not limited to, candy, beverages, and ice cream.
- Prepared food, including, but not limited to, hot dogs, desserts, and pizza.
- On-site prepared food, including, but not limited to, shaved ice, sandwiches, and tacos.

EXEMPTIONS

The following are exempted from the mobile food vendor permit:

- **Farm Products.** Any mobile food vendor selling only non-refrigerated farm products in an unrefined state is exempt.
- **Special Events.** Mobile food vendors operating solely as part of a City-permitted special event are not required to have a mobile food vendor permit but are required to obtain a Brazos County Health District temporary food permit and provide a copy of a valid permit for a mobile food vendor business.

PERMIT FEES

Please refer to the **Planning and Development Fee Schedule** for the applicable application fee.

APPLICATION PROCESS

All applications, application materials, and associated fees may be submitted online using **eTRAKiT**. To submit your permit online through **eTRAKiT**, you can begin by:

1. Sending an email to **cspds@cstx.gov** requesting to be added as a user to **eTRAKiT**
2. Signing into **eTRAKiT** and submitting the required application materials

Once the application has been submitted, it will be reviewed by the appropriate City Departments. The review time for a Mobile Food Vendor permit application is approximately five business days upon receipt for initial review comments. Additional time may be needed if additional documents are needed.

After all documents have been received and approved, an inspection must be conducted by the Fire Marshal's Office before the permit can be issued.

APPLICATION REQUIREMENTS

In addition to the detailed information regarding the truck, the following items are required as part of the Mobile Food Vendor application:

- Name, phone number and driver's license number of business owner
- If applicable, copy of Charter or Articles of Incorporation and current listing of directors, partners or principals
- Sales tax number with a copy of sales tax permit
- Copy of permits to do business in the State (for foreign companies only)
- Address(es) of sales location and a diagram of where sales will occur on the property
- Signed permission from the private property owner to use the property as a sales location and to use its amenities
- A description of edible goods being sold
- Proof of business auto liability insurance covering the mobile food vending unit and any vehicle that will tow the mobile food vending unit
- A signed affidavit stating the applicant, business owner, and contact person have no unpaid civil judgements against them arising from a business activity
- A bond in the sum of not less than \$1,000
- Copy of the Brazos County Health Department permit issued to the food service establishment
- Copy of written permission to utilize the private facilities of the food service establishment

REQUIREMENTS FOR MOBILE FOOD VENDORS

The following is required for each mobile food vendor:

- Each unit shall be equipped with two portable trash receptacles and shall be responsible for proper disposal of solid waste and wastewater in the sanitation facility legally accessed by the food service establishment. All disturbed areas must be cleaned following each stop at a minimum of 20 feet of the sales location.
- Shall not provide freestanding fixtures (e.g. tables, chairs, tent and canopies)
- Continuous music or repetitive sounds shall not project from the mobile unit
- May not display or project flashing, blinking, or traveling light signs or displays
- A five-foot clear space shall be maintained around the mobile vending unit.
- No sales are allowed within public park facilities while park concession units are operating
- A “No Smoking” sign must be posted next to the order window or area
- A tagged fire extinguisher shall be kept accessible as directed by the City Fire Marshal
- An extinguishing vent hood, Type I or other if approved by the City Fire Marshal, shall be required when cooking process produces grease laded particles within the mobile unit. Hood testing in the presence of a Deputy Fire Marshal is required for new mobile food vendors.
- A service log for the mobile food vendor, documenting the date and time of arrival and departure from the food service establishment where the vendor’s services are performed shall be maintained and is subject to inspection.
- Vehicle must have a current registration and insurance. The driver must have a valid driver’s license in their possession at the time of inspection. All of these items will be reviewed by a Fire Marshal representative

An inspection will have to be conducted and passed before the Mobile Food Vendor permit may be issued. The inspection will be conducted by the Fire Marshal’s Office. Hood testing in the presence of a Deputy Fire Marshal is required for new mobile food vendors. For existing mobile food vendors, an annual inspection of the fire extinguisher and hood (if required) must be current.

HOURS OF OPERATION

A mobile food vendor **may not** operate:

- For more than 30 minutes on any public street designated on the city’s Thoroughfare Plan as a minor collector or lesser
- Between the hours of 2-5 a.m.
- For more than five hours per day per location

In NG-1 Core Northgate and NG-2 Transitional Northgate zoning districts only – for more than 21 hours per day per location

INSPECTIONS

An inspection will have to be conducted and passed before the Mobile Food Vendor permit may be issued. The inspection will be conducted by the Fire Marshal's Office. Hood testing in the presence of a Deputy Fire Marshal is required for new mobile food vendors. For existing mobile food vendors, an annual inspection of the fire extinguisher and hood (if required) must be current.

SELLING LOCATIONS

A mobile food vendor is **prohibited** from selling:

- Within any single family residential or agricultural zoning districts, but may be located in such districts and within 100 feet of a property with an active building permit
- Within 100 feet of a primary entrance of an open and operating fixed location food service establishment outside of Northgate
- In Northgate only, a mobile food vendor may not be located within 100 feet of an existing business operating as a restaurant. This buffer may be reduced with permission by restaurant
- On any public street designated on the City's Thoroughfare Plan as a major collector or greater
- In areas where the operation impedes vehicular or pedestrian traffic, accessible routes, drive-aisles or road access, fire access, or sight distances
- In a designated bike lane
- In any other location the City reasonably believes presents a public safety or health concern
- On private property without written permission from the property owner
- Within 20 feet of another mobile food vendor unless they are within a mobile food court

CONCESSION CARTS

Concession carts shall not disrupt pedestrian traffic and must keep a five-foot clear space around the unit.

Concession carts are only allowed in the following areas:

- Northgate zoning districts
- Wolf Pen Creek District at a mixed-use development
- An approved mobile food court
- Other planned mixed-use developments

PERMIT DISPLAY

Every permit, including those from the City and the Brazos County Health District, must be displayed at all times in a conspicuous place on the mobile food vendor's truck, concession cart, or concession trailer where it can be read by the general public. The permit sticker should be displayed on the bottom right corner of the truck. The permit card should be displayed so it can be seen from the ordering window.

INSURANCE AND BOND

Proof of business auto liability insurance covering the mobile food vending unit and any vehicle that will tow the mobile food vending unit, and authorized drivers must carry the State of Texas auto liability insurance minimum limits of liability.

A bond in the sum of not less than \$1,000, executed by the mobile food vendor is required. The bond shall be payable to the City, for the use and benefit of any person or persons entitled thereto, and conditioned that the principal and sureties will pay all damages to persons caused by or arising from or growing out of any action of the mobile food vendor while conducting business in the City. The bond can be issued by an insurance or bond company.

BRAZOS COUNTY HEALTH DEPARTMENT PERMIT

All mobile food vendors must have a current food permit from the Brazos County Health Department. For more information regarding the requirements for this permit please visit the Brazos County Health Department website at brazoshealth.org or call 979-361-4440.

CENTRAL PREPARATION FACILITY

All mobile food units shall be affiliated with a Central Preparation Facility (CPF). A CPF is a retail food establishment inspected and approved by the Brazos County Health District at which food is prepared, stored, and wrapped. This is a location a Mobile Food Unit shall return to regularly for such things as vehicle cleaning, discharging liquid or solid wastes into a grease trap, refilling water tanks and ice bins, and boarding food. The use of a private residence as a Central Preparation Facility is prohibited. The CPF shall have the proper plumbing for disposing of fats, oils, and grease waste.

PERMIT RENEWAL PROCESS

Each mobile food vendor permit is valid for one year from the date of issuance. Upon renewal, the applicant must provide payment of a renewal fee and updated permitting documentation.

The applicant must submit a renewal application and renewal fee no less than 30 days before expiration of the permit or must reapply as a new applicant.

MOBILE FOOD COURTS

A mobile food court is specifically for two or more mobile food vendors congregating to offer edible goods for sale to the public and providing shared amenities for all vendors' customers. This land use is approved through a conditional use permit and developed in conformity with an approved site plan.