

Mobile Food Vendor Regulations

On August 25, 2020, the City of Harker Heights adopted a Mobile Food Vendor Ordinance

ORDINANCE BACKGROUND INFORMATION

What does the ordinance require?

The ordinance requires all mobile food vendors that operate in the City to obtain a mobile food vendor permit for each vending unit.

What does the ordinance do?

The ordinance adds a chapter to the Code of Ordinances that regulates mobile food vendors with specific permitting and operations requirements. It also establishes requirements for the operation of a mobile food vendor court.

Why did the city adopt this ordinance?

Currently, the City does not have a specific set of regulations for mobile food vendors and city staff must infer requirements from multiple sections of the Code. This ordinance consolidates the requirements into one chapter of the Code.

How do I get a mobile food vendor permit?

A mobile food vendor permit application can be obtained from the Fire Department.

Who do I contact if I have any questions?

Please contact the Fire Department or Fire Marshal at 254-699-2688.

SUMMARY OF ORDINANCE REGULATIONS

Requirements for All Mobile Food Vendors

- **Permit** – All Mobile Food Vendors must have a Mobile Food Vendor Permit.
- **Food Preparation**– All employees must have a valid food handler’s permit.
- **Model Code Requirements** – Mobile food vending units must follow all codes such as the Fire Code, Plumbing Code, Fuel Gas Code, etc.
- **Placement** – Mobile food vending units may not obstruct traffic and must be at least 200 feet away from any restaurant. They must also be at least 10 feet away from buildings and other units.

- **Signage** – Mobile food vending units must have signage on the unit and may place up to 2 freestanding signs on site.
- **Insurance** – Mobile food vendors must maintain a commercial general liability insurance policy.

Requirements for Mobile Food Vendors on the Street

- May not operate on the street if obstructing traffic or pedestrians, is longer than 20 feet, or is a mobile concession trailer.
- May operate on the street with a Special Event Permit.

Requirements for Mobile Food Vendors on Public Property (Not the Street)

- May operate with a Special Event Permit or written permission.
- Must locate in designated areas.

Requirements for Mobile Food Vendors on Private Property

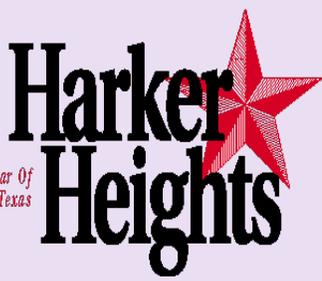
- Must operate in commercial areas.
- May operate in residential areas with a Special Event Permit.
- Must be located on an improved surface.
- Must provide access to restrooms if on site for more than 4 hours.
- Must provide covered garbage cans.
- Must not remain at any location longer than 24 consecutive hours at a time.

Requirements for Mobile Food Vendor Courts

- May operate in B-3 or higher zoning district with a Conditional Use Permit.
- Must provide utility hookups.
- Must provide restroom facilities.

This is a summary of the major requirements of the Mobile Food Vendor Ordinance. Please review the ordinance in its entirety for the full requirements.





Mobile Food Vendor Permit Requirements

Mobile Food Vendors May Not Operate in the City Without a Mobile Food Vendor Permit

MOBILE FOOD VENDOR PERMIT PROCESS

1) Submit Permit Application

- Permit applications can be obtained from the Fire Department.
- Completed permits, supplemental documents, and the application fee can be submitted to the Fire Department electronically or in person at:
Central Fire Station
401 Indian Trail
Harker Heights, TX 76548

2) Receive Permit Approval or Denial

- Permits will be reviewed by city staff for completeness and compliance, and the mobile food vending unit will be inspected by the Fire Marshal's office.
- Once approved, permits can be picked up at Central Fire Station.
- If a permit application is denied, the applicant will receive the decision in writing with an explanation of why it was denied and describing the process to meet requirements or appeal the denial.

3) Renew Permit

- Permits are valid for one year from the date of issue and must be renewed annually.
- Permit renewal applications must be submitted no earlier than the 90th day and no later than the 45th day before the previous permit expires.

Permit Suspension or Revocation

- Permits may be suspended or revoked for violations of the Mobile Food Vendor Ordinance.
- Should a permit be suspended or revoked, the business may not operate until it receives its permit back or obtains a new permit.
- The Mobile Food Vendor Ordinance outlines the appeals process for permit denial, suspension, or revocation.

MOBILE FOOD VENDOR PERMIT REQUIREMENTS

1) Completed Permit Application

- A separate application must be completed for each mobile vending unit.
- Non-Refundable \$100 Application Fee.

2) Copy of Business Registration Certificate

- All businesses must have a business registration.
- Business registration applications can be obtained from the Planning Department at City Hall.
- Business registration applications require:
 - Copy of DBA, LLC, or Articles of Incorporation.
 - Bell County Food Permit.
 - Non-refundable \$35 Application Fee.

3) Proof of Commercial General Liability Insurance Policy

- Provides coverage of \$500,000 per occurrence and \$1,000,000 in the aggregate on an occurrence basis.
- Policy must name the city as additionally insured.

4) Mobile Food Vending Unit Inspection

- All units must meet the requirements of the International Fire Code as well as all other adopted safety codes.
- A unit that fails the fire inspection may be granted a **Temporary Mobile Food Vendor Permit** under certain circumstances.

This is a summary of the Mobile Food Vendor Permit Application requirements. Please review the ordinance in its entirety for the full requirements.

