



**City of Littlefield  
Application for Mobile Food Unit**

The City of Littlefield has determined the necessity to preserve the health, safety, and welfare of the citizens of Littlefield by amending the Code of Ordinances by enacting regulations and requirements for mobile food units. A complete copy of the ordinance may be found in the Littlefield Code of Ordinances section 4.08

All Mobile Food Units (MFUs) must secure a permit before beginning operation with the exception of:

(1) pushcarts with no food preparation; (2) community or farmers markets; or (3) a community-based event sponsored by or for a non-profit organization or held for customer appreciation where food is not sold. **A double permit fee shall be assessed if MFU permit is not secured before operation begins.**

**Fees:**

72 Hour permit \$50.

Yearly permit \$200 (Yearly permits expire December 31 of each year or upon expiration of any other required certificate or permit).

**MFU owner(Applicant):** \_\_\_\_\_ **Address of Owner:** \_\_\_\_\_

**Owner Phone #:** \_\_\_\_\_ **Owner email:** \_\_\_\_\_ **Business Website:** \_\_\_\_\_

**Name of CFPM:** \_\_\_\_\_ **State Sales Tax Permit #** \_\_\_\_\_

**Local location of MFU operation:** \_\_\_\_\_, Littlefield, Texas

**Dates of Operation :** \_\_\_\_\_ **through** \_\_\_\_\_ **Hours:** \_\_\_\_\_ am / pm to \_\_\_\_\_ am / pm

**Rules**

- MFUs must be inspected by Fire Department and the Building Inspection before a permit is issued.
- Mobile food units shall comply with all requirements of TFER, Chapter 228.221. (Copy Attached)
- The permit for a mobile food unit shall not be transferable and shall expire one (1) year from date issued or upon expiration of the State issued license or on the last day of the year issued, whichever is sooner.
- Mobile food units shall not remain at a location of operation when the unit is not operating unless permitted by the regulatory authority or in a legal food truck park.
- Mobile food units shall not block any required parking spaces, fire lane, entrance, or exit from a property.
- Mobile food units shall be no less than fifteen (15) feet away from any building or structure when in operation.
- Each mobile food unit shall provide a trash receptacle at the location of operations. Mobile food units and all parts of the property used in connection with operations shall be kept free of litter.
- Each mobile food unit shall be readily identifiable by business name as it appears on the mobile food unit permit, permanently affixed, and prominently displayed on at least one (1) side of the unit.
- Each mobile food unit shall prominently display the permit issued in a location that is readily observable by the public.

- No mobile food unit shall operate between the hours of 2:00 a.m. and 6:00 a.m. The mobile food unit shall be properly stored and shall not be left or stored at any alternate location(s).
- No mobile food unit shall operate a business from a public park or publicly owned property, site, or right-of-way without written permission from the regulatory authority or their designated representative.
- Changes to an approved location list shall be submitted for review at least three (3) business days prior to an addition or change in the list. Written notice shall be given to the City upon any change and shall include the date that operations will cease at an approved location.

I have read these rules and agree to comply with all State and local regulations including the operation of Mobile Food Units.

**Signature of Applicant:** \_\_\_\_\_ **Date of Application:** \_\_\_\_\_

For City of Littlefield Use – Do Not Write Below This Line

**Documentation Checklist**

- A copy of a current permit required by State law and issued by the Texas DSHS shall be provided.
- A valid copy of the sales tax permit issued by the Texas Comptroller of Public Accounts or the appropriate sales tax exemption documentation.
- A valid copy of the food handler permit for the mobile food unit’s certified food protection manager.
- A letter signed by the property owner/operator, giving written permission for the mobile food unit to operate, shall be submitted for each location used.
- Payment for Permit- \_\_\_\_\_ Yearly or \_\_\_\_\_ 72 Hour. Doubled Fee Y or N \_\_\_\_\_
- Zoning Approved – Circle One: C-1, C-2, CBD, M-1, M-2 (Not allowed in Residential or Agriculture)
- Inspections completed

Date of Application Receipt: \_\_\_\_\_ Zoning: \_\_\_\_\_

Fire Marshal: \_\_\_\_\_ Approved or \_\_\_\_\_ Denied – Deficiencies: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Final Approval**

Building Inspector: \_\_\_\_\_ Approved or \_\_\_\_\_ Denied- Deficiencies: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Glossary of Terms

Administrator. The City Manager, Code Enforcement Officer, or other designated official of the City of Littlefield, Texas.

Certified food protection manager (CFPM). A person in charge of a food establishment, who demonstrates knowledge by being a food protection manager who is certified by a food protection manager certification program recognized by the Texas DSHS.

City. City of Littlefield, Texas.

Commercially manufactured. Produced or built, for commercial gain, by a person or company showing a high degree of skill or competence, using commercial grade products. Able to meet National Sanitation Foundation (NSF) standards.

Community-based event. Transitory gatherings, such as traveling fairs, carnivals, multi-cultural celebrations, special interest fundraisers, restaurant food shows, grand openings, customer appreciation days, etc. also called special events. These are single events or celebrations.

Community market/farmer's market. A designated location used primarily for the distribution and sale directly to consumers of raw agricultural products grown by farmers; or home-grown fruits, vegetables, produce or food products; meat; plants and flowers; art and craft items; and/or bakery goods; beverages; dairy products; delicatessen; and grocery items.

Department of State Health Services (DSHS). The Texas Department of State Health Services or other agency as designated by the State of Texas.

Food establishment or establishment. Any place, structure, premises, or vehicle, or any part thereof, in which any food intended for human consumption is manufactured or prepared by any manner or means, or in which any food is stored, sold, offered or displayed for sale, or served. This definition shall include each type of food establishment regulated by the regulations in this article.

Food handler. Any person who works in a food establishment and performs any duties that brings them into contact with the handling of food, utensils, or food service equipment.

Mobile food unit (MFU). A self-contained and readily movable food establishment that serves, sells, or distributes any food or beverage to the public, with or without a charge.

No food preparation. Any area in which foods are provided pre-wrapped, from a source approved by the Texas DSHS with microwave oven type heating being the maximum handling involved. Food preparation is limited to prepackaged sandwiches, candies, similar foods and containerized beverages.

Non-profit organization. All government entities, political subdivisions, public school districts, organizations chartered under the Texas Non-Profit Corporation Act, or operations recognized by the IRS as a 501 organization or corporation.

Permit or health permit. A written authorization issued by the City, the Texas DSHS, or other agency as designated by the State to regulate food handling or mobile food units.

Person. An individual, sole proprietorship, partnership, association, corporation, or any other entity who is the owner, operator, or person responsible for the operation of a food establishment, including an agent or representative of such owner, operator, or responsible person.

Pushcart. A mobile food unit from which goods are sold and that is propelled by non-mechanical means.

Regulatory authority. The City of Littlefield, Texas.

Texas Food Establishment Rules (TFER). Title 25 Texas Administrative Code, Chapters 228 and 229, as adopted or hereinafter amended.

Vendor/supplier. A business establishment approved by the Texas DSHS that sells or supplies food and food related products to food establishments.

Wholesome. In sound condition, clean, free from adulteration and otherwise suitable for use as human food. Food which is packaged shall be deemed wholesome if it meets the foregoing requirements and it is used or sold prior to the expiration date marked on the package.

Texas Administrative Code

TITLE 25        HEALTH SERVICES

PART 1 DEPARTMENT OF STATE HEALTH SERVICES

CHAPTER 228    RETAIL FOOD ESTABLISHMENTS

SUBCHAPTER H REQUIREMENTS APPLICABLE TO CERTAIN ESTABLISHMENTS

RULE §228.221 Mobile Food Units

(a) Mobile food unit provisions.

(1) General. Except as otherwise provided in this paragraph and in paragraph (2) of this subsection, the regulatory authority:

(A) may impose additional requirements to protect against health hazards related to the conduct of the food establishment as a mobile operation;

(B) may prohibit the sale of some or all time and temperature control for safety foods (TCS foods); and

(C) when no health hazard will result, may waive or modify requirements of this section relating to physical facilities, except those requirements as specified in paragraphs (7) - (9) of this subsection, subsection (c)(1)(A) - (E) of this section, and Food Code, Subparts 3-401, 3-402, 3-403, 3-404, and 3-501.

(2) Restricted operation. A mobile food unit (MFU) that serves only food that is prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of this chapter, or beverages that are non-time and temperature control for safety food and are dispensed from covered urns or other protected equipment, need not comply with the requirements of this chapter, relating to the necessity of water and sewage systems nor to those requirements, relating to the cleaning and sanitization of equipment and utensils if the required equipment for cleaning and sanitization exists at its central preparation facility.

(3) Readily movable.

(A) The regulatory authority prohibits alteration, removal, attachments, additions, placement, or change in, under, or upon the MFU that prevents or otherwise reduces ready mobility.

(B) A regulatory authority may require an MFU to come, on an annual basis or as often as required, to a location designated by the regulatory authority as proof that the MFU is readily moveable.

(4) Initial Permitting Inspection. The regulatory authority requires an MFU to come to a location designated by the regulatory authority. The mobile unit must be totally operable at time of inspection, including handwash facilities, warewash facilities, refrigeration, and wastewater disposal. Required documentation to have available includes:

(A) Certified Food Protection Manager Certification.

(B) Central Preparation Facility Authorization (if required). A signed letter of authorization is required, to verify facility use, if the central preparation facility is not owned by the mobile unit operator.

(C) Central Preparation Facility Inspection Report. A copy of the most current health inspection of the central preparation facility must be maintained on the mobile unit at all times.

(D) Servicing Area Authorization. A signed letter of authorization may be required by the regulatory authority to verify service area use, if the servicing area is not owned by the mobile unit operator.

(E) Menu. A menu of all food items to be sold.

(5) Single-service articles. An MFU shall provide only single service articles for use by the consumer.

(6) Equipment, numbers, and capacities.

(A) Cooling, heating, and holding capacities. Equipment for cooling and heating food, and holding cold and hot food, shall be sufficient in number and capacity to provide food temperatures as specified under Food Code, Chapter 3 - Food.

(B) Manual warewashing, sink compartment requirements.

(i) A sink with at least three compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils as specified in Food Code, Paragraph 4-301.12(A).

(ii) Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils as specified in Food Code, Paragraph 4-301.12(B).

(C) At least one handwashing sink shall be available for convenient use by employees and properly provisioned in accordance with Food Code, §6-301.11-12.

(7) Mobile water system materials, design, and operation. MFU water systems shall meet the requirements of Food Code, Part 5-3.

(8) MFU drinking water tank shall meet the requirements of Food Code, §5-303.13.

(A) Fill hose and water holding tank shall be labeled as "Potable Water."

(B) Drinking water in an MFU holding tank shall be tested for contamination by sampling upon request by the regulatory authority.

(9) Sewage and other liquid waste.

(A) If liquid waste results from operation of an MFU, the waste shall be stored in a permanently installed retention tank for waste retention.

(B) A leak-proof sewage holding tank in an MFU shall meet the requirements of Food Code, §5-401.11 for capacity and drainage.

(C) All connections on the vehicle for servicing the MFU waste disposal facilities shall be of a different size or type than those used for supplying potable water to the MFU.

(D) Discharge liquid waste shall not be discharged from the retention tank while the MFU is in motion.

(E) Flushing a waste retention tank shall meet the requirements of Food Code, §5-402.15.

(F) Removing MFU wastes shall meet the requirements of Food Code, §5-402.14.

(G) Liquid waste holding tank shall be labeled as "waste water."

(10) MFU water and wastewater exemption.

(A) A roadside vendor that sells only prepackaged food is exempt from the requirements of this chapter relating to water and wastewater.

(B) An MFU that prepares food requiring no water for operations and no hand contact with food is exempt from the requirements of this chapter relating to water and wastewater if the required cleaning and sanitization equipment exists at its central preparation facility. Chemically treated towelettes for handwashing may be used as specified in Food Code, Paragraph 5-203.11(C).

(11) Toilet rooms, convenience and accessibility. Toilet rooms shall be conveniently located and accessible to employees during all hours of operation.

(b) Central preparation facility.

(1) Supplies, cleaning, and servicing operations. An MFU shall operate from a central preparation facility or other fixed food establishment and shall report to such location daily for supplies, cleaning, and servicing operations.

(2) Construction. The central preparation facility or other fixed food establishment, used as a base of operation for an MFU, shall be constructed and operated in compliance with the requirements of Food Code, Chapter 6 - Physical Facilities.

(c) Outdoor servicing area and operations.

(1) Protection.

(A) An MFU servicing area shall include at least overhead protection for any supplying, cleaning, or servicing operation. Those areas used only for the loading of water or the discharge of sewage and other liquid waste, through the use of a closed system of hoses, need not be provided with overhead protection.

(B) Within the servicing area, the location provided for the flushing and drainage of liquid wastes shall be separate from the location provided for potable water servicing and for the loading and unloading of food and related supplies.

(C) A servicing area will not be required where only packaged food is placed on the MFU or where an MFU does not contain waste retention tanks.

(D) The surface of the servicing area shall be constructed of a smooth nonabsorbent material, such as concrete or machine-laid asphalt and shall be maintained in good repair, kept clean, and be graded to drain.

(E) Potable water servicing equipment shall be installed in the servicing area according to the Plumbing Code and shall be stored and handled in a way that protects the water and equipment from contamination.

(2) Construction exemption. The construction of the walls and ceilings of the servicing area is exempted from the provisions of Food Code, §6-201.11.

Source Note: The provisions of this §228.221 adopted to be effective August 8, 2021, 46 TexReg 4686