



## Application Procedures – Mobile Food Units

### General Instructions:

1. Fill out the attached application accurately and completely. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**
2. All Mobile Food Unit permits are non-transferrable and valid through January 31 of the following year.
3. If a Central Preparation Facility (CPF) is required, a notarized statement from the owner of the CPF is required. (A standard form is attached to this application for use)
4. All required documentation shall be **first** submitted to the Community Development Department located at: 119 W. 4<sup>th</sup> Street, Suite 104, Odessa, Texas 79761.
5. A background check of the applicant shall be completed by the Odessa Police Department.
6. The applicant shall contact the Fire Marshal's Office to set up a Fire Safety Inspection at: (432) 257-0521. (A checklist of what the inspection will entail is attached)
7. After all required signatures are obtained the application along with the required \$150.00 fee shall be submitted to the Billing & Collection Department, 411 W. 8<sup>th</sup> Street, Odessa, Texas 79761.
8. For any questions regarding the application process please contact: Lynda Inman at (432) 335-4823.

### Documentation Required:

1. Ector County Health Department Permit
2. Signed Release Statement
3. Copy of Insurance Policy of a minimum of \$1,000,000.00
4. Notarized Statement from CPF (*if required*)
5. Certified letter of water supply and wastewater disposal
6. Copy of Food Handlers Certification

### Mobile Food Unit Responsibilities:

1. **Operation:** All MFU's shall comply with the requirements of the applicable provisions of 25 T.A.C. Chapter 228 "Retail Food" and 25 T.A.C. Chapter 229 "Food and Drug"
2. **Central Preparation Facility:** If a CPF is required the facility must have a current permit and meet the requirement of the TFER §229.169(b)
3. **Hours:** 6:00 a.m. to 12:00 midnight on Sunday, Monday, Tuesday and Wednesday and from 6:00 a.m. to 3:30 a.m. on Thursday, Friday, and Saturday
4. **Documentation:** The following documentation must be obtained prior to operation, kept on hand within the Mobile Food Unit, and made available for inspection upon request by City officials and/or law enforcement at all times during the operation of the Mobile Food Unit:

- A. Written and notarized permission from the owner of the property on which the Mobile Food Unit will be operating that specifically permits such operation. (A standard form is attached to this application for use)
- B. A notarized statement from a business located within 150 feet of the location of the Mobile Food Unit providing that employees of the Mobile Food Unit may use its restroom facilities during the Mobile Food Unit's hours of operation. (A standard form is attached to this application for use)

**\*\*\* To avoid any interruption to your business during peak hours, it is recommended that this documentation be posted in a visible place within your unit \*\*\***

- 5. **Exterior of Unit:** The sales area shall not exceed 600 sq. ft. Outdoor seating may not accommodate more than 8 persons and may consist of tables, chairs, stools, or benches in any combination.
- 6. **Potable Water:** All water systems shall meet the requirements of TFER §228.149(f). The mobile food unit shall have hot and cold running water under pressure at all sinks at all times. There must be a two compartment sink on all units that cook, prepare and sell open food products and dispenses them via single service articles. A separate hand washing sink shall be provided.
- 7. **Waste Retention:** All waste retention tanks shall be permanently installed on the unit and be 15% larger than the potable water supply tank.
- 8. **Refrigeration and Heating:** Units must have adequate hot and cold storage facilities to maintain food products at the required temperatures. Hot food must be held at 135°F or above. Cold foods must be stored at 41°F or below.
- 9. **Mobility:** Mobile food units shall be prohibited from remaining stationary at any given location for longer than a 24-hour period unless operating as part of a city-sponsored event and given permission to stay longer than a 24-hour period.
- 10. **Self-Contained Status:** To be considered self-contained the unit must meet the following requirements:
  - A. Liquid waste retention tank is provided and capacity is at least 15% larger than the potable water storage tank.
  - B. Potable water from an approved source.
  - C. Hot and cold running water under pressure is provided to sinks (hot water 120 degrees).
  - D. Hand wash sink is provided and is conveniently located and accessible.
  - E. Soap, paper towels, hand sanitizer are provided.
  - F. Two or three compartment ware washing sink is provided.
  - G. Equipment for hot and cold holding adequate to maintain potentially hazardous food at required temperatures (41 degrees or cooler for cold hold and 135 degrees or hotter for hot hold). Equipment and power supply to maintain freezers at 0 or below. Adequate power supply to maintain temperatures.
  - H. Food products are obtained from approved sources.
  - I. A servicing area shall be provided for cleaning, supplying, loading of water and discharge of sewage.
  - J. A Certified Food Handler card
  - K. Light shields covering lights

- L. Single service articles are provided and used.
- M. Potable water inlet is equipped with a hose connection of a size or type that prevents its use for any other purpose.
- N. Commercial vent hood at 45 degree angle exhausted to outside.
- O. Liquid waste servicing connection is of a different size than the water connection.
- P. Effective control measures are used for insects, rodents and environmental contaminants. Unit must be completely enclosed. Installed screening has a small enough mesh to keep insects out.
- Q. Mobile food establishment is constructed of corrosion-resistant, durable materials.
- R. Mobile food establishment has easily cleanable, non-absorbent floors, walls and ceilings.
- S. Counters and tables are designed for durability and are easily cleanable.
- T. Equipment is installed so that it is easily cleanable and is in clean, sound condition.
- U. Facilities are provided for solid waste storage that are easily cleanable and covered.
- V. Must have restroom, porta potty within 100 feet
- W. Must have certified letter for legal place to dump waste water and supply fresh water.



## **Odessa Fire Department Safety Regulations**

### **FIRE EXTINGUISHERS**

- All units must have a minimum 3A:40BC rated fire extinguisher.
- All Fire Extinguishers must have a current inspection/service tag.
- All Fire Extinguishers must be properly mounted and readily accessible.

### **LIQUID PETROLEUM GAS (LPG)**

- LPG cylinders shall be properly secured by one or more restraints.
- Storage of LPG cylinders on roof of vehicle, inside passenger compartment, on rear bumpers, inside truck beds, or below vehicle is prohibited and is to be protected from vehicle collision.
- If using a storage compartment for LPG cylinders it must be a vented compartment and be properly secured.
- LPG cylinders must be rated for use with petroleum gas
- LPG piping must be of an approved and listed type for use with the cooking appliances. Rubber type hoses are not permitted.
- All fittings and couplings shall meet the requirements listed under NFPA 58
- A maximum of 80 lbs. of LPG is allowed per Mobile Food Establishment.
- LPG cylinder containers shall not exceed 40 lbs.
- "No Smoking" signs shall be posted visible near any LPG containers.

### **ELECTRICAL**

- Extension cords shall not be a substitute for permanent wiring.
- Extension cords shall be properly rated for use according to the manufacturer's requirements.
- Extension cords must be maintained without deterioration, splices or physical damage which would create an electrical hazard.
- Breaker boxes and junction boxes shall have a proper cover.

## FIRE SUPPRESSION SYSTEM

- Mobile Food Establishments which perform cooking operations that produce grease vapors shall require a Type 1 hood.
- All cooking surfaces and hoods are to be kept clean to prevent grease build up.

## COOKING APPLIANCES

- All cooking appliances shall be listed and labeled for an intended use and shall be used only in accordance with the approved use.
- All appliances shall have an approved, labeled, and listed on-off valve.
- All appliances shall be maintained in good working condition.

## GENERAL FIRE SAFETY

- Mobile Food Establishments shall be located to allow for adequate emergency vehicle access.
- Accumulation of combustible materials such as wastepaper and rubbish that would create a hazard to the public health, safety or welfare is prohibited.
- Solid fuel cooking appliances, such as BBQ Pits, shall be maintained a minimum of 10 feet from any structure.
- Flammable and combustible liquids shall be separated from combustible materials and ignition/heat sources by a minimum of 10 feet. Only charcoal lighter fluid is allowed, all other ignitable liquid is prohibited.



## Release, Hold Harmless and Indemnification Agreement

I, \_\_\_\_\_ agree to release, hold harmless and indemnify the  
(Applicant's Name)

City of Odessa and its officers, officials, employees, agents and volunteers, from and against all claims, damages, losses and expenses, including, but not limited to, attorneys' fees, arising out of or resulting from the (i) the conduct or use of the Premises by the undersigned or the undersigned's organization or group, (ii) any act, omission, or negligence of the undersigned or the undersigned's organization or group, or the partners, directors, officers, agents, employees and other users and invitees of the undersigned or the undersigned's organization or group, and (iii) any accident, injury or damage whatsoever occurring in or at the Premises while the undersigned or the undersigned's organization or group is using the facilities.

The undersigned shall maintain occurrence based commercial general liability insurance or equivalent form with a limit of not less than \$1,000,000.00 for each occurrence. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement or be no less than two times the occurrence limit.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_



## Central Preparation Facility Permission for Use Verification Form

This form serves to verify that the owner of the Central Preparation Facility (CPF) submitted for use has granted permission to the mobile food vendor to utilize the CPF. By providing approval the CPF agrees to the following responsibilities:

- A. Maintain a current and valid food establishment permit
- B. Provide adequate and approved waste disposal facilities for handling waste water disposal, oil/grease, trash disposal, and all other necessary waste disposal
- C. Provide an approved process for providing fresh water and ice to mobile units
- D. Allow the Mobile Unit to report to CPF at least once daily for all supplies and for all cleaning and servicing operations
- E. Allow food to be stored and held overnight as necessary under approved sanitary conditions
- F. Allow the mobile food unit to store equipment and supplies at the CPF

**\*\*\*The CPF must provide a current copy of the CPF's food establishment permit\*\*\***

I \_\_\_\_\_ have read and understand the items of  
(Name of CPF Owner)  
 responsibility listed above and agree to comply with all of the requirements. I give my permission to  
 \_\_\_\_\_, to use my establishment,  
(Name of Mobile Vending Unit)  
 \_\_\_\_\_, located at  
(Name of CPF Establishment)  
 \_\_\_\_\_ as a Central Preparation  
(Address of CPF Establishment)  
 Facility for the mobile vending unit.

\_\_\_\_\_  
Signature of CPF Owner \_\_\_\_\_  
Date

STATE OF TEXAS        §  
 COUNTY OF ECTOR     §

Before me on this day personally appeared \_\_\_\_\_, owner of  
(Name of CPF Owner)  
 \_\_\_\_\_, known to me (or proven to me) to be the person  
(Name of CPF Establishment)  
 whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations expressed.

“Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_”

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Signature of Notary Public



**Location Authorization**

All Mobile Food Units must keep a notarized Location Authorization on hand within the Mobile Food Unit, and make available for inspection upon request by City officials and/or law enforcement at all times during the operation of the Mobile Food Unit. The Agreement must confirm the authorization to use private property on which to locate the mobile food unit during the hours of operation.

I, \_\_\_\_\_, owner/responsible party for  
 (Name of business owner)  
 \_\_\_\_\_, located at  
 (Name of business)  
 \_\_\_\_\_, give my permission to  
 (Address of business)  
 \_\_\_\_\_ of  
 (Name of Mobile Food Unit's Owner)  
 \_\_\_\_\_ to operate on my property  
 (Name of Mobile Food Unit)

during the following hours of operation:

Mon: \_\_\_\_\_ Tue: \_\_\_\_\_ Wed: \_\_\_\_\_ Thur: \_\_\_\_\_  
 Fri: \_\_\_\_\_ Sat: \_\_\_\_\_ Sun: \_\_\_\_\_

I certify that I have sufficient parking spaces for the mobile food unit and the mobile food vendor will not occupy the required parking spaces for my place of business as regulated by the City of Odessa Zoning Ordinance.

\_\_\_\_\_  
 Signature of business owner Date

STATE OF TEXAS §  
 COUNTY OF ECTOR §

Before me on this day personally appeared \_\_\_\_\_, owner of  
 (Name of business owner)  
 \_\_\_\_\_, known to me (or proven to me) to be the person  
 (Name of Business)

whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations expressed.

“Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_”

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Signature of Notary Public



### Restroom Facility Agreement

All Mobile Food Units must keep a notarized Restroom Facility Agreement on hand within the Mobile Food Unit, and make available for inspection upon request by City officials and/or law enforcement at all times during the operation of the Mobile Food Unit. The Agreement must confirm the availability of a restroom facility for use within 150 feet of the Mobile Food Unit vending location during the hours of operation.

I, \_\_\_\_\_, owner/responsible party for  
 (Name of business owner)  
 \_\_\_\_\_, located at  
 (Name of business)  
 \_\_\_\_\_, give my permission to  
 (Address of business)  
 \_\_\_\_\_ of  
 (Name of Mobile Food Unit's Owner)  
 \_\_\_\_\_ to use my restroom facilities  
 (Name of Mobile Food Unit)

for their employees during the mobile food unit's hours of operation. I understand that observations of inaccessibility to my restroom facilities during the mobile vendor's hours of operation, restroom facilities greater than 150 feet from mobile unit or sewage violations may result in this agreement being rescinded by the City of Odessa.

Signature of business owner	Date
STATE OF TEXAS           §	
COUNTY OF ECTOR       §	

Before me on this day personally appeared \_\_\_\_\_, owner of  
 (Name of business owner)  
 \_\_\_\_\_, known to me (or proven to me) to be the person  
 (Name of Business)  
 whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations expressed.

“Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_”

\_\_\_\_\_  
 Signature of Notary Public



Have you ever been convicted of a crime, excluding traffic violations? [ ] Yes [ ] No

If "Yes", identify the offense, State of conviction, date(s) of conviction, and penalty imposed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name of Central Preparation Facility (if required): \_\_\_\_\_

CPF Owner/Manager's Name: \_\_\_\_\_  
Last First M.I.

CPF Address: \_\_\_\_\_  
Street Number and Name Ste/Apt. No.

\_\_\_\_\_ City State Zip Code

CPF Owner's Phone #: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ E-mail: \_\_\_\_\_

**\*\*\*If not using CPF for servicing, documentation/verification of water supply and wastewater disposal will be required\*\*\***

All of the information contained in this application is true and correct to the best of Applicant's knowledge and belief. Applicant acknowledges that the permit applied for shall be subject to all provisions of the Ordinances of the City of Odessa and shall be subject to all the provisions of the statutes and rules adopted under the statutes of the State of Texas governing food service establishments, retail food stores, mobile food vendors and roadside food vendors.

\_\_\_\_\_  
 Owner's/Applicant's Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Date

**DO NOT WRITE BELOW THIS LINE**

-----**FOR OFFICE USE ONLY**-----

**Community Development:**

Document	Received by:	Date
ECHD Permit		
Signed Release Statement		
Copy of Insurance Policy		
CPF Verification (if required)		
Certified Food Handler Cards		
Cert. letter of water supply and wastewater disposal		

**Odessa Police Department:**

Background check: [ ] Approved [ ] Denied Date Completed: \_\_\_\_\_

Background check performed by: \_\_\_\_\_  
Signature Printed Name

Comments:

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**Odessa Fire Department:**

Safety Regulations Inspection: [ ] Passed [ ] Failed Date Completed: \_\_\_\_\_

Inspection performed by: \_\_\_\_\_  
Signature Printed Name

Comments:

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**Billing & Collection Department:**

Fee Paid: \_\_\_\_\_ Date Fee Collected: \_\_\_\_\_

Fee Collected by: \_\_\_\_\_  
Signature Printed Name