



## **SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOOD SANITATION DIVISION**

### **REQUIREMENTS FOR MOBILE VENDING**

The San Antonio Metro Health District inspects and licenses all vendors selling food and drinks from mobile units within the City of San Antonio and unincorporated Bexar County. Licensing occurs at the Development & Business Services Center at 1901 S. Alamo.

Effective May 25, 2008 these changes to the Mobile Food Vending Code will go into effect:

All persons that vendor on public right of way or use public right of way to move their mobile vending unit to a location to vend must have a criminal background check. In response to your request for a quicker turn around time, the following procedure has been worked out. Please follow the steps below in order to complete your background check and obtain your mobile food-vending license as quickly as possible:

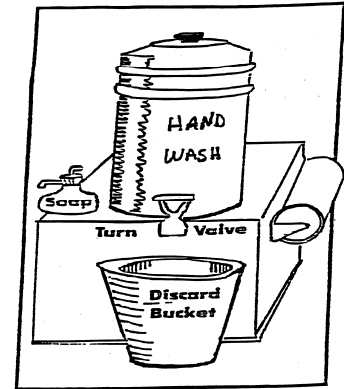
1. The fees for a local, state and national background check is \$59.25. The SAPD, Records Unit will only accept cash or money orders as payment. The Records Unit does not accept checks.
2. Proceed to the San Antonio Police Department Records Unit at 214 W. Nueva between the hours of 8:00 a.m. and 4:00 p.m. to request your background check. You will receive a response BY MAIL after the local and DPS background checks are completed. This process usually takes 4 to 6 weeks. This statement will remain valid for ninety (90) days from the date of issuance. The Health Department cannot give results over the phone.
3. Once your local and DPS background checks have been cleared by the SAPD, you will receive notification by mail. Please bring your letter of clearance and your unit to the One Stop Center at 1901 S. Alamo for inspection.
4. Once your unit has been inspected and approved by the City of San Antonio and you have paid for your mobile vending license, you may start vending in the City of San Antonio.
5. Please note that your FBI background check will take a minimum of forty-five (45) business days to be received by the SAPD. If the FBI background check shows that you have not been convicted of any sexual offense or related offense against a child, you will be mailed a final statement of clearance valid for two years from the date you filed your request for the background check. In the event that your FBI background check shows that you have been convicted of one or more of these offenses, you will be notified of the results, and you will no longer be allowed to be a mobile food vendor in the City of San Antonio. If you are the holder of a mobile food vending license, then your license may also be subject to revocation, without reimbursement, by the SAMHD.
6. If you hire or allow someone who is seventeen years of age or older to vend under your permit, then that food vendor or food handler must first obtain a background check and statement of clearance as outlined above.
7. Food handlers or food vendors who are at least ten (10) years of age and under the age of seventeen (17) will need to be accompanied by a parent or guardian to the SAPD Record Unit at 214 W. Nueva between the hours of 8:00 a.m. and 4:00 p.m. in order to obtain an applicable background check. A photo ID or birth certificate is required. No fee will be charged for this service. The results will be available immediately.

Listed below are the requirements depending on the type of operation you want to have licensed:

**FOOT PEDDLER** – Individuals selling pre packaged non-potentially hazardous foods and drinks on foot. Foot peddlers vending whole farm fresh product are no longer required to obtain a foot peddlers permit.

**SIMPLE SNO-CONE** – Individuals selling sno-cones from a vehicle or pushcart where the ice and syrups are purchased from an approved, licensed food operation and the individual puts the two items together in their unit. No grinding of ice or reconstituting of syrups is allowed. The requirements for the unit are listed below:

- Unit is a truck with a cover over the back, van, station wagon or hatchback. (Facility where persons can vend from the rear of the vehicle in a clean environment) Regular passenger cars cannot be licensed. Pushcart must have an umbrella.
- A gravity feed hand wash facility is provided in the unit with water, soap and paper towels.
- Ice chests for sodas and ice that are in good repair, clean, easily cleanable and non-absorbent.
- If shelving is provided it must be easily cleanable, and non-absorbent.



**ICE CREAM VENDOR:** Individuals selling pre packaged novelty ice cream from a vehicle or pushcart. The requirements for the unit are listed below:

- Unit is a truck with a cover over the back, van, station wagon or hatchback. (Facility where persons can vend from the rear of the vehicle in a clean environment) Regular passenger cars cannot be licensed.
- Mechanical freezer utilizing electricity or dry ice to maintain ice cream in frozen state is provided and in good repair.
- If shelving is provided it must be easily cleanable, and non-absorbent.
- Open food handling (such as nachos, frito pies, grinding ice, or bulk pickles) are NOT allowed.

**SHRIMP/WHOLE FISH VENDOR:** Individuals selling whole shrimp or fish from a vehicle. The requirements for the unit are listed below:

- Unit is a closed vehicle either truck with camper shell, or van, hatchback or station wagon.
- Gravity feed hand washing station is provided with water, soap and paper towels (See picture above)
- Clean, easily cleanable, self draining ice chests that are in good repair with plenty of ice provided for shrimp or fish.<sup>4</sup>
- If utensils (scoop) are provided, three five-gallon containers provided to wash, rinse and sanitize. Sanitizer provided on unit.
- If shelving is provided it must be easily cleanable, and non-absorbent.

**SANDWICH TRUCK:** Vehicle or pushcart selling pre packaged potentially hazardous foods and drinks. The requirements for the unit are listed below:

- All potentially hazardous and non potentially hazardous foods and drinks are pre packaged.
- Potentially hazardous foods are prepared in a licensed commissary and properly labeled. (See commissary details below)
- Unit has facilities to maintain potentially hazardous foods below 41<sup>0</sup> F.
- Unit has facilities to maintain potentially hazardous foods at 135<sup>0</sup> F or above.
- Unit is smooth, easily cleanable construction in good repair.
- Garbage can provided for customers to discard trash when they stop.

**KITCHEN ON WHEELS:** Vehicle or trailer that is selling approved open food products. The requirements for the unit are listed below:

- Is an enclosed room with walls, floors and ceilings that are smooth, easily cleanable, and non-absorbent.
- Doors are tight fitting.

- Windows that can be opened have minimum sixteen mesh per inch screening wire to protect from insects and rodents.
- A three compartment sink with hot and cold running water available to all three compartments. All three compartments are large enough to immerse largest piece of equipment for washing, rinsing and sanitizing.
- Separate hand washing sink with hot and cold running water by mixer faucet and properly plumbed to waste water tank.
- Unit has a minimum ten gallon water heater or an instantaneous (on-demand) water heater.
- If you have a ten gallon water heater then the unit should have minimum fifteen gallon fresh water tank. If you have an instantaneous water heater then the unit should have a minimum twenty-five gallon fresh water tank.
- Unit has minimum thirty-gallon wastewater holding tank. In all cases the wastewater tank must be fifteen percent larger than the total volume of fresh water (hot and cold together).

Fresh water tank	Waste Water Tank	Equation for any size fresh water tank
25 gallons	30 gallons	$.15 \times \text{fresh water tank size} = \text{additional amount}$ $\text{additional amount} + \text{fresh water tank size} = \text{waste tank size}$ <b>FOR EXAMPLE FOR A 36 gallon fresh water tank</b> $.15 \times 36 = 5.4$ $5.4 + 36 = 41.40 \text{ gallons waste tank}$
30 gallons	34.5 gallons	
35 gallons	40.25 gallons	
40 gallons	46 gallons	
45 gallons	51.75 gallons	

- Facilities are provided to maintain hot holding temperatures of 135°F.
- Facilities are provided to maintain cold holding at 41°F or below.
- Facilities are provided to reheat potentially hazardous foods to 165°F.
- All equipment is smooth, easily cleanable, and non-absorbent.
- Unit is constructed of corrosion resistant durable materials
- Liquid waste servicing connection is of different size than water connection.
- Liquid waste servicing connection is lower than water inlet.
- Potable water inlet is equipped with a transition connection of size and type that will prevent its use for any other service.
- Solid waste storage facilities provided.
- Adequate counter and/or worktables are provided.
- Equipment is clean and in good repair.
- Single Service items are used and stored properly.
- Ice is stored in proper facility and handled properly.
- Operates from an approved Commissary. (See commissary details below)

**HOT DOG OR SAUSAGE PUSH CART:** Pushcart that has hot dog or sausage, non-potentially hazardous foods and assorted condiments. The requirements for the unit are listed below:

- Operates from approved Commissary. (See commissary details below)
- Unit has a waterproof roof over the food and drink area.
- Unit has a two compartment sink with hot and cold running water by mixer faucet.
- Unit has sufficient fresh water for daily operation.
- Unit has wastewater-holding tank that is fifteen percent larger than water holding tank.
- Unit is smooth, easily cleanable, non-absorbent construction.

**CORN ROASTER:** These units are considered as pushcarts and must have the following requirements: Unit has a waterproof roof over the food and drink area.

- Operates from approved Commissary. (See commissary details below)
- Unit has a two-compartment sink with hot and cold running water by mixer faucet. (Note cold water holding tank and pipes need to be insulated to provide cool water when corn burner is operable.
- Unit has sufficient fresh water for daily operation.
- Unit has wastewater-holding tank that is fifteen percent larger than water holding tank.
- Unit is smooth, easily cleanable, non-absorbent construction.

**COMMISSARY REQUIREMENT:** Pushcarts that distribute hot dogs or sausage, sandwich trucks and kitchen on wheels units must operate from an approved commissary. This commissary is a licensed food establishment that fully meets the Texas Food Establishment Rules, and has a current license. The unit must be returned to that commissary daily for replenishing of supplies, and servicing the mobile vending unit.

The Commissary that services the Kitchen of Wheels must have the following facilities at their location in addition to the licensed kitchen:

- Commissary has overhead protection for supplying, cleaning and servicing the mobile unit.
- Commissary has areas for flushing and cleaning liquid waste storage facility on mobile unit that is separate from water servicing area.
- Surface of servicing area is constructed of smooth, non-absorbent material.
- The Commissary has a time/date device to record when a mobile vending unit is serviced.

These are the approved commissaries in San Antonio that can issue Notarized Commissary Letters that will be honored by Metro Health. Those facilities are listed:

**B & S Mobile Catering and Vending Supplies**  
2805 Commercial Ave  
San Antonio, TX 78221  
(210) 924-5323

**Pinky's Shaved Ice**  
1301 E. Elmira St.  
San Antonio, TX 78212  
(210) 550-3838

**North East Commissary**  
12735 Nacogdoches Rd.  
San Antonio, TX 78217  
(210) 310-6862

**Myrna's Catering**  
161 Ward Ave.  
San Antonio, TX 78223  
(210) 534-4140

**TBS Foods**  
1910 Arvie  
San Antonio, TX 78253  
(210) 767-2222

Should you want to set up your own commissary, please contact the Duty Supervisor number listed below for more information.

To obtain a mobile vending license the vendor must take the unit to the Development and Business Services Center at 1901 S. Alamo. Approach the Health Counter and tell them you want to purchase a mobile vending license. A Sanitarian will inspect your unit and tell you what you need if the unit does not meet standards. If a Commissary letter is required, that completed document should be brought to the DBSC when you are ready for inspection. You will also be asked to produce your Driver's License and Background Check Letter.

When approved, you will pay for your license, and receive a receipt that you may use to operate your unit while you are waiting for the computer-generated license to be mailed to you. A sticker will be placed on your unit noting the date when your license expires. Your mobile vending sticker will be located:

- a. Inside the vehicle at the top of the passenger side windshield
- b. On an open or flat bed trailer above the license plate or brake light
- c. Next to the serving window of an enclosed trailer.
- d. At the top right hand corner of a pushcart, bicycle or tricycle
- e. On the two-compartment sink on a Corn Roasting Unit

With this license you may move through the public streets of San Antonio or Bexar County and distribute the foods that your license allows. If you want to operate in any of the incorporated Cities in Bexar County, you need to check with the authorities in those cities to see what they require. Listed below are parking and other restrictions on your unit within the City Limits of San Antonio:

- All persons vending in the unit if you operate on public right of way or use public right of way to move your mobile vending unit to a vending site **MUST** have their Background Check letters with them at all times while vending. The Background Check letter must be renewed every two years.

- You may only vend in residential areas from 7:00 AM to one half hour after sunset. In the months of June, July and August, you may vend in residential areas from 7:00 AM to 10:00 PM.
- When stopped to vend on City streets, you must vend from the rear or curbside of the vehicle. You must have flashing lights on while stopped to vend, and your music **MUST** be turned off.
- Parking a mobile vending unit on private property is permitted if you have written, notarized, permission from the owner and toilet facilities are available and convenient. The property must be commercially zoned and **you must move the unit daily.**
- When you are parked on a commercial property you may not vend within 300 feet of any licensed food establishment, in any direction, unless you have written, notarized, permission to do so from all food license holders. Failure to receive permission from any food license holder will deny you permission to vend from that location, even if you have the location owner's permission.
- You may not vend from the mobile vending unit within 300 feet of an elementary, middle or high school grounds from one (1) hour before school starts, during the time school is in session, and not vend until one (1) hour after school is out.
- All food vending from a mobile food vending unit must be done **ON THE VEHICLE**. It is not permitted to remove food items from the vehicle to sell from a table under a free standing canopy. Mobile food vendors that sell whole, uncut produce are exempt from this rule.
- Parking your mobile vending unit is prohibited within 50 feet of an intersection.
- Pushcarts may not be operated in the street. Mobile vending units may not be operated in the "Downtown Business District" unless you have a special permit issued by the Downtown Operations Department. Their phone number is 207-3677.
- If you were required to have a commissary, you are to return the unit to that location every day you operate for servicing and cleaning.

**RENEWING LICENSE:** Pushcarts selling potentially hazardous foods, sandwich trucks and Kitchen on Wheel units must have a new commissary letter prepared and notarized prior to coming to be licensed. These units will need to bring the unit, fully functional with their commissary letter complete, and a valid drivers license to the Business and Development Services Center at 1901 S. Alamo to renew your license. You will be inspected and if the unit meets all the standards your new receipt will be issued. Within a month, your computer generated license should arrive. If you do not receive this license, call (210) 207-8853 to inquire about the renewal.

Should you have any questions, we will be glad to answer them. Call (210) 207-0135. If you get the Audex system please leave your name and phone number and the Duty Supervisor will return your call as soon as possible.



Due to the revised Food and Food Handler ordinance 2008-05-15-0402 now referencing the Texas Government Code 411.122 the Federal Bureau of Investigations has granted an ORI of TX923484Z to be assigned for the processing of fingerprints regarding the mobile food vendors. This means that the applicants for a mobile food vending permit will not longer have to be inconvenienced with bringing in separate money orders (\$15.00 for DPS and \$18.00 FBI) for the state and national background checks.

Mobile food Vending applicants may now bring cash. The money will be deposited to pay for a later billing invoice that will be sent to SAPD from the Texas Department of Public Safety regarding the state and national background checks. The fees for a local, state and national background check will now total \$59.25. Upon paying for their background checks they will receive a receipt similar to the following:

SAPD  
RECORD BUREAU  
YOU'RE RECEIPT  
THANK YOU  
HAVE A NICE DAY  
8-13-2008 11:11AM  
DPS/FBI 34.25  
CLEARANCE LETTER  
25.00

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TOTAL 59.25