

# SOUTHWEST UTAH PUBLIC HEALTH DEPARTMENT

## MOBILE FOOD SERVICE REGULATIONS

- Chapter 1    **PURPOSE**  
The purpose of this regulation is to safeguard public health and provide to consumers food that is safe, unadulterated and honestly presented.
- Chapter 2    **AUTHORITY**  
Authority for the Southwest Utah Public Health Department to Regulate Mobile Food Service is derived from Statute Code Section 26A-1. Any failure to comply with these regulations shall be subject to Section 26A-1-123.
- Chapter 3    **APPEALS**  
Appeals to rulings by Southwest Utah Public Health Department Health Director may be submitted to the Southwest Utah Board of Health. Findings by the Board may include ordering a public hearing to determine the validity for appeal. Further appeals may be made as defined in 26A-1-121©) et seq.
- Chapter 4    **DEFINITIONS**
- A. **COMMISSARY** means a catering establishment, restaurant or any other place in which food, containers or supplies are kept, handled, prepared, packaged or stored including any service center or base of operations directly from which mobile food units are supplied or serviced.
- B. **DEPARTMENT** means the Southwest Utah Public Health Department.
- C. **DIRECTOR** means the Director of the Southwest Utah Public Health Department or his designated representative.
- D. **EQUIPMENT** means stoves, ovens, ranges, hoods, slicers, mixers, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables and similar items other than utensils used in the operation of a food service establishment.
- E. **MOBILE FOOD UNIT** means a vehicle-mounted food service establishment designed to be readily moveable.
- F. **POTENTIALLY HAZARDOUS FOOD** means any food that consist in whole or part of milk or milk product, eggs, meat, poultry, fish, shellfish, edible crustacea, whipped butter or whipped margarine or other ingredients including synthetic ingredients in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include foods which have pH level of 4.6 or below or a water activity (wa) value of 0.85 or less.
- G. **SOLID WASTES** means any discarded organic matter, garbage, trash and other waste materials resulting from the operation of a food service establishment.
- H. **UTENSIL** means any implement used in the storage, preparation, transportation or service of food.
- I. **VEHICLE** means any van, truck, trailer, cab, bus, cycle, automobile, push cart, wagon or any means of conveying food.
- J. **WASTEWATER** means sewage or water-carried wastes and shall include, but is not limited to, the discharges from all plumbing fixtures and facilities.
- Chapter 5    **MOBILE FOOD SERVICE UNIT REQUIREMENTS**

Given below are requirements of the Southwest Utah Public Health Department for the operation and maintenance of mobile food service vehicles. All requirements must be met before legal operation of the business can begin. State Rule 392-100: Food Service Sanitation Rule, should be referred to for specific or more detailed wording of the requirements.

These requirements do not apply to the sale of commercially pre-packaged foods.

## Chapter 5-1 DEPARTMENT REVIEW, APPROVAL, PERMITS AND LICENSING

A. Every mobile food unit must operate in conjunction with a commissary that has been approved by the Department unless it is completely self-contained with all needed storage, refrigeration and clean-up facilities aboard (including a three-compartment sink and a hand washing sink). The commissary may be an independent facility or another approved food establishment, such as a restaurant. Prior to construction of a commissary or vehicle, the owner or operator must submit plans and specifications to the Department. These must detail how the commissary and mobile food unit will be designed. Existing commissary space must also meet requirements. See Chapter 5.2 for specifics.

B. Each mobile food unit operation must have a business license from the municipality or county in which the mobile food unit is conducting business. **Applying for or possessing a business license is NOT authority to operate.**

C. Each mobile food unit operation must obtain a permit to operate from the Department. The permit is valid for one year. A mobile food unit shall not operate without such permit. To obtain the permit, the following conditions must be met:

1. An application must be completed and submitted to the Department.
2. The appropriate annual fee as established by the Southwest Utah Board of Health must be paid.
3. All new operations must receive and pass a pre-opening inspection. The pre-opening inspection will not be scheduled unless application has been made and the fee paid.

Upon approval, the applicant will receive by mail a Department Permit to Operate. A copy of the business license and permit must be kept on each vehicle during operation. The permit must be renewed annually.

D. Every food service establishment must have at least one manager certified in food safety. Before a pre-opening inspection will be scheduled, each mobile food service business must submit documentation of such certification or proof of registration to an approved course to receive certification. Food service establishments must submit a copy of the certification of individuals identified as the food service manager. The Department shall identify approved certification courses.

E. Each employee working with food on a vehicle or a commissary must have a current Utah Food Handler's permit. Food handler permits can be obtained through the Department.

F. The business operator must demonstrate adequate knowledge of food safety and sanitation practices in order to receive a Permit to Operate. If spoken or written English presents a communication problem, please feel free to bring a translator to any Health Department meetings or inspections.

G. A mobile food service unit shall not conduct business until all permits and approvals have been received.

H. A mobile food service unit shall not be permanently located. Mobile units do not meet Department

or Utah State Plumbing Code requirements for permanent facilities. If the mobile unit is not self contained, it may not operate in the same location for more than 24 consecutive hours without returning to the commissary for service unless it is operated in conjunction with a specific special event. When operating in conjunction with a special even, the time period shall not exceed the time period of that event. Local municipalities and counties may have additional laws on length of stay at food sales stops on public and private property.

## Chapter 5.2 COMMISSARY REQUIREMENTS

- A. Mobile food vehicles must operate from an approved commissary, unless the unit is completely self-contained with all needed storage, refrigeration and clean-up facilities aboard (including a three-compartment sink and a hand washing sink). The attached “Commissary Authorization” page must be submitted to the Department before a permit will be issued.
- B. The commissary must have sufficient waste storage containers that will adequately handle the amount of trash generated. The containers must be stored on hard, cleanable surfaces and must be cleaned at a frequency sufficient to avoid the attraction of insects and to prevent odors. Wastewater must be discharged to a Department approved wastewater disposal system.
- C. The commissary must have toilet rooms that are convenient and accessible during commissary operation. The toilet rooms must be adequate in number to comply with law. They must be easily cleanable, have self-closing, tight-fitting doors, forced air ventilation, a hand washing sink and a covered trash can.
- D. The commissary must have hand washing facilities in the food preparation and ware washing area (if separate). The hand washing facilities must have hot and cold water provided through a mixing valve, must be convenient and accessible at all times and have soap and sanitary towels or a hand-drying device. Hand washing sinks are not approved for any other uses.
- E. Floors of the commissary must be smooth, cleanable, durable and non-absorbent and made with tight-fitting floor and wall junctures. Walls and ceilings must be smooth, cleanable, light colored, non-absorbent and non-porous with no holes or voids (vermin-proof).
- F. Lighting must be a minimum of 20-foot candles (“bright”) in the ware washing areas, restrooms and utensil rooms. In addition, 50-foot candles are required on working surface for the preparation of potentially hazardous foods. There must be a minimum of 10-foot candles in the dry storage area, the walk-in refrigerators and in other areas. The lights must be shatterproof or shielded in the food service, storage and display areas.
- G. The commissary must be kept in a clean and sanitary condition. It must have storage for cleaning materials, a utility or curbed-type mop sink (or other approved location for wastewater dumping) and anti-syphon devices on all threaded hose bibs. Toxic substances must be stored separately and below food and equipment. All toxic substances must be prominently labeled.
- H. There must be no direct connection made between any sewer and drains originating from equipment in which food, portable equipment or utensils are placed.
- I. Storage facilities must be provided to keep food at lease six inches off the floor or ground. All food items must be obtained from an approved source. No homemade item may be sold to the public. No food may be stored in a home or residence.
- J. Approved equipment and utensil washing facilities must be provided. There must be a Department-approved and properly installed dishwashing machine and/or a three-compartment

sink with two drainboards, a grease trap (if required by local Sewer District) that is accessible for cleaning, a storage area for clean dishes and utensils and an approved sanitizer and a compatible test kit.

- K. If a mobile food vehicle is functional as a self-contained unit with all needed storage, refrigeration and clean-up facilities aboard (including a three-compartment sink and a hand washing sink) it will not need to operate in conjunction with a commissary. However, the following requirements must also be met:
1. Approved site to dispose of garbage.
  2. Site to fill potable water tanks.
  3. Approved location for wastewater dumping.
  4. Approved site for overnight parking.
  5. Food items and food preparations can only be stored in the vehicle, at least six inches off the floor. No food may be stored in a home or residence.

### Chapter 5.3 VEHICLE REQUIREMENTS

Please be aware that vehicles constructed and approved in other states or health districts will not necessarily meet the standards required for operation in the Southwest Utah Public Health Department's jurisdiction.

- A. Each vehicle must be constructed of material that is smooth, cleanable, durable, non-abrasive, non-absorbent and non-porous. All food contact surfaces must be smooth, durable and of easily cleanable, non-toxic construction. Sliding panels or screens must be installed on all food pass-through windows.
- B. Each vehicle must be provided with a hand washing sink. The sink must have hot and cold water provided through a mixing valve, be convenient and accessible at all times and must have hand cleanser and sanitary towels.
- C. If food items are cooked, prepared or assembled on the vehicle, such as hamburgers, or tacos, the vehicle must have a three-compartment sink, in addition to the hand washing sink. Sanitizer and test strips must be present. The sinks must have hot and cold water provided through a mixing valve and be convenient and accessible at all times. Trucks which function for hot/cold holding and delivery of food, with no preparation on-board, do not need to have sinks on the vehicle. All commissary requirements still apply.
- D. If potentially hazardous foods are served, a cold holding unit as a fixed part of the cart must be provided and used. The unit must be of adequate size and design to hold all potentially hazardous foods at 40 deg. F. or lower. The unit must be easily cleanable with non-toxic interiors. Each unit must be equipped with a thermometer.
- E. Facilities must be provided for food that is to be served hot. This includes equipment that is adequately sized to hold all hot food and must be designed to hold food at a temperature of 140 deg. F. or higher. The equipment must be easily cleanable and of non-toxic material. A probe-type thermometer must be available and used to measure the temperature of the food.
- F. A toilet room is not required on mobile food service units. A toilet room must be provided within 500 feet of the vehicle when parked and must be available to the operator. As a part of plan approval, the owner or operator must indicate the toilet facility that will be used. If it is one that is not available or provided for the general public, the owner or operator must provide the Department written permission for use.
- G. Each vehicle must have a waste container to handle the trash generated by its operation. The

- container must have a tight-fitting lid, must be cleaned at intervals that prevent insect attraction and odors and must utilize plastic liner. Trash collected in the container shall not be emptied into containers owned by another business or provided for pedestrian use. The operator of the vehicle is responsible for the cleanup of all litter that occurs as a result of daily operation.
- H. Each vehicle must provide for disposal of liquid waste in a tank that is a physical part of the cart and is 15% larger than the tank for potable water. The wastewater must be emptied at the commissary into an approved sewer system or in another system approved by the Department. Wastewater shall not be discharged on the ground or in a gutter at the vending site. Hoses used to fill water tanks must be of food-grade quality.
  - I. After each operational day of service, at the end of each special event, or more frequently if needed, the vehicle must return to the commissary and must be thoroughly cleaned and serviced. All work surfaces must be washed, rinsed and sanitized at least daily. Storage of vehicles must meet local zoning ordinances.
  - J. All single-service items (plastic utensils, cups, plate, etc.) must be protected from contamination by the elements and the public.
  - K. The business name must be posted on both sides and back of the vehicle, visible from a distance of 50 feet.

