

Summit County Temporary Regulation for the Permitting of Food Trucks and Mobile Vendors

***Adopted by the Summit County Board of Health on May 12, 2017. This regulation is effective for 120 days from adoption date.*

For questions, please contact Summit County Environmental Health (435) 333-1511 or summitenviro@summitcounty.org

Definitions:

(1) *“Primary Permit”* - The Health Permit described in Section 55-104 (1) of the Enrolled Copy of S.B. 250.

(2) *“Secondary Permit”* - The Health Permit described in Section 55-104 (2)(a) of the Enrolled Copy of S.B. 250.

(3) *“Commissary”* - A food service establishment permitted by a Local Health Department (LHD) from which a food truck operator may perform operations including:

- (a) Food preparation;
- (b) Hot and cold holding of TCS foods;
- (c) Disposal of solid and liquid wastes;
- (d) Refilling of water tank(s) with potable water; and
- (e) Utilizing electrical power sources.

(4) *“TCS”* - Time/Temperature Control for Safety Food (formerly known as “potentially hazardous food” (PHF)).

Consensus was reached on the following food truck requirements:

1. A primary food truck permit will be issued based on a two-tiered risk based assessment
 - a. *Tier One* – Two or fewer low-risk TCS ingredients
 - b. *Tier Two* – More than two TCS ingredients
2. Each LHD will indicate the following items in writing on the issued permit:
 - a. The name of the issuing LHD
 - b. The name of the permittee as provided on the application
 - c. Tier designation (printed on primary permit)
 - d. Whether the permit is “primary” or “secondary”
 - e. The license plate of the associated food truck
 - f. Expiration date
 - i. Date on secondary permit must be the same as primary permit
3. Any LHD issuing a secondary food truck permit will accept and agree with the risk assessment and tier designation determined by the LHD that issued the primary permit.

4. All food trucks must have a commissary, but the LHD may use discretionary judgement to make exceptions when appropriate.
5. Only the LHD issuing the primary permit will conduct a plan review.
6. This committee has established standardized food truck permit criteria and requirements, which all LHDs will use. (See attachment)
7. All Local Health Departments will charge the same permit fee which will be:
 - a. Primary Permit
 - i. Tier One (Lower Risk) - \$200
 - ii. Tier Two (Higher Risk) - \$350
 - b. Secondary Permit - \$100
 - i. Flat fee regardless of tier designation on the primary permit
 - ii. Flat fee - There will be no prorating of the permit fee for number of months left on the primary permit. (eg. If the primary permit expires in one month, the secondary permit expires in one month and the fee is same, regardless).
8. There will be a fee assessed for a plan review conducted by the LHD issuing the *primary* permit that is separate from the permit fee, and each LHD may establish this fee, individually, in an amount that reimburses the LHD for time and administrative costs.
9. If a food truck's primary permit is suspended for any reason, all other permits issued by other LHDs will be rendered invalid until the suspended permit is reinstated.
 - a. LHDs agree to communicate with each other when any enforcement actions are taken on a food truck permit.
 - b. The food truck operator will need to pay a follow-up inspection fee of \$100 to reinstate a suspended permit.
10. When only offering food at a private event on private property, a food truck operator can legally operate in another health district, acting temporarily as a "caterer," without obtaining a secondary food truck permit.