

Mobile Food Vendor Summary

Definition

Mobile food unit has the same meaning as assigned to that term by rules adopted by the state board of health under the Texas Food, Drug and Cosmetic Act, V.T.C.A., Health and Safety Code ch. 431.

Permitting Requirements

Mobile food vendors are required to have a valid Mobile Food Vendor permit issued by Montgomery County. Implicit in the City-issued permit is that the vendor comply with all county regulations. Vendors may apply for a 1-month permit for \$20 or a 6-month permit for \$50.

Operating Regulations

Sec. 64-33. - Special requirements for mobile food units and roadside food vendors.

- (a) In addition to the requirements of section 64-31, each applicant for a permit to operate a mobile food unit, including a mobile unit for the sale of frozen desserts, or to engage in roadside food vending, shall provide a copy of a current food service permit issued by the county health department.
- (b) Each applicant for a permit to operate a mobile food unit shall, in addition to any other requirements, provide proof of financial responsibility as required by the Texas Motor Vehicle Safety Responsibility Act, V.T.C.A., Transportation Code § 601.051 et seq. for each person who shall drive or operate the mobile food unit.
- (c) Each permit for operation of a mobile food unit or to engage in roadside food vending shall be conditioned upon continuous compliance with all federal, state and local laws or rules adopted under such laws relating to food service, and the permittee shall at all times prominently display a current food service permit issued by the county health department.
- (d) Each permit for operation of a mobile food unit shall be conditioned upon continuous compliance with the following:
 - 1. Each driver or operator of a mobile food unit shall maintain financial responsibility as required by the Texas Motor Vehicle Safety Responsibility Act, V.T.C.A., Transportation Code ch. 601;
 - 2. No sales shall be made on any street or roadway where posted speed limits are in excess of 30 miles per hour;
 - 3. No mobile food unit shall be parked within 50 feet of any street corner or crosswalk;
 - 4. No person shall sell or solicit sales of merchandise from a mobile food unit within 1,000 feet of any public or private school between the hours of 9:00 a.m. and 5:00 p.m.;
 - 5. No person shall sell or solicit sales of merchandise from a mobile food unit except between the hours of 9:00 a.m. and 9:00 p.m. unless operating under a street festival permit in accordance with section 64-6; and
 - 6. The permit issued pursuant to this article shall at all times be conspicuously posted upon the mobile food unit.