

# Mobile Retail Food Vendor License Guidance

The following guidance is offered to provide insight into management of the Mobile Retail Food Vendor License.

A mobile food vendor is any person who operates in the Town selling or taking orders for or offering to sell or take orders for food from or upon the public right-of-way, or to a person on the public right-of-way.

A mobile food vendor apparatus is a cart, food truck, wagon, mobile stand, motor vehicle or other vehicle, or other appurtenances used to conduct mobile food vendor operations.

## Definitions

**Cart:** A mobile retail food establishment that is a non-motorized unit designed so food is served from the exterior of the unit. A cart is intended to physically report to and operate from a commissary for servicing, restocking and maintenance each operating day.

**Commissary:** A facility that is approved by the executive director of CDPHE as a base of operation for a temporary retail food establishment, cart, mobile food establishment, catering operation or other food operation where food, containers, or supplies are kept, handled, prepared, packaged, or stored and is constructed and operated in compliance with the rules and regulations.

**Mobile Retail Food Establishment:** A retail food establishment that is a wheeled vehicle (such as a mobile truck or mobile trailer) that is readily moveable and designed for the service of food from the interior of the unit and that is intended to physically report to and operate from a commissary for servicing, restocking, and maintenance each operating day. Per guidance, food trucks cannot park within 10 feet of another food truck or a structure.

Mobile Truck	Mobile Trailer	Push Cart
		

## Required Documentation:

- ❖ Approval by Colorado Health Department
- ❖ Town of Ault Sales Tax License

- ❖ Lawful Presence Affidavit
- ❖ Trade Name Registration and Certificate of Good Standing with Colorado Secretary of State, if applicable.
- ❖ Copy of Health Inspection

### Fees and Payment:

- ❖ Annual license fee for the first unit: \$25
- ❖ Annual license fee for each additional unit: \$25
- ❖ Late renewal fee: \$25
- ❖ Duplicate license fee: \$5

### Where Can I Park My Truck or Cart?

	<b>On the Street</b>	<b>On Private Property</b>	<b>As a part of a larger public event</b>	<b>In a public park</b>
<b>Allowed</b>	Yes, following rules not to disrupt flow of traffic			All parks except Caboose Park: Yes, unless where permanent concession stand is in operation
<b>Permission Required</b>		Allowed with written documentation of property owner	Yes, with approval of event organizer	Caboose Park: Board of Trustee Approval must be granted and certificate updated to reflect permission

### Location Restrictions

- ❖ Caboose Park: The Board of Trustees must give express approval of use of the Caboose Park, and said approval must be included on the License Certificate and present with the mobile unit.
- ❖ Private Property: Written approval by the property owner must be present with the mobile unit when occupying said private property.

### Rules and Regulations

- ❖ Cannot sell to any person who is standing in the street.
- ❖ Cannot place anything — including chairs, tables and signs — on a public sidewalk or in the street
- ❖ Not within 20 feet of an intersection when making a sale or attempting to make a sale.

- ❖ When two or more trucks are operating in the same proximity, trucks must be at least 10 feet apart from one another.
- ❖ Operation in parks with permanent concession facilities is prohibited when concessions are in operation; the separation and zoning requirement doesn't apply during special events.
- ❖ Licenses must be kept with the mobile retail food establishment or pushcart and presented to Town officials upon request.
- ❖ Operations are responsible for maintaining trash receptacles and shall maintain all areas used for food vending in a safe, clean, and attractive condition.
- ❖ Mobile retail food establishments and pushcarts must be removed from any site at the end of each business day (unless otherwise approved).
- ❖ The operator must obey all parking and traffic laws.
- ❖ Mobile retail food establishments and pushcarts must not obstruct pedestrian or bicycle access/passage and must not obstruct parking lot circulation or impede traffic flow.
- ❖ Structures, canopies, tables, or chairs are not permitted to be set up around the mobile retail food establishment or pushcart.
- ❖ Operators must dispose of all waste in accordance with Weld County Health Department regulations

**Online application:** <https://myaaultgov.org/licenses/mobile-retail-food/application>

**Last Updated:** December 29, 2021 by Matthew Prythero, Licensing & Permitting Clerk, Town of Ault