



CITY OF OBERLIN

MOBILE FOOD VENDOR PERMIT APPLICATION AND INFORMATION PACKET

The City of Oberlin has established regulations for the operation of Mobile Food Establishments within the City to ensure the protection of the health, safety, and welfare of the public by requiring permits for the operation of mobile food establishments and establishing minimum requirements related to the location, hours of operation, sanitation, etc. of such establishments (Section 797 of the Oberlin Codified Ordinances).

Any person or business entity who wishes to operate a Mobile Food Establishment in the City of Oberlin is required to obtain a Mobile Food Vendor Permit from the City Manager.

Please read all of the information packet and instructions. If you have general questions regarding permit requirements and/or application procedures, you may contact the Oberlin Planning & Development Department at (440) 775-7182 or email questions to SpecialEvents@cityofoberlin.com.

For questions specifically related to the Fire Department Inspection requirement, please contact the Oberlin Fire Department at (440) 774-3211.

DEFINITIONS

- The **City Manager** shall mean the City Manager of the City of Oberlin or a person with the authority to execute the duties of the City Manager. The City Manager, may in his or her discretion, delegate to another the administrative duties set forth in Chapter 797.
- **Mobile Food Establishment** shall mean a business operation that provides food for human consumption from a vehicle.
- **Mobile Food Vendor** shall mean a person or business entity who operates a Food Establishment that is incorporated in or propelled by a vehicle. A Mobile Food Vendor does not include “Meals on Wheels,” ice cream trucks or the home delivery of food.
- **Private Event** shall mean a social gathering on private property.
- **Special Event** shall mean any outdoor activity or series of outdoor activities open to the public occurring at a predetermined time and place; conducted on public property or on non-residential private property for which a Special Event Permit is required. A Special Event includes but is not limited to:
 - 1) Any activity involving entertainment and/or amplified sound, food, beverage, merchandise sales or any activity promoted as a festival, sports event, trade show, craft show, public dance, concert or performance;
 - 2) Any activity that may substantially increase or disrupt the normal flow of traffic on any street or highway;
 - 3) Any activity which involves the use of public facilities; or
 - 4) Any activity which involves the use of City services that would not be necessary in the absence of such an event.

APPLICATION PROCEDURES

1. Mobile Food Vendors must provide general Vendor information and information regarding the Special Event or Private Event the Vendor intends to work on the Application provided in this packet.
2. Obtain an inspection for your LP-tank and system by a licensed LP-gas company. An inspection sticker/receipt/letter is valid for 12 months and is required to obtain the Fire Department inspection.
3. Call (440) 774-3211 to schedule a Fire Safety Inspection of the Mobile Food Establishment or opt to undergo the inspection on the day of the event to be worked. It is recommended, however, that inspections be completed well in advance of the event to be worked to allow for any corrections to be made. Inspections must be successfully completed prior to a permit being issued (see "Fire Department Safety Inspection" section for more information).
4. Obtain any necessary inspections from the Lorain County General Health District or other Ohio county health department under the jurisdiction of the Ohio Department of Health and attach certification to the Mobile Food Vendor Application.
5. Provide proof of General Liability Insurance Coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in the aggregate, in a form acceptable to the City of Oberlin, and attach the certification to the Mobile Food Vendor Application. The Certificate of Insurance shall list "City of Oberlin, 85 South Main Street, Oberlin Ohio 44074" as the Certificate Holder and shall name the City of Oberlin, its appointed and elected officials, in their individual and official capacities, employees, volunteers, principals, agents, officers, directors, predecessors, successors and assigns as additional insureds.
6. If working a Private Event, create a site plan of the property where the party will be held and indicate the proposed location of the Mobile Food Establishment. Attach the site plan to the Mobile Food Vendor Application. *A site plan is not necessary for Mobile Food Vendors working Special Events.*
7. Deliver or mail your completed application and required documents to the Oberlin Planning & Development Department (69 S. Main St.) with the applicable fee (see "Fees" section for more information).
8. **Mobile Food Vendor Permits must be displayed in the vehicle on the day of the event.**

FIRE DEPARTMENT SAFETY INSPECTION

A Fire Department Safety Inspection is required to be performed on all Mobile Food Establishments that wish to operate in the City of Oberlin. The Oberlin Fire Department will issue a Fire Code Permit that is valid for one (1) year from the date of the inspection. Successful Fire Code inspections will be kept on file until their expiration, thus it is not required to attach the Fire Code Permit to additional Mobile Food Vendor applications submitted during the same calendar year if the inspection is still valid.

The Fire Code Permit is issued after an inspection of the Mobile Food Establishment, *providing* the unit passes the inspection. An inspection sticker, receipt or letter certifying that your LP-gas appliances have been inspected by a licensed LP-gas company within the last 12 months is required at the time of inspection. **No permit will be issued if the LP-Gas system has not been inspected within the last 12 months.**

The Fire Safety Inspection may be completed onsite on the day of the event or prior to the event. To schedule the Fire Safety Inspection, please contact the Oberlin Fire Department at (440) 774-3211. If the inspection is scheduled prior to the event, the inspection will be conducted at the Fire Department (430 S. Main Street – Oberlin, OH) or at a location within the City of Oberlin that is agreed upon by both the Vendor and Fire Department staff.

There is no fee for the Fire Department Safety Inspection or Fire Code Permit and it only needs to be completed once per year. It is highly suggested to have the Mobile Food Establishment inspected well in advance of any events to be worked to allow ample time to make any necessary corrections.

FIRE CODE REQUIREMENTS

All Mobile Food Vendors must comply with the following Fire Code Requirements:

- Mobile Food Vendors are required to have at least one (1) ABC type extinguisher with a minimum rating of 4A:40B:C.
 - The extinguisher must have a visible current inspection tag
 - The extinguisher must be fully charged
 - The extinguisher must be located within 30 feet of the cooking equipment
- If the cooking operation produces grease-laden vapors (i.e. grills, fryers, etc.) Vendors are required to have the following:
 - In addition to the portable extinguisher listed above, a Class K portable extinguisher is required
 - The extinguisher must have a visible current inspection tag
 - The extinguisher must be fully charged
 - The extinguisher must be located within 30 feet of the cooking equipment
- Commercial kitchen exhaust hood and duct system
- Deep-fat fryers must have a 16 inch space or 8 inch baffle plate between the fryer and surface flames
- Hoods, grease-removal devices, fans, and ducts must be cleaned at the intervals required

Compressed Gas Requirements:

- An approved inspection sticker, receipt or letter, indicating that a licensed LP-gas company has inspected the equipment within the last 12 months must be presented. **Note: This inspection is performed by a qualified propane company; not by the Fire Department.**
- LP-gas containers shall be limited to 100-lb gas capacity. Two 100-lb containers may be manifolded when equipment is approved in advance.
- LP/propane cylinders must be properly nested or secured in an upright position in such a manner as to not fall over
- Minimum of a 10-foot clearance from any trash or combustible material
- Containers must not be stored in passenger area of vehicle
- “No Smoking” signs must be visible near propane cylinders

Egress and Emergency Access Requirements:

- The placement of the concession operation must not interfere with fire lanes, fire hydrants or exit access of any proximate structures.

FIRE SAFETY INSPECTION FREQUENTLY ASKED QUESTIONS

1. **Why am I required to have a Class K extinguisher?**

Cooking operations that involve deep-fat frying or similar processes can lead to fires that cannot be controlled with Dry Chemical type ABC extinguishers. Class K extinguishers emit a Low PH Wet Chemical Agent in a fine mist that helps prevent grease splash and the fire from re-igniting while cooling the appliance. Some advantages are:

- Precise extinguishing agent application
- Excellent for use on all cooking appliances
- Less corrosive and cleaner than Dry Chemical powders

2. **What size Class K extinguisher do I need?**

A 1.5 gallon (6 liter) Class K extinguisher is sufficient for up to 4 fryers, with a maximum capacity of 80lbs each. Larger deep-fat frying operations may require an automatic hood suppression system.

3. **What is the best way to secure and transport LPG cylinders in a vehicle or trailer?**

All LPG cylinders should be secured during transport and must be isolated from the interior or passenger areas. LPG Cylinders must also be kept away from open flames and other heat sources, such as generators. ASME cylinders are generally permanently mounted around the exterior and all appliances are piped outside of the passenger / work area to the

cylinder. Portable cylinders must also be isolated from the passenger / work area. They can be securely mounted on the outside or placed in a gastight compartment that prevents vapors from entering the passenger/work area. LPG Cylinders should never be transported or installed inside a vehicle passenger area.

4. Does the Fire Safety Inspection cover only the requirements listed above?

The list above covers some of the most common concerns with Mobile Food Establishment operations, but additional items are subject to inspection (i.e. ensuring all electrical wiring is completed in a safe manner and not exposed to the elements or public; ensuring there are sufficient exits for escape in the event of fire and they are not blocked or locked; etc.).

These examples are not all inclusive, and do not include Health Department, Building Department, Water Department, Electric Department, or other state vehicle/trailer inspection and safety regulation.

FEES

Mobile Food Vendor Permit Application Fees are as follows:

- **Single Event Application Fee:** **\$50.00 per Event**
- **Annual Permit Application Fee:** **\$125.00 per calendar year**

Those Vendors anticipating working multiple events during the year may opt to pay a one-time annual fee of \$125.00 for all events worked during the calendar year.

Permit application fees are non-refundable once submitted, regardless of whether a permit is issued or denied.

There are no application fees for Vendors owned and operated by Oberlin-based restaurants.

If mailing the Mobile Food Vendor Permit application, please send a check payable to “City of Oberlin.” If delivering the application in person, cash or check is accepted.

APPROVAL PROCESS

- Prior to the operation of the Mobile Food Establishment, the equipment utilized in its operation shall be inspected by the Oberlin Fire Department to ensure compliance with all applicable federal, state, and local fire safety statutes, regulations, ordinances, and codes. The inspection may be conducted on the first day of the operation of the Mobile Food Establishment. A re-inspection shall be required if there are subsequent material physical alterations to the vehicle used in the operation of the Mobile Food Establishment.
- If all application materials have been submitted and the equipment utilized in the operation of the Mobile Food Establishment has satisfied the requirements of the fire safety inspection, the City Manager shall issue a permit authorizing the operation of the Mobile Food Establishment as soon as is practicable, but not more than 10 days after the submission of the application materials.
- If the Application is denied, the City Manager shall state the specific reason(s) for the denial. Any applicant who has been denied a permit may, after correcting any deficiencies in the Application, resubmit the Application for approval.

GENERAL RULES AND REGULATIONS

- No Mobile Food Vendor shall operate a Mobile Food Establishment without first having been issued a permit authorizing such operation.
- No Food Establishment shall be parked on a public street overnight, or left unattended and unsecured at any time food is kept in the vehicle.
- No Mobile Food Establishment shall be operated at any location other than has been authorized under a permit issued in accordance with Chapter 797.
- The issuance of a permit does not authorize the exclusive use of a location for the operation of a Mobile Food Establishment other than during the time and at the location approved under the permit.
- No Mobile Food Vendor shall provide any dining area, tables, chairs, booths, bar stools, benches, or standup counters, unless a proposal for such seating/standup arrangements has submitted with the permit application and approved by the City Manager.
- Mobile Food Vendor shall provide customers with single service articles, such as plastic silverware and paper plates and napkins, and a waste container for their disposal. A Mobile Food Vendor shall dispose of waste in accordance with applicable regulations unless such disposal is otherwise provided by a Special Event sponsor.
- No Mobile Food Vendor shall make or cause to be made any unreasonable or excessive noise in violation of Section 509.10 of the City's Codified Ordinances.
- No Mobile Food Vendor shall employ the use of flashing or moving lights on or near a Mobile Food Establishment as part of its operation.
- The operation of a Mobile Food Establishment shall be in accordance with all applicable parking regulations for commercial vehicles.
- The City Manager may require a change of an approved location for the operation of the Mobile Food Establishment at any time if it is determined by the City Manager the approved location for the operation of a Mobile Food Establishment endangers public health, safety, or order or upon the request of the permit holder or if it necessary that use of the approved is necessary for emergency purposes or other public benefit.
- The operation of Mobile Food Vendor vehicles shall at all times be in compliance with all applicable governmental rules and regulations, including but not limited to those of the Lorain County General Health District and the State of Ohio, as well as all applicable fire safety statues, regulations, ordinances and codes.
- No person holding a permit for a Mobile Food Establishment shall sell, lend, lease or in any manner transfer a Mobile Food Vendor Permit except as provided below.
- A permit holder may transfer a permit as part of the sale of a majority of the stock in a corporation holding such permit, as part of the sale of a majority of the membership interests of a limited

liability company holding such permit, or as part of the sale of a business or substantially all of its assets; provided that there shall be no allocated or actual value for the transfer of the permit.

- Prior to any such transfer, the transferor shall notify the City Manager in writing and the transferee shall submit a Mobile Food Vendor Permit application for approval to the City Manager's Office pursuant to the process set forth in subsection 797.5.
 - Any such transfer shall be subject to the terms and conditions of the original permit.
- The provisions of Chapter 797 may be enforced by the City Manager, the Oberlin Police Department, or the Oberlin Fire Department.
- Any permit authorizing the operation of a Mobile Food Establishment may be revoked for a violation of the provisions of Chapter 797 upon written notice issued by the City Manager.
- The City Manager may suspend a permit for no more than three (3) days without prior notice, if, in the determination of the City Manager, the continued operation of the Mobile Food Establishment poses an immediate danger to the public safety, health or order. Notice of such suspension shall be issued to the permit holder as soon as is practicable. The permit holder may request a hearing before the City Manager within seventy-two (72) hours of the notice.
- Whoever violates a provision of Chapter 797 is guilty of a misdemeanor of the third degree on a first offense; for a second or subsequent offense, such person is guilty of a misdemeanor of the second degree and shall be punishable as provided in Section 501.99 of the Codified Ordinances of the City of Oberlin.
- Each day that a violation continues shall be a separate offense.