

For Health Permits within the
City of Cleburne

Contact:

Health Permit:

Teresa Richardson, Health Inspector (817)645-0958

Solicitor's Permit: (mobile vendors)

Deborah Hollida, Cleburne Police Dept. (817)645-0973

For Health Permits for selling food
outside the City of Cleburne, in Johnson
County or the surrounding smaller cities

Contact:

Shannon Lyle - (817)264-4703
Dept. of State Health Services
Arlington, Texas



HEALTH PERMIT APPLICATION

NEW: _____ RENEWAL: _____ FEE: \$ see attached DATE: _____

BUSINESS NAME: _____ PHONE: _____

BUSINESS ADDRESS: _____

MAILING ADDRESS (if different): _____

E-MAIL ADDRESS: _____

OWNER (Name, Address & Phone): _____

MANAGER (Name, Address & Phone): _____

TYPE OF ESTABLISHMENT:

Restaurant _____ Mobile Vendor _____ Concession area _____ Day Care Centers _____
School Cafeteria _____ Nursing Home _____ Bed & Breakfast _____ Seasonal (sno-cones) _____
Grocery Store (produce/dry goods) _____ Deli _____ Bakery _____ Convenience Store _____

CERTIFIED MANAGER

EXPIRATION DATE

GREASE TRAP SIZE: _____ gallons FREQUENCY OF SERVICE: _____

SERVICED BY: _____

MOBILE VENDORS: (Attach copy of Solicitors Permit from Police Department, & State Comptroller's Tax ID) (Mobile vendors may only operate 3 consecutive days at one location.)

TYPE OF VEHICLE: _____ LICENSE #: _____

LOCATION OF KITCHEN OR WAREHOUSE (If off-site): _____

SIGNATURE

DATE



City of Cleburne

Environmental Health / Code Enforcement Department
114 W. Wardville, P.O. Box 677 Cleburne, Texas 76033
Phone (817)556-8819 fax (817)645-0967

RULES FOR MOBILE VENDORS

- Mobile vendor may be a trailer, camper, or cart which contains a small kitchen setup including: refrigeration units, heating units, warming units, hot water heater, hot & cold running potable water, holding tank for sanitary sewer water, hand wash sink, and a 3 compartment sink; and must meet all requirements of the **Texas Food code rules for Mobile units. (See attached).**
- **Food may not be cooked or prepared within your home and placed on the unit!** All food must be prepared within the mobile unit on site.
- Mobile unit **cooking employee** must maintain a current Certified Food Managers Certificate for the Department of State Health Services. **Expiration of the certificate will be grounds for cancellation of the Health Permit.** Certifications may be obtained through the Department of State Health Services website www.dshs.state.tx.us
- **No outdoor cooking open - stands will be allowed on the street. All cooking must be done within the mobile unit.** (Exceptions: temporary community events such as Cinco De Mayo, Spring fest, Whistle Stop Cleburne, parades, etc)
- Mobile units may only be set in **commercially zoned** areas of Cleburne. **No residential set ups.**
- Mobile units are only allowed to operate **no more than 3 days** in the same location. They must then move to another location within the city. (Operating more than 3 days in the same location will require you to move the operation into a building and comply with all restaurant requirements.
- Must have permission of the property owner to park the unit temporarily.
- Must obtain a **Solicitor's permit** from the **Cleburne Police Dept.** (817)645-0973.
- Must obtain a **City of Cleburne Health Permit** (817)645-0958.
- Must have a **Health Inspection** of the mobile unit before permitting.

Any questions, please contact Teresa Richardson, City Health Inspector at (817)645-0958.

§229.169. Mobile Food Establishments.

(a) Mobile food establishment provisions.

(1) General. Mobile food establishments shall comply with the requirements of these rules, except as otherwise provided in this paragraph and in paragraph (2) of this subsection. The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the food establishment as a mobile operation, may prohibit the sale of some or all potentially hazardous food, and when no health hazard will result, may waive or modify requirements of this rule relating to physical facilities, except those requirements as specified in paragraphs (5) and (6) of this subsection; subsection (c)(1)(A)-(E) of this section and §229.164(k)-(o) of this title (relating to Food). The regulatory authority may require a mobile food establishment operator to demonstrate that the vehicle is readily moveable.

(2) Restricted operation. Mobile food establishments that serve only food that is prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of these sections, or beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment, need not comply with the requirements of these rules pertaining to the necessity of water and sewage systems nor to those requirements pertaining to the cleaning and sanitization of equipment and utensils if the required equipment for cleaning and sanitization exists at its central preparation facility.

(3) Single-service articles. Mobile food establishments shall provide only single service articles for use by the consumer.

(4) Existing refrigeration equipment. Existing refrigeration equipment will be upgraded to meet the 41 degree Fahrenheit requirement and countertop, under-counter and open-top refrigeration units shall be upgraded or replaced, as specified in §229.164(o)(6)(B)(ii) of this title.

(5) Mobile water system materials, design, and operation. Mobile food establishment water systems shall meet the requirements of §229.166(i)(6) of this title (relating to Water, Plumbing, and Waste).

(6) Mobile food establishment tank inlet. A mobile food establishment's water tank inlet shall be:

(A) 19.1 mm (3/4 inch) in inner diameter or less; and

(B) provided with a hose connection of a size or type that will prevent its use for any other service.

(7) Readily moveable. The regulatory authority may prohibit alteration, removal, attachments, placement or change in, under, or upon the mobile food establishment that would

prevent or otherwise reduce ready mobility. A regulatory authority may require a mobile food establishment to come, on an annual basis, to a location designated by the regulatory authority as proof that the mobile food establishment is readily moveable. A regulatory authority may require that mobile food establishments that violate this section go for re-inspections to a location designated by the regulatory authority.

(8) Sewage, other liquid waste, and rainwater.

(A) Waste retention. If liquid waste results from operation of a mobile food establishment, the waste shall be stored in a permanently installed retention tank.

(B) Capacity and drainage. A sewage holding tank in a mobile food establishment shall be:

(i) sized at least 15% larger in capacity than the water supply tank;
and

(ii) sloped to a drain that is 25 millimeters (1 inch) in inner diameter or greater, equipped with a shut-off valve.

(C) All connections on the vehicle for servicing the mobile food establishment waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food establishment.

(D) Discharge liquid waste shall not be discharged from the retention tank while the mobile food establishment is in motion.

(E) Flushing a waste retention tank. A tank for liquid waste retention shall be thoroughly flushed and drained in a sanitary manner.

(F) Removing mobile food establishment wastes. Sewage and other liquid wastes shall be removed from a mobile food establishment at an approved waste servicing area or by a sewage transport vehicle in such a way that a public health hazard or nuisance is not created.

(9) Mobile food establishment water and wastewater exemption.

(A) A roadside vendor that sells only prepackaged food is exempt from these rules pertaining to water and wastewater.

(B) A mobile food establishment that prepares food requiring no water for operations and no hand contact with food is exempt from these rules pertaining to water and wastewater if the required cleaning and sanitization equipment exist at its central preparation facility.

§229.169(b)

§229.169(c)

(b) Central preparation facility.

(1) Supplies, cleaning, and servicing operations. Mobile food establishments shall operate from a central preparation facility or other fixed food establishment and shall report to such location for supplies and for cleaning and servicing operations.

(2) Construction. The central preparation facility or other fixed food service establishment, used as a base of operation for mobile food establishments, shall be constructed and operated in compliance with the requirements of these rules.

(c) Servicing area and operations.

(1) Protection.

(A) A mobile food establishment servicing area shall be provided and shall include at least overhead protection for any supplying, cleaning, or servicing operation except those areas used only for the loading of water and/or the discharge of sewage and other liquid waste, through the use of a closed system of hoses, need not be provided with overhead protection.

(B) Within this servicing area, a location provided for the flushing and drainage of liquid wastes shall be separate from the location provided for water servicing and for the loading and unloading of food and related supplies.

(C) This servicing area will not be required where only packaged food is placed on the mobile food establishment or where mobile food establishments do not contain waste retention tanks.

(D) The surface of the servicing area shall be constructed of a smooth nonabsorbent material, such as concrete or machine-laid asphalt and shall be maintained in good repair, kept clean, and be graded to drain.

(E) Potable water servicing equipment shall be installed in the servicing area according to law and stored and handled in a way that protects the water and equipment from contamination.

(2) Construction exemption. The construction of the walls and ceilings of the servicing area is exempted from the provisions of §229.167(c)(1) of this title (relating to Physical Facilities).

AMENDMENT TO SECTION 94.04 (D)

(D) The following fee schedule applies to Health permits issued under this chapter:

Bakeries (stand alone)	\$125
Bed-N-Breakfast	\$125
Catering Kitchens	\$125
Church Kitchens (only if selling food for public events)	\$125
Concession Stands	\$125
Convenience Stores	\$125
Convenience Stores (with Deli or grill)	\$200
Convenience Store (separate leased Deli or grill)	\$125
Day Care Centers (Food areas & Environmental Health Inspection for entire facility)	\$150
Farmers / Flea Markets (commercial vendors) <i>{Produce stands are exempt by State law}</i>	Per booth - \$35
Foster Homes	\$50
Grocery Stores -Large Dry Goods (25% -100% grocery area)	\$200
Grocery Stores -Small Dry Goods (Less than 25% grocery area)	\$150
Deli's in Grocery Stores	\$125
Meat Market in Grocery Stores	\$125
Bakery in Grocery Stores	\$125
Hospital (Food area only)	\$200
Hotel Motel with food area (percentage of rooms inspected)	\$225
Hotel Motel without food area (percentage of rooms inspected)	\$100
Mobile Vendors	Hot trucks - \$200 Cold trucks - \$150 Ice cream push carts - \$125 Sno cone stands - \$125 Temporary event - \$35
Nursing Homes (Food area only)	\$150
Public Pools (Apartments / Hotel/ Motel/ Municipal & Fitness Centers)	Pools - \$100 Spas - \$50
Plan Reviews (new construction)	\$25
Restaurants	Based on square feet area of food prep, dining, storage, support areas up to 2500 sf - \$125 2501 -5000sf - \$200 Over 5,000sf - \$250
Schools (Food areas & Env. Health Inspection for entire facility) <i>Grade 125.00 High School 250.00</i> <i>Je High 200.00</i>	Based on square feet area of food prep, dining, storage, support areas up to 2500 sf - \$125 2501 -5000sf - \$200 Over 5,000sf - \$250
Temporary Event Food Vendors (Valid for 3-5 days only)	Commercial vendors - \$35 Non profit vendors - \$10 Non profit vendors must provide copy of their 501 (c) 3 certificate. Community Events - \$35 <i>Community event permits are valid for the entire event where ALL proceeds benefit the event. Examples: Relay for Life, Fun Runs, Campfire, Boy & Girl Scouts, 4-H Youth, etc}</i>

(A) Health permit applications received from January 1st - September 31st, will expire on December 31st that same year.

(B) Health permit applications received after October 1st - December 31st, will expire December 31st, the following year.

(C) All permit renewal fees received after December 31st, will be double the annual permit fee.

CHAPTER 116: PEDDLERS AND SOLICITORS

Any person who shall go upon any public street, alley, sidewalk or crosswalk and sell or offer to sell any goods, wares or merchandise of any character or kind shall be deemed guilty of a misdemeanor. It shall be unlawful for any person to engage in business as a peddler in the city without first obtaining a permit to do so from the Chief of Police.

Any person desiring a permit shall file an application with the Chief of Police.

Each application for a permit shall be accompanied by a bond in the penal sum of \$500 signed by the applicant, and signed, as surety, by some surety company authorized to do business in the state. The bond shall be conditioned for the final delivery of goods, wares, merchandise, services, photographs, magazines and newspapers in accordance with the terms of any order obtained prior to delivery and also conditioned to indemnify any and all purchasers or customers for any and all defects in material or workmanship that may exist in this subchapter sold by the principal at the time of delivery, and that may be discovered by the purchaser or customer within 30 days after delivery. Such bond shall be for the use and benefit of all persons that may make any purchase or give any order to the principal on the bond or to an agent or employee of the principal.

After an applicant has complied with all the provisions and requirements, the Chief of Police shall issue to him a permit certifying that the applicant has complied with all the provisions and requirements. Such permit, when issued, shall be signed by the Chief of Police, shall be dated as of the date of its issuance and shall state the length of time for which it is issued, depending upon the amount of the fee paid. Any permit not dated and signed as herein required, or issued in violation, shall be void.

A permit issued under this subchapter shall automatically expire and be void at the end of the period for which issued and it shall thereafter be unlawful for the holder of such permit to engage in any activity without obtaining a new permit.

Permits issued under the provisions may be revoked by the Chief of Police and the City of Cleburne after notice and hearing for certain causes, including fraud and conducting business in an unlawful manner.

All additional peddlers (with I.D.) must be present at time of permit being issued.

PERMIT TO BE CARRIED ON PERSON AND DISPLAYED.

**CITY OF CLEBURNE
PEDDLERS / SOLICITORS PERMIT APPLICATION
P.O. BOX 677 – CLEBURNE, TEXAS 76033-0677
817 645-0970**

BUSINESS NAME (if applicable): _____

LOCATION OF BUSINESS: _____

APPLICANT'S NAME: _____
Last, First Middle

ADDRESS: _____ CITY: _____ STATE: _____

HOME PHONE: _____ BUSINESS: _____ CELL: _____

AGE: _____ HEIGHT: _____ WEIGHT: _____ RACE: _____

Type of products, merchandise or service to be sold, disposed of or peddled *and* brief description:

Fee for permit shall be based upon the length of time for which the permit is issued:

_____ 90 days \$35 _____ 6 months \$70 _____ 1 year \$100

Has applicant been convicted of any crime, misdemeanor or violation of any code provision or any other ordinance of the city? NO _____ YES _____ Offense _____

Name of court: _____ Date of conviction: _____

Will applicant, upon any such sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery? NO _____ YES _____

THE STATE OF TEXAS}

COUNTY OF JOHNSON}

I, _____, being first duly sworn on my oath, state that I
(Print Name)

personally filled in the blanks in the above application, on oath state that the statements made herein are true and correct.

APPLICANT'S SIGNATURE: _____

SWORN AND SUBSCRIBED before me, this _____ day of _____, 20__.

NOTARY PUBLIC, JOHNSON COUNTY, TEXAS