



# CITY AND COUNTY OF DENVER

DEPARTMENT OF ENVIRONMENTAL HEALTH

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## Mobile Retail Food Trucks and Carts Guide

Mobile retail food establishments (often referred to as mobile vendors) and carts are retail food establishments that report to and operate from a commissary and are readily moveable. Mobile retail food establishments and carts are usually motorized wheeled vehicles or towed wheeled vehicles designed and equipped to serve food. There are special requirements for operating as a mobile retail food establishment or cart which are listed in Chapter 9 of the *City and County of Denver Retail Food Establishment Regulations*. The requirements are for any operation that is not in a fixed location. This includes motorized vehicles, food carts, and peddlers.

### Applying for a license

When applying for a license with Denver Department of Excise and Licenses, you need to determine which category of license fits your operation. The license types for Mobile Retail Food Establishments are:

*Mobile retail food establishment* (often referred to as a mobile vendor) is a self-propelled motorized vehicle that is designed and equipped to serve food. The motor of a mobile retail food establishment is integral to the unit, and these units operate under a “Mobile Retail Food License.”

*Food carts* (often referred to as push carts), as well as trailers, are not motorized and are towed by another vehicle. Push carts and trailers operate under a “Stand-up Retail Food License.”

*Retail food peddlers* do not operate out of a mobile unit, trailer or cart. Food peddlers sell prepackaged product directly from approved containers (e.g. insulated coolers) and are required to keep moving after each sale.

### Preparing for the inspection

#### Construction.

Inspect the cart, trailer, or truck to ensure it is clean, in good condition, and fully functional. All food areas must be easily cleanable and safe for food storage and display. Fill gaps and cracks with approved food-grade silicone caulk. Some panels and parts are designed for removal for cleaning; do not caulk the gaps around removable panels.

Trucks equipped with grills or other grease cooking devices must be equipped with ventilation equipment that is intact, in working order, and installed with approved grease extractors.

Additional construction requirements can be discussed with a department representative or will be addressed during inspection of the unit.

#### Water and Wastewater supply.

Make sure that the cart or truck to be used is furnished with the required water fixtures, potable water supply tank, and adequate wastewater reservoir tank. This does not apply to food peddlers that carry or push an approved cooler or cart and sell prepackaged food.

The wastewater retention tank must be at least 15 percent larger than the potable water tank and sufficient to contain all wastewater produced while operating the cart or truck. The wastewater must be contained on the unit until properly disposed to a sanitary sewer at the commissary. Wastewater may not be discharged onto the ground or road.

The cart or truck must be furnished with a hand washing sink. A 3-compartment utensil washing sink is not always required, but it will allow you to wash some dishes on your unit instead of in the commissary.

Water supplied to the plumbing fixtures must be under pressure. There should be a means to heat water for the hot water supplied to the fixtures at a temperature of at least 90°F. The water fill inlet must be located where it will

not be contaminated by waste discharge, road dust, oil, or grease. A cap to cover and protect the water fill inlet must be in place at all times, unless you are filling the potable water tank. The potable water tank must be filled from an approved water supply or fixture at the commissary. Only use approved food-grade hose to fill the potable water tank. This can be obtained from most hardware/home improvement stores and camping supply centers. Additional details of the potable water and wastewater requirements can be found in sections 9-104 and 9-105 of the Retail Food Establishment Regulations.

#### Storage.

Safe food, equipment, and utensil storage must be available on the cart or truck. All equipment and other items must be stored clean, sanitary, and protected. Any items that can not be stored on the unit must be stored in an approved area at your commissary. This includes the fresh potable water hose and wastewater hoses for maintaining your mobile unit.

Refrigerators and freezers must operate at all times that food is prepared or served. You may need a generator if your refrigerators or freezers only operate when the truck is running.

Potable ice may be used as a coolant for food storage. Ice used to store cold food may not be used to serve in food or beverage for the customer. If ice is used to store cold food, the wastewater must drain away from the bin and discharge in an approved manner.

#### Equipment.

Equipment used by a mobile operator must meet the same requirements as all other retail food establishments and must be smooth, easily cleanable, and approved commercial grade.

Equipment must be maintained clean and sanitized. Units without a 3-compartment warewashing sink must be maintained with an ample supply of clean utensils available. Equipment and utensils must be cleaned and sanitized upon return to the commissary.

A calibrated thermometer must be available to monitor the temperature of the food during storage, preparation, and service.

Only disposable, single-service articles (i.e. wrappers, utensils, plates, containers) may be provided for customers.

#### Selecting a Commissary

Mobiles, carts, and peddlers must operate from a commissary and report to the commissary at least daily to prepare food, service and clean equipment, and fill and empty water and wastewater tanks. A commissary is an approved catering establishment, restaurant, or other approved place in which food, containers, or supplies are kept, handled, prepared, packaged, or stored. The commissary must be equipped with facilities necessary for servicing the needs of each type of operation. Some liquor licensed facilities may not be accepted by the Denver Department of Excise and Licenses for use as a commissary.

A commissary should have space in the dry storage area, refrigerators, and freezers for the vendor to store supplies. If water and wastewater tank servicing is required for the mobile or cart, a potable water hose must be available to fill water tanks and a sanitary sewer drain to empty the wastewater tank must be readily available.

*Washing fruit, washing vegetables, and some other types of food preparation must be conducted at the commissary. Otherwise, only cooking or assembly of cooked or ready-to-eat food is allowed on the truck, trailer, or cart.*

You and the commissary operator must enter into an agreement for use of their facility. An *Affidavit of Commissary* must be submitted to the department for approval. The affidavit indicates that the vendor and the commissary operator are accountable for the proper and approved use of the kitchen and other needed facilities.

If a written operation plan is approved by the department, a fully equipped mobile retail food establishment may not be required to report to the commissary daily. The written operation plan must include details about supplies storage, vehicle maintenance and cleaning, and arrangements for potable water tank and wastewater tank servicing. Before any changes are made to the plan, they must be approved by the department. Check with the department representative to determine if you may qualify to apply for this option.

For more information about commissary requirements, see *Section 9-107 Commissary* in the *Retail Food Establishment Regulations*.



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## Operation Guide for a Commissary

A commissary is an approved catering establishment, restaurant, or other licensed facility in which food, containers, or supplies are kept, handled, prepared, packaged, or stored. A restaurant or other approved facility may operate as a commissary for Mobile Retail Food Establishments and other operations that will hold a secondary license for use of an existing licensed Retail Food Establishment. The facilities and equipment to provide necessary services for the mobile retail food establishment, or secondary licensee, must be available at the commissary. Some liquor licensed facilities may not be accepted by the Denver Department of Excise and Licenses for use as a commissary.

Adequate dry storage area, refrigerator space, and freezer space must be available at the commissary for the mobile retail food establishment operator, or secondary licensee, to store supplies. If the mobile retail food establishment requires water and wastewater tank maintenance, a potable water hose or other approved, dedicated equipment must be available to fill water tanks and a sanitary sewer drain must be readily accessible to empty the wastewater tank. All equipment must be stored in a protected, clean, and sanitary manner.

The commissary operator must enter into an agreement, for use of their facility, with a mobile retail food establishment operator or other secondary licensee. An *Affidavit of Commissary* must be submitted to the department for approval. The affidavit holds the commissary operator and the mobile retail food establishment operator, or secondary licensee, accountable for the use of the kitchen and other needed facilities.

The commissary operator's responsibilities include:

1. maintaining a list of all licensed operators, with their contact information that operate from the facility;
2. maintaining copies of the current business licenses of each operator;
3. maintaining a schedule for each operator's use of the facility;
4. maintaining a log of each operator's use of the facility, including date and times of use;
5. maintaining access to locked equipment and storage areas used by operators for access and inspection by the department,
6. maintaining a copy of the contracts with each operator, including effective dates; and
7. notifying the department when an operator discontinues utilizing the commissary, as required.

A commissary application may be denied if the operation lacks adequate facilities and equipment to provide necessary services for the mobile retail food establishment or other secondary licensee.

For more information about commissary requirements, see *Section 9-107 Commissary* in the *City and County of Denver Retail Food Establishment Regulations*.