



**DENVER**  
THE MILE HIGH CITY

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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*.

