

## Mobile Retail Food Truck, Trailer and Cart Guide

This guide is for mobile retail food establishment operators that plan to operate in the City and County of Denver. This guide will provide operators with basic definitions and requirements; however, *because each establishment is unique, the operator is advised to contact each governing agency prior to operation to ensure that they are in compliance with all rules and regulations.*

### Agency Contact Information

#### **Department of Public Health & Environment (DDPHE)**

101 W. Colfax Ave., Suite 800

Ph: 303-913-1311

Email: [phicommments@denvergov.org](mailto:phicommments@denvergov.org)

[www.denvergov.org/healthinspections](http://www.denvergov.org/healthinspections)

#### **Denver Fire Department (DFD)**

745 W. Colfax Ave.

Ph: 720-913-3474

Email: [dfdmobiles@denvergov.org](mailto:dfdmobiles@denvergov.org)

[www.denvergov.org/fire](http://www.denvergov.org/fire)

#### **Denver Community Planning & Development**

201 W. Colfax Ave., 2<sup>nd</sup> Floor

Ph: 720-865-3000

Email: [zoningreview@denvergov.org](mailto:zoningreview@denvergov.org)

[www.denvergov.org/DS](http://www.denvergov.org/DS)

#### **Department of Excise & Licenses**

201 W. Colfax Ave., #206

Ph: 720-865-2740

[www.denvergov.org/businesslicensing](http://www.denvergov.org/businesslicensing)

#### **Denver Public Works**

201 W. Colfax Ave., #507

Ph: 303-446-3759

[www.denvergov.org/publicworks](http://www.denvergov.org/publicworks)

#### **Denver Parks & Recreation**

201 W. Colfax Ave., Dept. 1.G.1 (1<sup>st</sup> Floor)

Ph: 720-913-0700

[www.denvergov.org/permits](http://www.denvergov.org/permits)

### 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 DDPHE 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 DFD, food trucks cannot park within 10 feet of another food truck or a structure.

**"Mobile Truck"**



**"Mobile Trailer"**



**"Mobile Cart"**



## **DEPARTMENT OF EXCISE AND LICENSES**

A City and County of Denver 'Retail Food Establishment-Mobile' license is required for all food trucks, trailers and carts that want to operate in the City and County of Denver. A food truck, trailer or cart cannot operate under any other license and will need to allow themselves plenty of time to complete the licensing process. During busy season, it could take up to 30 days to complete the licensing process and additional time to complete any permits.

### **Applying for a License**

1. Complete [Mobile Plan Review Packet](#). The packet can be found on both the DDPHE website and the Department of Excise and Licenses website. It can also be requested by emailing [phicommments@denvergov.org](mailto:phicommments@denvergov.org).
2. Obtain required fees, documents, pictures, and mobile plan review (reference check off list on page 1 of the mobile plan review packet) and submit all required items to Excise and Licenses:

In person/mail: Department of Excise and Licenses  
201 W. Colfax Ave, Ste 206  
Denver, CO 80202

Email: [EXLSubmit@denvergov.org](mailto:EXLSubmit@denvergov.org)

3. Excise and Licenses will then distribute the plan review packet to DDPHE and DFD. Mobile plan review packets will begin to be reviewed within five (5) business days. After the packet is approved, the operator will be contacted to schedule the physical inspection.
4. Excise and Licenses will issue a physical license to the mobile unit after required signatures are obtained during physical inspection. Once you obtain the City and County of Denver Business and Professional License, you may begin operating the mobile food unit.

For detailed steps, reference [mobile retail food establishment licensing instructions](#).

<b><u>Where can I park my food truck?</u></b>				
	<b>On the street</b>	<b>On private property</b>	<b>As part of a larger public event</b>	<b>In a public park</b>
Allowed?	Yes	Yes	See pages 3 & 4	See page 3
Permit Required?	Permit may be required, see page 3	Yes, with exceptions, see page 4	No, see pages 3 & 4	See page 3
Conditions on location and operations	See page 3	See page 4	See page 3	Only at an event/special occasion (see page 3)

## **DENVER PUBLIC WORKS**

**You can park for vending on any street, with the following exceptions:**

- Not within 20 feet of an intersection when making a sale or attempting to make a sale.
- Not on any street, alley or public right-of-way within the Central Business District defined by ordinance (see map below).
- Food trucks are prohibited from parking within 300 feet of a public park or parkway unless permission has been granted as part of, or in association with, a festival or contracted event that is permitted by the Denver Department of Parks & Recreation.

### **What rules apply?**

- All parking rules must be followed. For example, you cannot double park or park at a meter without paying the required fee. If a parking meter is bagged for a special event, you can only park there if authorized by the event.
- If selling ice cream as more than 10 percent of the gross income from the food truck, you cannot sell on any arterial street, collector street or laned highway (See street types [here](#)).
- 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.

Food trucks are not allowed in the Central Business District as shown below in the highlighted area:



## **DENVER PARKS AND RECREATION**

Food trucks are not allowed within a park or within 300 feet of a park or parkway unless associated with a public event or special occasion. If associated with a public event or special occasion, food trucks must obtain permission from organizers and obtain a 'Retail Food Establishment-Mobile' license prior to participating in the event.

## **COMMUNITY PLANNING & DEVELOPMENT: ZONING PERMITS FOR PRIVATE PROPERTY**

Food trucks can operate without a zoning permit if they are providing catering services as part of a *private* party, with no sales to the general public, or if they operate for less than 30 minutes at a location.

Food trucks can apply for a zoning permit to operate in the following zone districts:

- All S-CC, S-MX, E-RX, E-CC, E-MX, C-MX, industrial, and OS-B zone districts, and
- All downtown zone districts, except the Golden Triangle, Arapahoe Square, and Civic zone districts (D-GT, D-AS, D-CV).
- Food trucks are **not** allowed in residential zone districts.

Find zoning and review zone district descriptions at [www.denvergov.org/zoning](http://www.denvergov.org/zoning).

### **What rules/conditions apply?**

Food trucks may only operate for up to four consecutive hours each day per zone lot, and only between 8 a.m. and 9 p.m. Operations are prohibited on undeveloped zone lots and zone lots with unoccupied structures or unpaved surfaces.

There can only be one food truck per zone lot, and it must be located at least 200 feet from eating and drinking establishments, 200 feet from other food trucks, and 50 feet from residential zone districts. Other siting, signage and waste disposal standards are listed in the Denver Zoning Code Section 11.11.14 ([www.denvergov.org/zoning](http://www.denvergov.org/zoning)).

### **If operating a food truck as part of a special event, such as a group of food trucks at one location:**

Special events are allowed in most zone districts, though in residential districts, the event sponsor must be a nonprofit or government entity. The special event must last a maximum of 12 consecutive days and there must be at least 90 days between events at the same location. Operating hours must stay between 9 a.m. and 11 p.m.

The special event itself will need a zoning use permit, in which case the food trucks do not need separate zoning permits.

### **Applying for a Zoning Use Permit**

- Visit [www.denvergov.org/commercialzoning](http://www.denvergov.org/commercialzoning) to download a use permit application.
- Submit a site plan and the zoning use permit application by email to [zoningreview@denvergov.org](mailto:zoningreview@denvergov.org) or in person at the “Commercial Zoning” permit counter (201 W. Colfax Ave., 2<sup>nd</sup> floor).
  - For a food truck, the use type is “Retail Food Establishment, Mobile.”
  - For a special event, the use type is “Bazaar, Carnival, Circus, or Special Event.”
- Pay fees:
  - A one-year food truck permit is \$50, with \$50 annual renewals.
  - A special event permit is \$10 per event.

## **Mobile Retail Food Truck, Trailer and Cart Guide**

### **DENVER FIRE DEPARTMENT (DFD)**

When two or more trucks are operating in the same proximity, trucks must be at least 10 feet apart from one another.

Beginning May 1, 2018, fire suppression systems will be required on all trucks that have equipment that produces grease and/or smoke laden vapor.

For more information, visit the permits and licensing tab at [www.denvergov.org/fire](http://www.denvergov.org/fire) or email inspectors at [dfdmobiles@denvergov.org](mailto:dfdmobiles@denvergov.org).

### **DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT (DDPHE)**

All mobile retail food establishments are subject to the City and County of Denver Food Establishment Rules and Regulations, Chapter 23 - Denver Revised Municipal Code. Chapter 9 of these rules and regulations speaks more specifically to mobile retail food establishment requirements. A full copy of these rules and regulations can be found on the Denver Department of Public Health & Environment-Public Health Investigations website: [www.denvergov.org/healthinspections](http://www.denvergov.org/healthinspections).

#### **Mobile Food Establishment Fabrication**

Whether fabricating the unit yourself or having someone fabricate it for you, it is important that the unit is equipped with all the necessary equipment to ensure that you can serve food safely to the public.

**Note:** All equipment used in the mobile food establishment shall be commercial-grade equipment.

#### **Water Tanks, Water Systems and Sink Fixtures**

A mobile retail food establishment that does not meet any exemptions, such as one that is only selling pre-packaged items, shall provide adequate hot and cold potable drinking water under pressure with enough capacity for hand washing, food preparation, utensil cleaning and sanitizing.

#### **Hand Washing Sink**

The cart, truck or trailer must be furnished with a functioning hand sink. Hand washing sink requirements:

- Hand washing sink basin must measure 10 inches wide by 10 inches long and shall have an adequate depth for hands to be washed.
- Hand sink must be capable of providing a hands-free, continuous flow of water under pressure.
- A water temperature between 100°F and 120°F must be provided for hand washing, either through combination faucets or by means of a mixing valve that provides tempered water.
- Soap and individually dispensed paper towels must be provided at all hand sinks at all times.
- Hand sinks must have a flow rate of one gallon per minute.
- Each hand sink must supply three gallons of water per hour of operation.
- Hand washing sinks must be easily accessible at all times and used for no other purpose.

## **Water tanks**

### ***Clean Water Tank:***

- Must be a minimum of 10 gallons or three gallons per hour of operation, whichever is greater. For example, if you are operating for five hours, 15 gallons of clean water must be provided just for the hand washing sink.
- Must be designed so that water can be flushed and in a way that permits complete drainage of the tank.
- The clean water supply tank must have no common interior partition with the tank holding non-potable water or other liquids.
- The clean water tank overflow or vent must terminate in a downward direction and must be located and constructed to prevent the entrance of contaminants.
- The water inlet must be located so that it will not be contaminated by waste discharge, road dust, oil, or grease, and it must be kept capped unless being filled.
- The water inlet must be provided with a connection of a size or type that will prevent its use for any other service.

### ***Wastewater Tank:***

- A mobile retail food establishment or cart must provide a single wastewater tank.
- The wastewater tank must be at least 15 percent larger than the clean water tank.
- Liquid waste must be discharged from the retention tank to an approved sewage disposal system and flushed as often as necessary to maintain sanitary conditions.
- ***Discharge onto the surface of the ground is strictly prohibited.***
- Drainage from uncontaminated ice made with drinking water can be discharged onto the surface of the ground provided it does not create a nuisance.

## **Water Systems and Heating**

- The heating system must be adequate to fill the ware washing sink, if present, with 110°F water without interruptions.
- The heating system must be adequate to supply hand sinks with three gallons per hour of 100°F water at all times.
- The system must provide other hot water using fixtures and equipment with a continuous supply of hot water as needed.

## **Potable/Drinking Water Hose**

- Only food-grade hoses shall be used to fill or transfer drinking water to or within a mobile retail food establishment or a cart.
- The water supply hose and couplings must be of a size and type compatible with the water supply tank inlet fixture and must be free of cracks and checks.
- Hose couplings must be constructed to permit a tight connection between the mobile unit coupling and the water supply hose bib.
- Hose ends must be capped, connected or otherwise fully protected when not in use.

**Note:** Water systems must be disinfected and flushed in accordance with 25-1.5-2, C.R.S., *Colorado Primary Drinking Water Regulations*, prior to use, if the mobile retail food establishment is not in daily use.

## **Three-Compartment Sinks**

- A three-compartment sink is not required on a mobile food establishment; wares may be washed at the commissary.

- Each compartment of a three-compartment sink, if used for washing wares, must be adequate to fit at least half of the largest piece of equipment that is to be washed in the sink.
- The sink must be equipped with two drain boards or adequate space for drying equipment.
- When a mobile retail food establishment is equipped with a three-compartment sink, the water tank supply must be sized to adequately fill each ware washing compartment at least once every four hours of operation.
- A mobile retail food establishment which is not enclosed may not have a three-compartment sink for ware washing.

### **Ventilation System**

- All enclosed mobile units must have a Type I hood with an extinguishment system that is installed by a licensed installer for all equipment that produces smoke and/or grease-producing vapors.
- Commercial baffling must be installed in the Type I hood.
- A single piece of external cooking equipment such as a smoker or grill may be used, provided that all foods are prepared, assembled and served from within the mobile unit.

For additional information regarding fire suppression systems, fire extinguishers and hood systems, please contact the Denver Fire Department at [DFDmobiles@denvergov.org](mailto:DFDmobiles@denvergov.org) or 720-913-3474.

### **Storage**

- All food and equipment must be stored, at minimum, six inches above the ground in a clean, sanitary, and protected manner.
- Any items that cannot be stored on the unit must be stored in an approved area at the commissary, including the potable water hose.
- Refrigerators and freezers must operate at all times in which food is stored, transported, prepared or served.
- Ice made with potable water may be used as a coolant for food storage.
  - Ice used to store cold food may not be used as an ingredient in food or beverages.
  - If ice is used to store cold food, the wastewater must drain away from the bin and discharge in an approved manner (i.e. into the gray water tank or disposed of in an approved location).

### **Floors, Walls and Ceiling**

- Floors, walls and ceiling must be sealed and constructed of a smooth and easily cleanable material such as stainless steel or FRP.

### **Equipment**

- Equipment must be smooth, easily cleanable, and commercial grade.
- Units without a 3-compartment ware washing sink must supply new serving utensils every four hours.
- 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.

### **Commissary**

- Mobiles and carts must operate from a commissary and report to the commissary **daily** to prepare food, and to service and clean equipment as well as to fill clean water and empty wastewater tanks.



- The commissary must be equipped with facilities necessary for servicing the needs of each type of operation.
- You and the commissary operator must enter into an agreement for use of the commissary facility. An *Affidavit of Commissary* must be submitted to the Department as a part of the mobile plan review as well as annually upon licensing renewal. 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.

**Note:** It is at the discretion of the Department to determine if a facility is adequate to act as a commissary. Some liquor licensed facilities may not be accepted by the Denver Department of Excise and Licenses for use as a commissary.

For additional information, reference the [commissary operation guide](#) on the Department's [website](#).

### **Self-Contained Units**

- If a unit wishes to operate without reporting to a commissary daily, all items that would be used at the commissary must be on the unit including, but not limited to: mop sink, food preparation sink, three-compartment sink, adequate cooking equipment and storage
- The menu being served must be limited, i.e. only burgers, only salads and sandwiches, etc.
- In addition, the Department must approve a written operation plan. The written operation plan must include details about supply storage, vehicle maintenance and cleaning, and arrangements for potable water tank and wastewater tank servicing (this can be in the form of an Affidavit of Commissary or other letter from a facility that will supply you with potable water).
- Check with the Department representative to determine if you qualify for this option **prior to** fabricating your unit.
- Once the mobile unit is approved, any changes made to the unit, including menu, operation locations, etc. must be approved by the Department.

### **ADVISORY**

- Repeat violations of the Denver Food Establishment Rules and Regulations within a 12-month period may result in a fine.
- Violations that create an ***imminent health hazard*** may result in a **fine up to \$2000.00 for the first hazard** and higher fines for additional imminent health hazards. Imminent health hazards include but are not limited to: operating without a properly functioning hand washing sink, operating without soap and/or paper towels, operating without hot water, operating without using a commissary as required, or operating in any manner that seriously compromises the safety of foods served.



## **DDPHE's Food Truck Operation Inspection Checklist**

### ***Water System and Fixtures***

- \_\_\_ Diameter of the hand washing sink basin is a minimum of 10 inches wide and 10 inches long with adequate depth
- \_\_\_ Hand sink is supplied with soap and paper towels
- \_\_\_ Hand sink is supplied with three gallons of fresh water for each hour of operation that measures 100°F
- \_\_\_ Three-compartment sink (if on unit) can be filled with 110°F water without interruption
- \_\_\_ Water tank is large enough to fill three-compartment sink (if on unit) at least once every four hours of operation
- \_\_\_ Water supply tank for cart is at least 10 gallons, or three gallons per hour of operation, whichever is greater
- \_\_\_ Water pressure is provided at all fixtures with a minimum flow rate of one gallon per minute
- \_\_\_ Waste water tank that is at least 15 percent larger than the fresh water supply tank
- \_\_\_ No waste water is discharged onto the ground

### ***Food Safety and Sanitation***

- \_\_\_ Sanitizing solution (chlorine or quaternary ammonium) is available for use during food handling
- \_\_\_ Test strips to measure the concentration of the chosen sanitizer are available.
- \_\_\_ A calibrated probe food thermometer that measures between 0°F and 220°F is available on the mobile unit
- \_\_\_ Cold food requiring refrigeration is held at 41°F or colder at all times
- \_\_\_ Hot food that is being held hot for service is held at 135°F or hotter at all times

### ***Miscellaneous***

- \_\_\_ Surfaces in the unit are constructed of a smooth, cleanable, non-absorbent material
- \_\_\_ Ventilation hood system (if needed) in the unit is of commercial grade with adequate power and cleanable, removable baffles
- \_\_\_ Ventilation hood covers all cooking equipment that produces grease and/or smoke
- \_\_\_ Mobile unit has independent power, i.e., generator
- \_\_\_ Commissary verified and approved with proper Affidavit of Commissary

*This checklist is designed as a tool to assist mobile operators and does not encompass all regulations and responsibilities of the operator. Mobile food establishment licensees must adhere to **all** requirements in the City and County of Denver Food Establishment Rules and Regulations, Chapter 23 - Denver Revised Municipal Code ([www.denvergov.org/healthinspections](http://www.denvergov.org/healthinspections))*

## **References**

### **Excise & Licenses References:**

Denver Revised Municipal Code:

Definitions: Section 23-2 (23)

Regulations: Section 23-51

Fees: Section 32-106.5

### **Department of Public Health & Environment:**

Denver Revised Municipal Code:

Definitions: Section 23-1 (2)

Regulations: Section 23-9

### **Department of Public Works References:**

Denver Revised Municipal Code:

Chapter 54, Article XII, Section 54-675

### **Community Planning & Development References:**

Denver Zoning Code:

Article 11, Section 11.11.14, Retail

Food Establishment, Mobile

Definition: Article 13, Section 13.3

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