



**CITY OF SPEARFISH
MOBILE FOOD AND BEVERAGE
VENDOR LICENSE APPLICATION**

____ Renewal ____ New Application

A mobile food and beverage vendor license is not required for the following:

- a. Mobile food and beverage vendors operating where a city approved special event permit has been issued, and with authorization from the special event sponsor, **and** if the vendor does not operate from any city public street, city sidewalk or city park at any other time other than the city approved special event.
- b. Mobile food and beverage vendors that operate on public or private property for a one-time event lasting 3 calendar days per year or less, i.e. private parties/events, auctions, etc.
- c. Caterers and food delivery services where food or beverage is prepared in a place other than the delivery vehicle.

Please note: This license will not be issued to a registered sex offender.

APPLICANT/PRIMARY OPERATOR

Applicant Name (Last, First, Middle): _____

Home Address: _____

Home/Cell Phone Number: _____

Email Address: _____

BUSINESS INFORMATION

Business Name: _____

Business Owner's Name and Phone Number: _____

Business Owner's Email Address: _____

Business Address: _____

Business Phone Number: _____

SD Sales Tax Number: _____

Liability Insurance Policy Number: _____ Expiration Date: _____

Applicant is required to submit the following items:

1. Payment of \$250. Checks must be made payable to the City of Spearfish.
2. Copy of South Dakota Department of Health Food Service License.
3. Copy of Sales Tax License.
4. Copy of Certificate of Commercial General Liability Insurance with City of Spearfish as **an added INSURED**. Do not submit certificates listing the City as a Certificate Holder. Minimum coverage must be \$1 Million per occurrence, \$2 Million aggregate.
5. Completed and signed Fire Safety Inspection/Checklist (attached)

I, the undersigned applicant, for myself and as representative of any entity named herein, make the following representations. 1) I agree to maintain commercial general liability insurance with a limit of not less than \$1 million per occurrence and \$2 million general aggregate naming the City of Spearfish as an additional insured, and I shall provide a certificate of current coverage to the City at all times while this permit is in effect. Such insurance shall not be cancelable or altered without prior written notice to the City, not less than 30 days in advance of the cancellation or alteration. Such insurance shall be primary as to any other insurance available to the City. 2) I agree to indemnify the City of Spearfish and hold it harmless from any and all use of city-owned property (including without limitation any sidewalks, street rights of way, or other public places) by myself, my guests, invitees, and anyone using such property at my invitation or in furtherance of my purposes. _____ (Applicant Initials)

Application made this _____ day of _____, 20_____

Applicant Signature: _____
(if submitting this form electronically, typed name is treated as if it were a signed original)

TO BE COMPLETED BY CITY OF SPEARFISH

Approved by Spearfish Fire Code Official: _____ date: _____
(Printed Name) (Signature)

Sex Offender Registry Verified By: _____ date: _____
(Printed Name) (Signature)

(Printed Name) (Signature) date: _____

Mobile Food Vehicle Fire Safety Inspection/Checklist

This document provides guidance regarding Fire Code requirements applicable to mobile food vehicles (i.e. food trucks, carts, trailers, etc.) operating with Spearfish. These requirements are in addition to applicable public health and safety requirements determined by South Dakota Department of Health.

Date: ___ Business Name: _____ State/Vehicle License Plate# _____

Unless otherwise noted, references are from City of Spearfish adopted model codes and NFPA documents.

Instructions: Please place a checkmark in each box that applies below. If you have any questions, please contact Scott Deaver, Fire Chief/Fire Code Official at 605-642-1313.

A. LPG Containers, Piping and Appliances

- Approved LPG cylinders/containers shall be used and secured in the upright position.
- LPG cylinders, piping, valves and fittings located outside the mobile food facility shall be adequately protected to prevent tampering, damage by vehicles, or other hazards.
- All interior appliances shall be of an approved type.
- Cooking equipment used outside of the mobile food facility shall be approved by the Fire Code Official.
- Appliances shall not block exiting from a food truck.

B. Hood System

- Commercial cooking equipment that produces grease laden vapors shall be provided with a Type I hood (a kitchen hood for collecting and removing grease and smoke).
- A listed and labeled fire extinguishing system is required in a Type I hood.
- Extinguishing system serviced every 6 months and be provided with a tag.

C. Fire Extinguishers

- All cooking vehicles shall have a 2A10BC rated fire extinguisher.
- K type fire extinguisher shall be provided for Type I hood.
- Minimum 40BC rated fire extinguisher shall be provided for generators.

D. Electrical

- Generators shall be placed in locations approved by the Fire Code Official. Placement shall be a minimum of 20 feet from tents and canopies, inaccessible to the public and cordoned off with caution tape.

- Refueling of approved generators is prohibited during event hours or when public is in attendance.

General Requirements

- No smoking signs posted
- Operational permit required to be posted or available upon request of city staff.

Comments

Owner/Operator Signature: _____
(if submitting this form electronically, typed name is treated as if it were a signed original)

GUIDANCE FOR MOBILE FOOD AND BEVERAGE VENDING

This document provides supplemental guidance for the inspection checklist requirements applicable to mobile food and beverage vending (i.e. food trucks, carts, etc.) operating within City of Spearfish. These requirements are in addition to applicable food safety regulations.

Mobile food and beverage vending trucks or carts that are inspected and found not in compliance with the requirements of this standard may not be allowed to continue operation.

General

Food Trucks within City of Spearfish shall have a current South Dakota Department of Health Food Service License, and be in compliance with the following regulations:

- International Fire Code, 2015 Edition (IFC)
- International Mechanical Code, 2015 Edition (IMC)
- National Fire Protection Association(NFPA) Pamphlet 58, Liquefied Petroleum Gas

A detailed plan is required at the time of permit application. Plan shall include location details, type of fuels used, code compliance information, hours of operation and physical protection for public safety hazards identified on inspection checklist. The following is supplemental code compliance information the Fire Code Official will use for the plan review and field inspection prior to issuance of operational permit.

A. Propane / Liquefied Petroleum Gas (LPG) Containers, Piping and Appliances

1. LPG cylinders and containers used for mobile food facilities shall comply with the IFC and NFPA 58. Location, piping, use and storage are regulated by NFPA 58 and require a permit, applicable plans and inspection prior to the event.
2. LPG cylinders, piping, valves and fittings located outside the food truck shall be adequately protected to prevent tampering, damage by vehicles, or other hazards. Fire Code Official will review plans for location and safeguards for public safety.
3. Appliances shall be approved for use with appropriate fuels for use in mobile food facilities. Equipment should be well maintained and in good operating order with all emergency/safety shutdown features fully operational.
4. Cooking equipment used outside of mobile food facility shall be separated from combustibles and be in good condition. Location and protection safeguards will be inspected and accepted by the Fire Code Official.

B. Commercial Hood and Fire Extinguishing System

1. Commercial cooking equipment that produces grease laden vapors shall be provided with a Type I Hood (a kitchen hood for collecting and removing grease and smoke), in accordance with this code, and equipped with an automatic fire extinguishing system that is listed and labeled in accordance with the following: Wet chemical extinguishing system, (NFPA 17A, Standard for Wet Chemical Extinguishing

Systems), complying with UL 300, Fire Testing of Fire Extinguishing Systems for the Protection of Restaurant Cooking Equipment.

2. Automatic fire extinguishing systems shall be serviced at least every six (6) months and after activation of the system. Inspection shall be by qualified individuals, and a certificate of inspection shall be forwarded to the Fire Code official upon completion.

C. Fire Extinguishers

1. Mobile Cooking Facilities shall have a 2A10BC rated fire extinguisher serviced within 12 months on vehicle at all times.
2. Cooking appliances requiring a Type I hood for fat frying or production of grease laden vapors shall be provided with a Type K rated fire extinguisher.
3. Mobile cooking facilities using an electrical generator shall provide a 40BC rated fire extinguisher located within the generator location.

D. Electrical Power

1. Generators shall be placed in locations approved by the authority having jurisdiction for Outdoor Special Events use. Generator placement shall be a minimum of 20 feet away from tents and canopies and their locations shall be inaccessible to the public and cordoned off with caution tape.
2. Under no circumstances shall gasoline be stored in food trucks or on site. Refueling of approved generators is prohibited during event hours. During approved refueling times, no smoking or open flames shall be within 25 feet of refueling operations.
3. Extension cords and cables shall be of a grounded-type and approved for outdoor use. Extension cords shall not be frayed, worn, or in pedestrian traffic areas unless they are secured. Cables shall be provided with cable ramps.

General Safety Precautions

- Do not smoke while handling the LPG cylinder.
- Always use, transport, and store cylinders in an upright, vertical position with the cylinder valve turned off.
- Store cylinders outdoors away from sources of ignition and in a place where they will not be exposed to high temperatures.
- Make sure your LPG cylinder is equipped with an OPD valve. The unique triangular shape of the valve's hand wheel and the letters "OPD" can identify OPD cylinders.
- In the United States, any cylinder over twelve (12) years old must be re-certified before it can be filled. Have your LPG cylinder filled by a trained, certified LPG professional.
- All electrical power shall be in locations free from potential water intrusion and not located near gutters or storm drains.

The following locations are where mobile food and beverage vending is allowed:

- (1) On private property zoned commercial or industrial.
- (2) Parked lawfully on a public street except where prohibited.
- (3) Any parking lot that serves a City of Spearfish park, and the parking lot is owned by the City of Spearfish.
- (4) On public sidewalks, only food carts are permitted. A clear space of four feet in any direction around the food cart must be provided on the public sidewalk.

The following are prohibited times and locations for mobile food and beverage vending:

- (1) Mobile food and beverage vending is prohibited where vending activity is blocking access to a public street, alley, bike path, sidewalk, or access to an adjacent property.
- (2) Mobile food and beverage vending is prohibited from any diagonally striped parking space located between the south right of way line of Jackson Boulevard to the center line of Grant Street and the center lines of Canyon Street to 7th Street between the hours of 2AM and 10PM.
- (3) The above prohibited times and locations do not apply to vendors operating where a city approved special event permit has been issued, and with authorization from the special event sponsor.