

To the Mayor and Members of the City Council

January 14, 2025

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SUBJECT: MOBILE VENDING UNIT OPERATIONS IN FORT WORTH

The purpose of this Informal Report is to provide information regarding operations of mobile vending units within the City of Fort Worth.

Mobile Vending Units

Provisions for mobile vending units that serve food are contained in Chapter 16, Health and Sanitation, of the City of Fort Worth Code of Ordinances. A mobile vending unit is a vehicle that is designed to be readily moveable and from which merchandise or food is sold or served.

Locations of Mobile Vending Units

Information is provided below for the following five (5) locations:

1. Private Property
2. Public Property
3. Downtown Urban Design District
4. Proximity to Residential Uses
5. Operations in City Parks

Private Property

The operator of any mobile vendor unit that is stationary in one location for more than one hour is required to obtain a Vendor Certificate of Occupancy (VCO). Issuance of the VCO is subject to compliance with building code, electrical code, and zoning. The Code Compliance Department enforces mobile vendor unit violations for operating in unauthorized locations or for failure to obtain a VCO permit, when required.

The type of food that a mobile food vending unit provides determines the zoning district where it is allowed to operate on private property.

Unit Type	Definition	Districts Allowed
Mobile Vendor Fresh Market	A licensed mobile vending unit that sells nonhazardous, fresh fruits and vegetables. Any product that is cut and processed shall follow Division 4 of the Health Code. No less than 75% of the products for sale shall be produce and any additional product shall be nonhazardous, packaged food.	“E” Neighborhood Commercial; “FR” General Commercial Restricted; “F” General Commercial; “G” Intensive Commercial; “H” Central Business; “I” Light Industrial; “J” Medium Industrial; “K” Heavy Industrial; “AG” Agricultural; “CF” Community Facilities; “MU” Mixed Use Districts; and “NS” Near Southside
Vendor, food, non-potentially hazardous food	Non-potentially hazardous foods are foods that don't support the growth of disease-causing bacteria and don't	“ER” Neighborhood Commercial Restricted; “E” Neighborhood Commercial; “FR” General

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	<p>require time and temperature control to limit pathogen growth. Examples of non-potentially hazardous foods include: dry goods, dry cereals, dehydrated and un-reconstituted foods, candy bars, popcorn, potato chips, canned sodas, pretzels, snow cones, and cotton candy</p>	<p>Commercial Restricted; “F” General Commercial; “G” Intensive Commercial; “H” Central Business; “I” Light Industrial; “J” Medium Industrial; “K” Heavy Industrial; “AG” Agricultural; “CF” Community Facilities; “MU” Mixed Use Districts; “NS” Near Southside</p>
<p>Vendor, food, potentially hazardous food</p>	<p>Potentially hazardous foods include foods that contain milk, eggs, meat, poultry, rice, fish, shellfish, or other ingredients that can support rapid growth. Examples of potentially hazardous foods include: raw and cooked meat, dairy products, seafood, processed or cut fruits and vegetables, and cooked rice and pasta</p>	<p>“FR” General Commercial Restricted; “F” General Commercial; “G” Intensive Commercial; “H” Central Business; “I” Light Industrial; “J” Medium Industrial; “K” Heavy Industrial; “AG” Agricultural; “CF” Community Facilities; “MU-2” High Intensity Mixed Use; and “NS” Near Southside</p>

Public Property

In most cases, mobile vendor units cannot operate on city streets, rights-of-way or within public spaces. Exceptions include special events sanctioned by neighborhood associations or by agreement with the Park & Recreation Department.

Downtown Urban Design District

Mobile vendor units operating on private property within the Downtown Urban Design District, where the property is zoned for commercial use, must obtain approval from the Downtown Design Review Board and comply with the supplementary standards set forth in § 5.406 (Mobile Vendors) of the Zoning Ordinance.

Proximity to Residential Uses

1. Permits for units located between 50 feet and 100 feet from any single-family and multifamily residential use are valid for six months from the date of its issuance. Additionally, consent is required from the residential property owners.
2. No mobile vending unit may operate within 50 feet from a single-family or multi-family residential use, provided however, a fresh market mobile vendor shall be permitted to operate within such 50-foot setback and on a lot with an existing nonresidential use, such as but not limited to a church or school.
3. A fresh market mobile vendor shall not operate on a lot used for residential purposes.

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4. Amplified music and portable chairs and tables are prohibited after 10 pm.

Operations in City Parks

If food and/or alcoholic beverages are served to the public via a mobile vending unit, the event holder must contact Tarrant County Public Health or Environmental Services to obtain the necessary health permit(s). Once the necessary health permits are issued the event holder must obtain a reservation permit and execute a license agreement with the Park & Recreation Department (PARD) to operate at an approved park site. A fee will be assessed at the time a reservation is made. Concerns received by the PARD regarding vendor services are investigated and addressed by the PARD. In some instances, the PARD may contact the Police Department or Environmental Services for assistance.

PARD will provide written approval to serve or sell alcoholic beverages at any event subject to the requirements of the Texas Alcoholic Beverage Commission.

Health Permits

With the exception of Tarrant County, the City has regulatory health permit authority for mobile food units that operate within city limits (i.e., Denton, Johnson, Parker and Wise counties). Based on state law effective September 2023, Tarrant County Public Health has sole health permit authority for mobile food vendors within Tarrant County.

Any concern for the operations of mobile food vendors can be reported by calling the 311 Fort Worth Contact Center at 817-392-1234.

For questions on this report, please contact Wyndie Turpen, Assistant Director of Environmental Services at (817) 392-6982, Joel McKnight, Assistant Park and Recreation Director at (817) 392-5755; Shannon Elder, Deputy Code Compliance Director, at (817) 392-6326; LaShondra Stringfellow, Assistant Director, Development Services at 817-392-6214.

David Cooke
City Manager