



Hays County Development Services

2171 Yarrington Rd, Suite 100, Kyle Texas 78640

(P) 512-393-2150 (Web) www.hayscountytexas.com

Mobile Food Establishment (MFE) - Frequently Asked Questions

Q. What application materials do I need?

A. You will need the following materials to apply. (1) Completed Application (2) Food Managers Certificate (3) Floor plan of the mobile unit (labeled) (4) Menu (5) Valid I.D. / Driver's License (6) All Applicable Fees

Q. When does my permit expire and how do I renew it?

A. You are required to renew your permit at the end of every calendar year. Food permits can be renewed in person at office location at 2171 Yarrington Rd in San Marcos TX. Renewal of each permit is the responsibility of the owner of the MFE.

Q. How often do I need to get inspections, and can I have Hays County visit me where I operate?

A. You are required to get (2) inspections per year. You are required to bring the MFE to our office location for each inspection. Power will be required during the inspection, please be sure to have a generator available for the inspection. One will not be provided to you by Hays County.

Q. My commissary is outside of Hays County. What is required of me?

A. You need to have the commissary page of your application completed by the health authority in charge of inspecting your commissary (normally the health department of the city or county where your commissary is located).

Q. Do I need a Mobile Food Permit from Hays County to operate in Hays County, if I already have one from Travis County?

A. Yes, you need to have a permit in each jurisdiction that you are operating in. Hays County does the food permitting in the unincorporated areas of the county.

Q. Can I operate my mobile food unit in front of my house?

A. Yes; however, you cannot offer restrooms to customers unless you have a public restroom that uses a properly sized OSSF or a city sewer connection and your mobile food unit still must visit the commissary daily.

Q. Can I operate my mobile food unit on someone else's property?

A. Yes; with the property owners' permission. A restroom must be readily available to all food vendors who choose to operate on/occupy a property for any given amount of time. This restroom must use a properly sized on-site sewage facility or city sewer connection. *Water and wastewater requirements are not applicable to "restricted operation" mobile food units. * **TFER §228.221 (a)(2) & Hays County OSSF Rules: W (1)**

Q. Do I need a Mobile Food Permit from Hays County, if I already have one from San Marcos, Dripping Springs, or Wimberley?

A. Yes, you need to have a permit in each jurisdiction that you are operating in. Hays County does the food permitting in the unincorporated areas of the county and also in the cities of Buda and Kyle. If you are operating in one of those cities, be sure to contact the city to find out what additional permits they will require.

Q. Can I offer seating for my customers?

A. Yes; if the proper restroom facilities are available on the property.

Q. Does my food truck have to be inspected by the Fire Marshal?

A. Yes, all mobile food establishments will need to speak with the Hays County Fire Marshal. When applicable, a mobile food establishment will need to apply for a permit and receive an inspection from the Fire Marshal. The Fire Marshal will also conduct annual inspections. The Hays County Fire Marshal's Office can be reached at 512-393-7300 or by e-mailing firemarshal@co.hays.tx.us.

Q. What does Hays County consider a "proper restroom facility"?

A. Any property must have an on-site sewage facility or access to a restroom on city sewer. If an on-site sewage facility is present it must be designed for the expected gallons per day for customers, employees, food preparation and wastewater strength. Many other factors are taken into consideration but it's important to note that an existing on-site sewage facility might not be acceptable for your businesses use. Please call to verify.

Q. Who do I contact about a complaint on a Food Establishment or Mobile Food Establishment?

A. You can call the Hays County Development Services at 512-393-2150 and speak with an Environmental Health Specialist or email us at foodcomplaints@co.hays.tx.us

Q. Can I have a portable toilet?

A. No; Hays County requires in their OSSF Rules that any property that is used for residential, institutional or commercial purposes must be connected to an on-site sewage facility or a TCEQ permitted central wastewater collection system. ***Hays County OSSF Rules: W (1)**

Q. Whose responsibility is it to verify the property I operate on has a properly sized septic or city sewer connection?

A. The responsibility to verify the site meets the county's rules falls on you (as the vendor) and the property owner.

Q. Can I leave my mobile unit in the same location?

A. No; Mobile Units are required to be mobile daily. Therefore, your mobile unit must be readily moveable upon request. You are required to report to your central preparation facility daily. * **TFER §228.221 (a)(10)(B)**