

## City Review for Food Vendor Permits:

Carefully review the city code standards for a Mobile Food Vendors in Code Section 11-2-23.

Prior to submitting an application for a mobile food vendor, schedule a pre-application meeting with planning staff by calling 406-863-2410. Planning staff can walk you through the application requirements and review process.

Once the city receives a complete application with all the required submittals, including the required application fee (typically \$375 for a one year commercial permit), proof of insurance, county health department, and fire marshal approval, city staff will review the permit application for compliance with the code and, if satisfied, will issue a permit within two weeks.

Permits can be renewed at half the original rate if all conditions are complied with. If a permit renewal is denied due to non-compliance with conditions of approval, a vendor may appeal that denial before the City Council. A hearing before the city council shall be scheduled and an additional fee charged. The decision of the council shall be final.

## What is a vendor?

A **mobile food vendor** is a self-contained unit or food cart located on private commercial property selling food to the public. Currently food vendors are not permitted on public property with the exception of special events like the Farmer's Market. A **food vendor** is required to obtain the permission of the private property owner, a food vendor permit from the city, and a business registration prior to starting the business.

A **vendor** is defined as a commercial use located within a temporary or semi-permanent building or structure, trailer, or cart. A **food vendor** permit is not required to operate at 38 Central, the Farmers' Market, the various summertime art festivals or other special events held throughout the year, however, other permissions are required.

A caterer serving food at a private function is not subject to the **food vendor** permitting requirements, but is required to have a city business registration if business is being conducted in the city limits.

Food prepping at a home residence requires a Home Occupation business reg-

## Mobile Food Vendor Permits



City of Whitefish  
PO Box 158  
Whitefish, MT 59937

Phone: 406-863-2410  
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# Standards for Mobile Food Vendor Permits

## Location

- ✓ Permitted only in the WB-1, WB-2, WB-3 zoning districts
- ✓ Located wholly on private property
- ✓ Permission from the property owner is required and permission for restroom use nearby for vendor employees

## Site Standards

- ✓ Sales facility shall meet the underlying zoning setbacks, as well as those in Section 11-3-23(B)(3) and (B)(10)
- ✓ Site layout needs to consider customer queuing, parking locations/layout and traffic circulation, if necessary
- ✓ No drive-thru facilities
- ✓ A trash receptacle shall be provided for customers and shall be emptied daily.
- ✓ The site shall be free of trash/litter and shall be cleaned at the end of each business day

## Sales Facility

- ✓ Facility shall be portable. This standard is met if set-up and tear-down time does not exceed 30 minutes.
- ✓ The sales facility shall always be attended and shall be removed from the site at the end of each shift.
- ✓ Vendor must have building/cart physically inspected and approved by the City of Whitefish Building Official and/or Fire Marshal for health and safety prior to the start of business.

- ✓ The method of electricity shall meet the requirements of Section 11-3-23(B)(7). Check with the building department, as this may require an electrical permit.
- ✓ Provisions for water and sewer shall comply with the requirements of Section 11-3-23(B)(5) and (B)(6).
- ✓ A five-pound ABC Fire Extinguisher is required if a heating or cooking appliance is used.
- ✓ Vendor must have an operational propane gas detector located inside if using propane.

## Signage

- ✓ Signs must be attached to the surface of the truck or cart, unlit, and temporary banners or flags are not permitted.
- ✓ No sidewalk A' frame signs are permitted unless in the WB-3 zoning district downtown.

## Other Permits and Licenses Required

- ✓ City of Whitefish Business License
- ✓ Payment of Whitefish Resort Tax
- ✓ Flathead County Food Service Permit, along with all applicable laws, rules and regulations regarding food handling and preparation—including all requirements for mobile vendors
- ✓ City of Whitefish Electrical Permit, if needed

## Other Requirements

- ✓ Proof of an insurance policy, issued by an insurance company licensed to do

business in the state for:

- Public liability insurance in an amount of not less than \$500,000 for injuries, including those resulting in death, resulting from any one occurrence, and on account of any one accident; and
- Property damage insurance in an amount of not less than \$25,000 for damages on account of any one accident or occurrence



**City of Whitefish**

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