



PHILADELPHIA DEPARTMENT OF PUBLIC HEALTH  
A GUIDE TO PERMITS & LICENSES

# OPENING A MOBILE FOOD BUSINESS IN THE CITY OF PHILADELPHIA

For other applications and instruction manuals, go to:  
[www.phila.gov/health/foodbusiness](http://www.phila.gov/health/foodbusiness)

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# ***Congratulations and Thank You!***

The City of Philadelphia is excited to welcome your food business to the city's outstanding array of restaurants and other food establishments. It is the City of Philadelphia's goal to make the process of opening a food business as smooth, transparent, and customer-friendly as possible for the business owner.

## **Purpose of the manual**

This manual is for you if you plan to:

- Start a new mobile food business
- Renovate or make changes to an existing mobile food business
- Take over an existing mobile food business ("change of ownership/licensee")

Every food business in Philadelphia must comply with local zoning ordinances and the health code. This step-by-step manual was created jointly by the Philadelphia Department of Licenses and Inspections and the Philadelphia Department of Public Health to help you understand and comply with local regulations and to minimize any surprises along the way.

Food safety is an important responsibility of every food business. That is why the Department of Public Health will work with you to ensure your personnel have appropriate food safety knowledge and your facilities have the capacity to operate safely. The Department of Public Health must grant approval before Licenses and Inspections can issue your actual food license. Food poisoning can be very serious, yet it is often underreported. It affects one in six people annually in the U.S. Most of them will recover without any lasting effects from their illness. However, for some the effects can be devastating and even deadly. Serious long-term effects associated with common types of food poisoning include: kidney failure, chronic arthritis, brain and nerve damage and death. Most commonly, food can become contaminated from poor sanitation, improper preparation, or storage at the wrong temperature. You can find out more about foodborne illnesses at [www.cdc.gov/foodsafety/facts.html](http://www.cdc.gov/foodsafety/facts.html).

## **What is not included in the manual?**

This manual assumes you have already completed the critical first steps to opening any business, including business planning, financing, and identifying your ideal location, menu, pricing and marketing plan (either by yourself or with the help of professionals).

This manual is specific to the requirements of the City of Philadelphia and does not include information about potentially applicable state and federal requirements. Please see the resources listed in the appendix or contact the City's Commerce Department's Office of Business Services for assistance with pre-planning or state and federal regulations and requirements.

This manual only applies to mobile food businesses and does not apply to other food business types, such as stationary food businesses and special events. For more information on starting these types of businesses, please go to [www.phila.gov/health](http://www.phila.gov/health).

## DEPARTMENT CONTACTS

### Philadelphia Department of Public Health

[www.phila.gov/health](http://www.phila.gov/health)

Office of Food Protection

**321 University Avenue, 2nd floor  
Philadelphia, PA 19104  
(intersection of 38<sup>th</sup> Street &  
Curie Boulevard)**

**Phone: 215-685-7495**

**Hours: Monday – Friday 9 am - 4 pm**

### Philadelphia Licenses and Inspections

[www.phila.gov/li](http://www.phila.gov/li)

Vending Unit/Vendor Compliance Unit

Zoning

License/Permit Issuance

**Municipal Services Building  
1401 JFK Blvd, Lower Level Concourse**

**Phone: 311 or (215) 686-8686**

**Hours: Monday – Friday, 8 am- 3:30 pm  
(last Wednesday of each month 8 am- 12 pm)**

### Philadelphia Commerce Department - Office of Business Services (OBS)

Client Services Hotline – 215-683-2100

Email: [business@phila.gov](mailto:business@phila.gov)

Web: [www.phila.gov/business](http://www.phila.gov/business)

## Food Protection visiting hours at Licenses & Inspections

**Tuesdays**

**9 am – 1 pm**

**Municipal Services Building (MSB)  
1401 JFK Blvd, Lower Level Concourse**

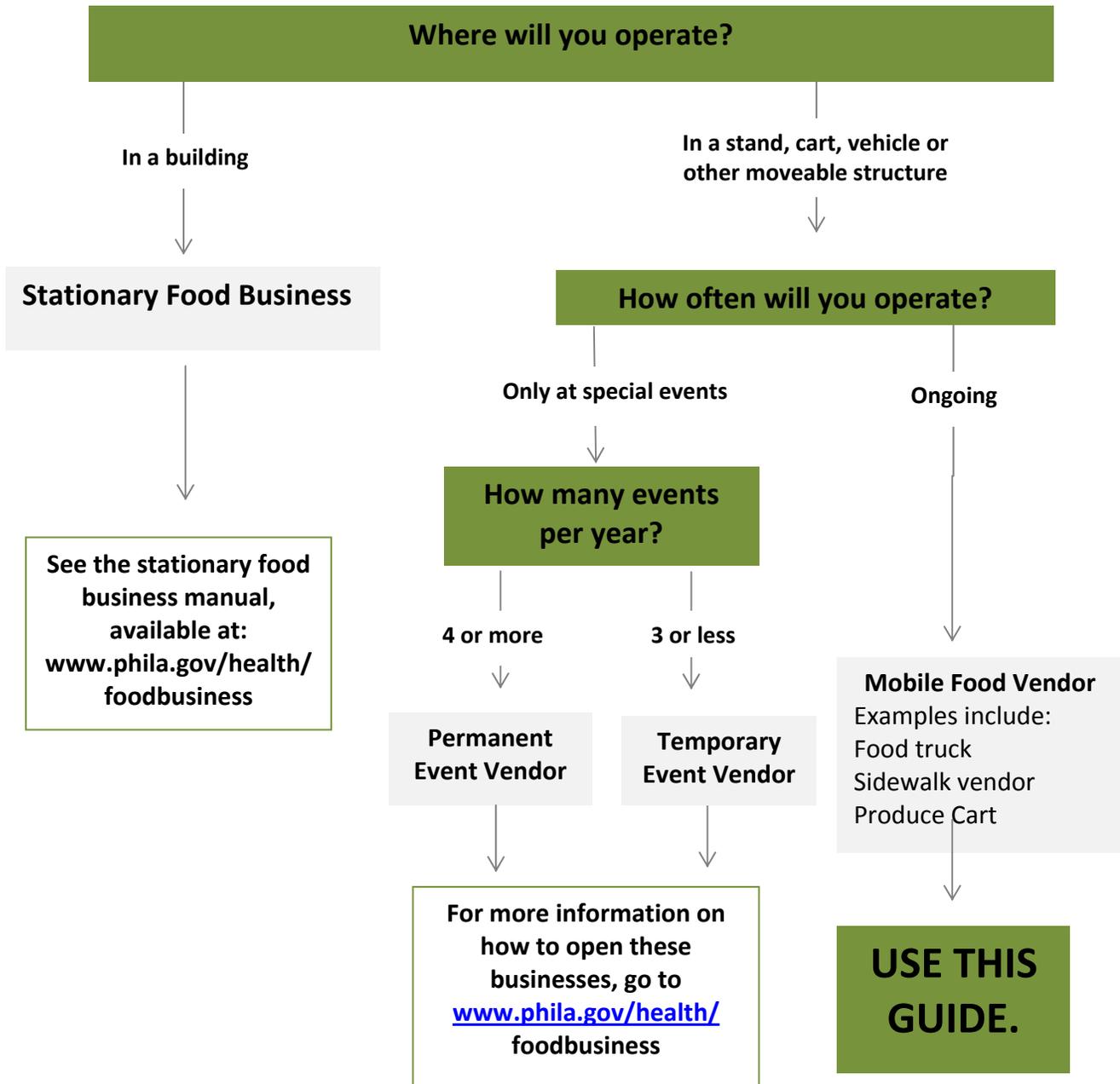
You can now get answers to all your questions about food protection, zoning, building and licensing at one location. A Department of Public Health representative is available on-site during the hours above to answer your questions about plan review, equipment needs, and food safety training for employees.

To find out more, call (215) 685-7495, or go to the L&I Ticket Counter at the Municipal Services Building.

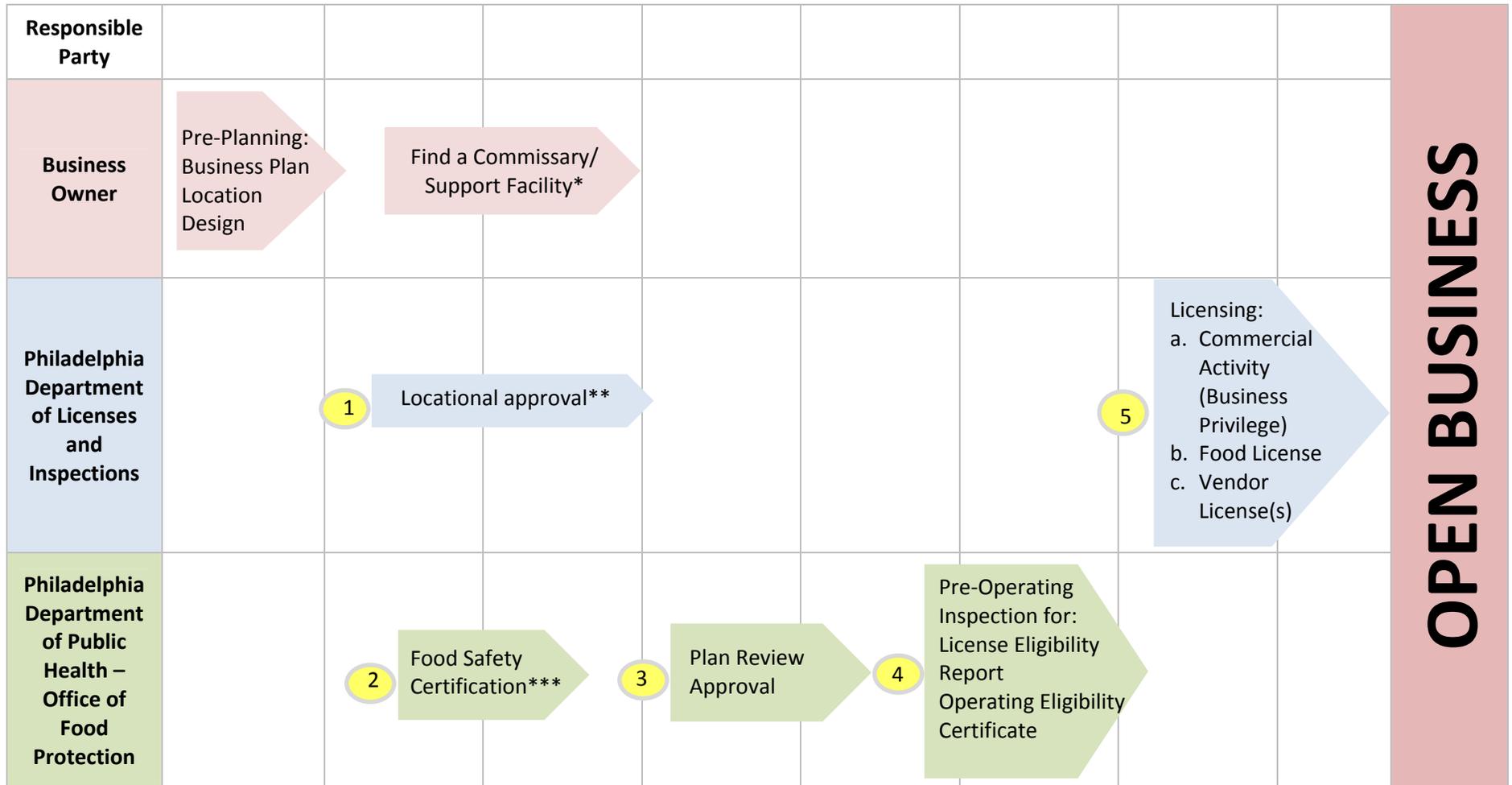
## Food Business Types: Is this manual for you?

This manual is for **mobile food businesses**. The first step to using this manual is to determine if that is the kind of business you will be opening. A “food business” is any retail or wholesale facility whose operation involves preparing, serving, storing, processing, transporting, handling, bottling, baking and selling food. “Food” is any item used, or intended to be used, for human consumption (including drinks, packaged candy, chewing gum and bottled water and beverages).

Here are some key questions to determine your business type:



## Steps to Opening a Mobile Food Business



\* All mobile food businesses are required to have a licensed support facility that is in compliance (see page 9)

\*\*L&I is not always the approving entity for locations. For example, Parks and Rec may be involved. If on private property, zoning is required (see page 7).

\*\*\*Businesses that sell only prepackaged, non-hazardous foods and whole produce are exempt from food safety certification but must still go through plan review.

# 1

## Vending Location Approval (Philadelphia Department of Licenses and Inspections)

The vending approvals you will require for your mobile food business will depend on where you want to locate your business.

Some locations, like those located in special vending districts or on property owned by Parks & Recreation, require special approval. If you are planning to vend on private property, you will require zoning approval of the owner of the property.

For information about specific vending location requirements, contact Maureen Blaney in the Vendor Compliance Unit at [Maureen.Blaney@phila.gov](mailto:Maureen.Blaney@phila.gov) or 215-686-2522.

# 2

## City of Philadelphia Food Safety Certificate (Philadelphia Department of Public Health – Office of Food Protection)

### Do you need to apply?

Mobile food businesses must have an employee certified in food safety present at all times. Businesses selling only pre-packaged, non-hazardous foods and whole produce are exempt from this requirement.

The designated employee, often referred to as the Person in Charge or PIC, must complete a food safety course that is approved by the Philadelphia Department of Public Health and obtain an official City of Philadelphia Food Safety Certificate. The original City Certificate must be posted at the food business where customers can see it.

**Certifications are valid for five years**, after which the employee must complete and pass another food safety course approved by the Philadelphia Department of Public Health.

### Prepare to apply.

Take a food safety course with an approved [Food Safety Course Provider](#) (16 hours of instruction) and receive a course certificate. In addition to English, courses are offered in Spanish, Mandarin, and Korean. During a health inspection, your food safety certified person or Person in Charge will be asked to show ID to the health inspector. The name on the course certificate must match the name on the

### PLAN AHEAD!

All food businesses have the responsibility to ensure that personnel have knowledge of food safety practices. Be sure to register for a food safety class early and submit information to the Philadelphia Department of Public Health as soon as the course is complete.

Processing the food safety certification applications will take 30 business days (six weeks) after the Philadelphia Department of Public Health has received your course certificate.

valid ID. The certified person or PIC will also be asked a series of questions to ensure he or she has a good understanding of food safety.

**Submit the application and pay the fee.**

You can apply for the City of Philadelphia Food Safety Certificate by mail or in person at the Office of Food Protection. Submit a copy of the course certificate, a completed [City of Philadelphia Food Safety Certification Form](#) and a **certified check or money order** for \$30 made out to the City of Philadelphia – EHS.

**Approval process (maximum of 30 business days/six weeks)**

Within 30 business days of receipt of your application and payment, the Philadelphia Department of Public Health will mail you a City of Philadelphia Food Safety Certificate, unless you request in your application to pick it up in person. For pick up, you will receive an email when it is ready. For more information, call 215-685-7495.

**This step is complete when you have the following:**

- ✓ **A City of Philadelphia Food Safety Certificate** (valid for five years)

### 3

## Plan Review Approval (Philadelphia Department of Public Health – Office of Food Protection)

### Do you need to apply?

All mobile food businesses must have an approved plan from the Philadelphia Department of Public Health to ensure compliance with the City’s [Regulations Governing Food Establishments](#).

[The Food Business Plan Review Application and Instructions](#) are available online or at the Office of Food Protection. There is a separate, shorter application for change of ownership/licensee.

### Prepare to apply

The Plan Review Application will ask you to submit menu details and a plan for onsite and offsite food storage and preparation. An approved Support Facility is also required for all mobile food businesses.

### Support Facility

A Support Facility is a fixed establishment that will serve as the base of operations for food storage, preparation, and equipment cleaning. This can be a facility that operates solely as a support facility for mobile vending units or a commercial kitchen that can also be used for this purpose.

In order to be approved, your support facility must be separately licensed, inspected to operate as a support facility for mobile businesses, and in compliance. Please note:

- If the support facility is located in the City of Philadelphia, list it in your plan review application and OFP will verify it has been properly licensed and inspected.
- If the support facility is outside the City of Philadelphia, your application must include a copy of the license and a recent inspection report from the local public health jurisdiction.

#### FINDING A SUPPORT FACILITY

The Department of Public Health cannot provide a list of support facilities.

You can search online for “support facilities.” Other possible search terms include “commissary” or “kitchen share.”

Websites that post classified ads may include information on support facilities.

An existing food business can apply to be a support facility.

If you have questions about support facilities, contact 215-685-7495.

### Submit the application

You can apply by mail or in person at the Office of Food Protection. Do not submit payment until you receive your plan review letter and worksheet (see below).

### **The application review process**

Within 30 business days, the Philadelphia Department of Public Health will mail (or email upon request) a **plan review letter** and **worksheet**. The worksheet will outline what (if any) additional information is needed before the plan can be approved. You will have 30 business days to submit your payment along with any additional information. The plan review fee is \$150, plus advance payment of \$190 for the pre-operating inspection.

Payment in the form of cashier's check or money order should be made out to the City of Philadelphia – EHS. You can pay your fees online or in person at the Office of Food Protection or in the Municipal Services Building concourse. You will need an email address, a daytime phone number, your invoice numbers, and the amount owed (from your plan review worksheet). For more information, call (215) 685-7495.

Within 30 business days of receipt of a completed application along with payment, the Philadelphia Department of Public Health will mail (or email upon request at time of application) a plan review decision.

- If your plan review is **APPROVED**, you will receive an official plan review approval letter by mail (or email upon request) including the phone number of the Philadelphia Department of Public Health Field Office to schedule your pre-operating inspection (see step 4).
- If your plan review is still **INCOMPLETE or changes are needed**, you will be notified by mail (or email upon request) and have 30 business days to submit additional information or make corrections.

**If you want an expedited review and inspection**, bring your application form and all required materials to the Office of Food Protection. You can pay by cashier's check, money order, or by credit card (online or in person).

**For change of ownership**, there is an expediting fee of \$315 in addition to the plan review fee of \$150 and the payment for the pre-operating inspection of \$190.

**For all other new mobile vending operations**, there is an expediting fee is \$380 in addition to the plan review fee of \$150 and the pre-operating inspection fee of \$190.

Expedited inspection will be completed within 10 business days of receipt of a completed application and associated plan review fees.

**This step is complete when you have the following:**

- ✓ **Plan Review Approval Letter**
- ✓ **Field Office Contact at Philadelphia Department of Public Health**

## 4

### **Pre-Operating Inspection to obtain a License Eligibility Report and Mobile Food Vendor Certificate of Eligibility (Philadelphia Department of Public Health – Office of Food Protection)**

A pre-operating inspection of your food business will confirm:

1. the vending unit matches your approved plan review application
2. the food safety certified staff on site is well versed in food safety practices

Your plan review approval letter will identify the name and location of a Health District Office where your pre-operating inspection will be held. If you have questions about your assigned Health District location, call 215-685-7495.

At the inspection you will need:

- Photo identification
- Vending unit proof of ownership
- City of Philadelphia Food Safety Certificate
- Food purchase records for the most recent 30 days prior to inspection for review.
- Support Facility documentation:
  - The completed verification form from your plan review application
  - A copy of food license or recent inspection report.

**Please note:** your food safety certified staff is required to attend your pre-operating inspection with photo identification.

At the end of the inspection, your inspector will review your inspection report with you.

**If you PASS the inspection,** you will receive two documents:

1. **Operation Eligibility Certificate (OEC)**  
The OEC must be posted on the vending unit at all times. The OEC lists the approved food items for your vending unit, based on your plan review submission.
2. **License Eligibility Report (LER)**  
The LER is NOT your food license. You will have 30 calendar days after your inspection to take the LER to the Department of Licenses & Inspections at the Municipal Services Building to obtain the food license specified on the LER. You may be charged additional fees by the Department of Public Health if you fail to obtain the food license within the 30 day time frame. You must have a food license issued by the Department of Licenses & Inspections before you can open your business to the public.

**If you FAIL the inspection,** you will need to make the required corrections and have a re-inspection at the same Health Center office.

**This step is complete when you have the following:**

- ✓ **Operation Eligibility Report (OEC)**
- ✓ **License Eligibility Report (LER)**

## 5

# Final Licensing: Commercial Activity License, Food License, Vendor Licenses (Philadelphia Department of Licenses and Inspections)

All mobile food businesses in Philadelphia must have a Commercial Activity License, a Food License, and a Vendor License. Other appropriate licenses may also be required.

## A. Commercial Activity License (formerly Business Privilege License)

### Do you need to apply?

All businesses operating in Philadelphia, including mobile food businesses, must have a commercial activity license (formerly known as a business privilege license). You can apply for this license at any time. You do not have to wait until all other steps in starting a business are completed. Some people recommend that you wait until you are confident your business will open without any problems before getting this license, while others prefer to get it early in the process.

### Prepare to apply

Prerequisites

- [Federal Employer Identification Number \(FEIN\) from the IRS<sup>1</sup>](#)
- [City of Philadelphia Tax Account Number](#)
- [Pennsylvania State Sales and Use Tax Number](#) (only for businesses collecting sales tax)

Potential exemptions:

- Non-profits (must file IRS exempt letter with the Department of Revenue; contact 311 with questions).
- Some new businesses (can be confirmed with Licenses & Inspection staff at the Municipal Services Building, lower level concourse, or by calling 311).

### Submit the application

You can apply [online](#) or in person at the lower level concourse of the Municipal Services Building. There is no fee associated with the Commercial Activity License.

### Application review process

If you apply in person, you can receive the license over the counter. If you apply online, you will receive an email confirmation with the license attached.

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<sup>1</sup> Sole proprietorships can use a social security number in place of a FEIN.

## B. Food License

Every food business in Philadelphia, including mobile food businesses, is required to obtain a food license from the Philadelphia Department of Licenses and Inspections. The food license ensures that you have complied with all of the applicable regulations and laws, have obtained your commercial activity license, and have obtained a License Eligibility Report (LER) from the Philadelphia Department of Public Health - Office of Food Inspection after passing your pre-operating inspection (see Step 4).

### Prepare to apply

Prerequisites

- Commercial activity license (see above)
- License Eligibility Report (LER) (see Step 4)
- [Completed food license application](#)

### Submit an application and attachments and pay the fee

You must apply in person at the lower level of the Municipal Services Building. Be sure to bring a copy of your commercial activity license, LER and a completed application when you apply.

The fee for the Retail Food Establishment/Non-Permanent Location license is \$150.

### Application Review Process

If you have the proper documentation and payment, you will receive immediate approval and receive your food license when you apply.

#### **Food License Renewal**

All food licenses expire April 30th, and the fee is not pro-rated. You will receive an annual renewal notice from the Department of Licenses & Inspections. You will need to pass a re-inspection by the Department of Public Health in order to renew your food license.

### **C. Vendor Licenses**

Mobile food businesses are also required to obtain additional vendor licenses from the Department of Licenses and Inspections. These licenses are separate from the food license or the location/zoning approvals. For example, you will need a sidewalk sales license if vending on the sidewalk, and a motor vehicle vendor license if vending on the street out of a truck.

For more information on the specific vendor license requirements for your mobile food business, go to [www.phila.gov/li](http://www.phila.gov/li) or call 215-686-8686.

**This step is complete when you have the following:**

- ✓ **Commercial activity license (lifetime)**
- ✓ **Food license matching the license eligibility report (LER)**
- ✓ **Vendor licenses**
- ✓ **Other licenses**

**CONGRATULATIONS!**

**We wish you much success in your new business.**

**Thank you for choosing Philadelphia.**

## Resources

### City of Philadelphia

[Philadelphia Department of Licenses and Inspections](#)

[Philadelphia Department of Public Health](#)

[Philadelphia Department of Commerce](#)

[Food Safety Course Providers](#)

[Philadelphia Tobacco Retailer Permit](#)

### Commonwealth of Pennsylvania

[Pennsylvania Department of Agriculture](#)

[Pennsylvania Liquor Control Board](#)

[Pennsylvania Entrepreneurs' Guide](#)

[Pennsylvania Open for Business Site](#)

### Federal Government

[United States Food and Drug Administration](#)

[United States Department of Agriculture](#)