**CITY OF BOULDER**
**PROCESS FOR OBTAINING A**
**MOBILE FOOD VEHICLE LICENSE**

"Mobile Food Vehicle" means a readily movable motorized-wheeled vehicle or a towed vehicle designed and equipped to prepare or serve and sell food, but which does not include mobile vending carts as defined in section 4-18-4, "University Hill Mobile Vending Cart Permit," and section 4-11-12, "Mobile Vending Cart Permit," B.R.C. 1981.

1. **Obtain a Boulder County Public Health Certificate**
   Boulder County Public Health Department
   3450 Broadway
   Boulder, CO 80304
   303-441-1100

2. **Fill out applications for:**

   **City Sales Tax License:** http://www.bouldercolorado.gov/salestax
   Sales Tax Division
   1777 Broadway, 1st floor

   **Mobile Food Vehicle License:** http://www.bouldercolorado.gov/licensing

   Please note: You must turn in your completed sales tax license application *with* your MFV application to the licensing division, not separately.

3. **Mail or drop off to the City of Boulder Licensing Division**: the entire, complete application and all required documents with a check for $225.00 made out to the City of Boulder for the mobile food vehicle application fee and a check for $25.00 made out to the City of Boulder for the sales tax license fee.

   City of Boulder Licensing Division
   Street address: 1777 Broadway, 2nd floor, Boulder, CO 80302
   Mailing address: P.O. Box 791, Boulder, CO 80306

   **CHECKLIST OF REQUIRED DOCUMENTS:**

   - ☐ Complete City of Boulder sales tax license application with fee
   - ☐ Copy of a valid Boulder County health department certificate for the mobile food vehicle
   - ☐ Copy of the mobile food vehicle's valid motor vehicle insurance
   - ☐ Certificate signed by a qualified insurance company agent evidencing the existence of valid and effective policies of automobile, general liability and property damage insurance naming the city and its officers and employees as an additional named insured on the liability policy for $1 million general liability (see example on MFV website)
   - ☐ Copies of valid driver's licenses for all drivers of the mobile food vehicle
   - ☐ Current copy of the mobile food vehicle registration

4. Licensing will forward your application to the City of Boulder Department of Community Planning and Sustainability for zoning review and approval.

5. Please allow a minimum of four weeks processing time. The Licensing division will make every effort to process applications quickly. If approved, the license will be mailed to you.

6. Incomplete applications will be returned. If an application is denied, licensing will send a denial notice in the mail.

7. General mobile food vehicle questions: licensing@bouldercolorado.gov

Date Received: _____

Fee Received: _____

Receipt Number: _____

Check Number: _____

**CITY OF BOULDER**
**MOBILE FOOD VEHICLE LICENSE APPLICATION[1]**

Please make checks payable to: CITY OF BOULDER
Return completed application, fee and supporting documents to: CITY OF BOULDER
FINANCE DEPARTMENT, TAX & LICENSE DIVISION
1777 Broadway, P.O. Box 791
Boulder, CO 80306

Please allow for at least 4 weeks processing time. You cannot legally operate a mobile food vehicle in the City of Boulder until you have received an approved Mobile Food Vehicle License, Boulder County Health Department Certificate, and City Sales Tax License.

The Mobile Food Vehicle License is valid for one year from date of issuance and must be renewed annually.

☐ **License 201п Application Fee: $22p.00** ☐ **License 201п Renewal Fee: $22p.00**

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| | | | |
|---|---|---|---|
| **Legal Business Name:** | | **Phone:** | |
| **Mailing Address:** | | | |
| **Business Contact Name:** | | **Phone:** | |

| | | | |
|---|---|---|---|
| **Trade Name/DBA:** | | **Phone:** | |
| **Email Address:** | | | |
| **Approved Kitchen Address:** | | | |

**Business structure:** ☐ Individual ☐ Partnership ☐ Corporation ☐ LLC

**If an individual or partnership, provide the following information:**

| | | | |
|---|---|---|---|
| **Name:** | | **Birth Date:** | |
| **Home Address:** | | | |
| **Name:** | | **Birth Date:** | |
| **Home Address:** | | | |
| **Name:** | | **Birth Date:** | |
| **Home Address:** | | | |

(IF NECESSARY, SUPPLY ADDITIONAL INFORMATION ON A SEPARATE PAGE AND ATTACH)

**If a corporation or LLC, provide the following information:**

**President/ Managing Member:**

| **Name:** | | **Birth Date:** | |
|---|---|---|---|
| **Home Address:** | | | |

**VP/Member:**

| **Name:** | | **Birth Date:** | |
|---|---|---|---|
| **Home Address:** | | | |

**Secretary/ Member:**

| **Name:** | | **Birth Date:** | |
|---|---|---|---|
| **Home Address:** | | | |

**Treasurer/ Member:**

| **Name:** | | **Birth Date:** | |
|---|---|---|---|
| **Home Address:** | | | |

(IF NECESSARY, ATTACH INFORMATION ON A SEPARATE PAGE TO LIST ADDITIONAL MEMBERS)

**Provide a list of owners & employees who will drive the mobile food vehicle.** (IF NECESSARY, ATTACH A SEPARATE PAGE)

| **Legal Name** | **Home Address** | **Birth Date** |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**Please provide a brief description of your business:**

| |
|---|
| |
| |
| |

**Below is a summary of the zoning requirements[2]:**

*Private Property*: Allowed in the following commercially zoned districts with owner's permission: Within use modules M1, M2, M3, B1, B2, B3, B4, B5, D1, D2, D3, I2, I3, I4[3] and at least 150 feet from any residential zone and 150 feet from any existing restaurant[4].

*Public Right of Way, such as public streets*: Allowed only in Industrial Zones[5] or in connection with an approved organized event permit, or in the parking lot or the public right of way adjacent to North Boulder Park with prior approval by the Director of Parks & Recreation.

*Public Property*: Allowed at the Boulder Municipal Airport in such areas and manner within the Airport as approved by the Airport Manager, as part of an organized event permit, or in a public park with prior approval by the Director of Parks & Recreation.

*Podding*: Podding is when two or more Mobile Food Vehicles operate in close proximity to each other. There is no limit as to the number of Mobile Food Vehicles podding per private property with owner's permission in the industrial zone district. There can be no more than two mobile food vehicles podding per private property in the following use modules [as indicated in the chart found in Section 9-6-1(d), BRC 1981]: M1, M2, M3, B1, B2, B3, B4, B5, D1, D2, and D3[6]. Mobile Food Vehicles must be at least 200 feet from another mobile food vehicle when operating in any public right of way.

Maps for applicant use: http://www.bouldercolorado.gov/mfvmaps *

*The maps provided are intended to be used as a reference but shall not be relied upon as legal advice or used as a defense to a violation. By way of example and not of limitation, there may be changes to restaurant locations that may not be reflected in the maps. Therefore, it is the MFV operator's responsibility to ensure that they are operating pursuant to the law. Refer to sections 4-18-2; 9-16-1; 9-6-5(d); 9-6-1(d), B.R.C.

Email address for specific questions related to the mobile food vehicle application: licensing@bouldercolorado.gov

**Attachments that MUST BE INCLUDED with this Mobile Food Vehicle License application:**

- ☐ Complete City of Boulder Sales Tax License application with fee
- ☐ Copy of a valid Boulder County Health Department certificate for the mobile food vehicle
- ☐ Copy of the mobile food vehicle's valid motor vehicle insurance
- ☐ Certificate signed by a qualified insurance company agent evidencing the existence of valid and effective policies of automobile, general liability and property damage insurance naming the city and its officers and employees as an additional named insured and certificate holder on liability policy for $1 million general liability (see example on website)
- ☐ Copies of valid driver's licenses for all drivers of the mobile food vehicle
- ☐ Current copy of the mobile food vehicle registration

**OATH OF APPLICANT**

I hereby certify on behalf of the applicant and his/her agents and employees to agree to abide by the requirements as set forth in the Boulder Revised Code and as outlined in this application and the attachment to this application. I understand that it is the operator's responsibility to ensure business operation in a legally permissible manner and location.

I hereby certify on behalf of the applicant and his/her agents and employees that the business has prior properly obtained, will keep on file, and will provide to the city immediately, if requested, a copy of the written permission from the private property owner to operate on their private property. I assume responsibility for the actions and omissions of the business's agents and employees in the performance of or failure to perform its obligation under the permit.

I hereby certify under penalty of perjury in the second degree, that the above application, statements and all attachments are true and correct to the best of my knowledge, and that I have read, understood and agree to all conditions within this application and attachments.

| **Applicant signature:** | | **Printed Name:** | |
|---|---|---|---|
| **Title:** | | **Date:** | |

**FOR OFFICE USE ONLY**

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**SALES TAX**

Date sent to Sales Tax: ☐

Sales Tax Recommendation: Approve ☐ Deny ☐

| | | | |
|---|---|---|---|
| Remarks: | | | |
| | | | |
| Name: | | Date: | |

**COMMUNITY PLANNING & SUSTAINABILITY**

Date sent to CP&S: ☐

CP&S Recommendation: Approve ☐ Deny ☐

| | | | |
|---|---|---|---|
| Remarks: | | | |
| | | | |
| Name: | | Date: | |

# 1) NEED: CERTIFICATE OF LIABILITY INSURANCE

(Insurance card copy not sufficient)

20-2882

DATE (MM/DD/YYYY) 06/16/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

| INSURERS AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A: L SOUTHWEST | |
| INSURER B: AUTO OWNERS INS. CO. | |
| INSURER C: | |
| INSURER D: | |
| INSURER E: | |

INSURED

BOULDER CO 80304

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | ADD'L INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS | |
|---|---|---|---|---|---|---|---|
| A | | GENERAL LIABILITY<br>[X] COMMERCIAL GENERAL LIABILITY<br>[ ] CLAIMS MADE [X] OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>[ ] POLICY [ ] PRO-JECT [ ] LOC | 2 > General Liability Insurance at this level > | 04/19/11 | 04/19/12 | EACH OCCURRENCE | $ 1,000,000 |
| | | | | | | DAMAGE TO RENTED PREMISES (Ea occurence) | $ |
| | | | | | | MED. EXP (Any one person) | $ |
| | | | | | | PERSONAL & ADV INJURY | $ 1,000,000 |
| | | | | | | GENERAL AGGREGATE | $ 2,000,000 |
| | | | | | | PRODUCTS-COMP/OP AGG. | $ |
| B | | AUTOMOBILE LIABILITY<br>[ ] ANY AUTO<br>[ ] ALL OWNED AUTOS<br>[ ] SCHEDULED AUTOS<br>[ ] HIRED AUTOS<br>[ ] NON-OWNED AUTOS | 3 > For a Truck Vehicle, whether driven alone or towing a Concession Trailer, Insurance at this level > | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | | | | | | BODILY INJURY (Per person) | *State of Colorado Minimum Insurance Limits Required |
| | | | | | | BODILY INJURY (Per accident) | |
| | | | | | | PROPERTY DAMAGE (Per accident) | $ |
| | | GARAGE LIABILITY<br>[ ] ANY AUTO | | | | AUTO ONLY - EA ACCIDENT | $ |
| | | | | | | OTHER THAN AUTO ONLY: EA ACC | $ |
| | | | | | | AGG | $ |
| | | EXCESS / UMBRELLA LIABILITY<br>[ ] OCCUR [ ] CLAIMS MADE<br>[ ] DEDUCTIBLE<br>[ ] RETENTION $ | | | | EACH OCCURRENCE | $ |
| | | | | | | AGGREGATE | $ |
| | | | | | | | $ |
| | | | | | | | $ |
| | | | | | | | $ |
| | | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below | | | | [ ] WC STATU-TORY LIMITS [ ] OTHER | |
| | | | | | | E.L. EACH ACCIDENT | $ |
| | | | | | | E.L. DISEASE-EA EMPLOYEE | $ |
| | | | | | | E.L. DISEASE-POLICY LIMIT | $ |
| | | OTHER: | | | | | |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS

4 > City of Boulder are additionally insured with insurance with respect to general liability.

CERTIFICATE HOLDER

5 > The City of Boulder
PO Box 791
Boulder, Co 80301

Attention: Tax and License Division

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, IT'S AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Steve Longenecker



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# Mobile Food Vehicle Standards and Operating Requirements

# Boulder Revised Code 9-6-5(d)[7]

**Standards**:

The City Manager will permit mobile food vehicle sales on private property or in the public right of way if the use is permitted in the applicable zoning district and meets the following standards and conditions:

The use shall be located at least:

- 150 feet from any residential zone districts except with prior approval by the city manager in the parking lot or the public right of way adjacent to North Boulder Park or in any other park as approved by the city manager; and
- 150 feet from any existing restaurant; and
- 200 feet from any other mobile food vehicle with regard to public right of way sales, no more than two mobile food vehicles per private property in downtown and commercial areas, and no limitation on the number of mobile food vehicles per private property with owner's permission in the industrial zone.

No person shall operate a mobile food vehicle sales use without a permit. The city manager may approve a permit upon payment of the fee prescribed by Section 4-20-65, B.R.C. 1981. The permit will be valid for 12 consecutive months, or such other time as the city manager may by rule designate. At a minimum, such application shall meet the following requirements:

- provide proof of and maintain a valid driver's license, vehicle registration, and current motor vehicle insurance;
- provide proof of and maintain a Colorado Retail Food license for a mobile unit;
- provide proof of and maintain a valid sales use tax license; and
- provide proof of liability insurance naming the city as an additional insured.

As a condition of accepting the permit, applicant shall sign an agreement, in a form acceptable to the city manager in which the applicant agrees to meet all requirements under the Boulder Revised Code and specifically, Chapter 4-1, "General Licensing Provisions, and 9-6-5(d), "Mobile Food Vehicle Sales" B.R.C. 1981; and assumes responsibility for the actions and omissions of its agents and employees in the performance of or failure to perform its obligation under the permit.

**Operating Requirements**:
No person who operates any mobile food vehicle shall:

- obstruct the pedestrian or bicycle access, the visibility of motorists, nor obstruct parking lot circulation or block access to a public street, alley or sidewalk;
- locate any vehicle, structure, or device upon a public sidewalk within the extended boundaries of a crosswalk or within ten feet of the extension of any building entranceway, doorway, or driveway;
- fail to maintain and provide proof when requested of written consent from the private property owner authorizing the property to be used for the proposed use with regard to mobile food vehicle sales on private property;
- fail to park legally;
- operate before 7 a.m. or after 9 p.m. and for no more than 4 hours at any one approved location;
- set up any structures, canopies, tables or chairs;
- sell anything other than food and non-alcoholic beverages;

- provide amplified music;
- place signs/banners in or alongside the public right of way or across roadways. Signs must be permanently affixed to or painted on the mobile food vehicle;
- fail to have the vehicle attended at all times;
- fail to permanently display to the public in the food handling area of the mobile food vehicle the permit authorizing such use;
- fail to provide at least three separate and clearly marked receptacles for trash, recycling, and compost and properly separate and dispose of all trash, refuse, compost, recycling and garbage that is generated by the use;
- cause any liquid wastes used in the operation to be discharged from the mobile food vehicle;
- fail to abide by all other ordinances of the City of Boulder.

1. This application shall be applicable to "Mobile Food Vehicles" as defined in section 9-16-1, B.R.C. "Mobile Food Vehicle" means a readily movable, motorized-wheeled vehicle or a towed vehicle designed and equipped to prepare, or serve, and sell food, but which does not include mobile vending carts as defined in section 4-18-4, "University Hill Mobile Vending Cart Permit," and section 4-11-12, "Mobile Vending Cart Permit," B.R.C. 1981.
2. See section 9-6-5 (d), "Mobile Food Vehicle Sales", B.R.C. 1981.
3. As indicated in section 9-6-1(d) B.R.C. chart
4. The effect of a restaurant closing down its business permanently may create a new mobile food vehicle allowable area until a new restaurant replaces the former. It is the Mobile Food Vehicle operator's responsibility to ensure they are operating in a legally permissible area.
5. As indicated in section 9-6-1(d) B.R.C. chart
6. As indicated in section 9-6-1(d) B.R.C. chart
7. This document should not be relied upon as legal advice. Refer to sections 4-18-2; 9-16-1; 9-6-5(d); 9-6-1(d), B.R.C.