

City Review for Food Vendor Permits:

Carefully review the city standards for a Food Vendor Permit.

Prior to submitting an application for a temporary 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, city staff will place a legal notice in the paper and send a letter to all property owners and tenants within 150-feet of the proposed site.

At the end of the 14 day comment period, a 30-day or 12 month permit is issued by the zoning administrator. Permits can be renewed at the same rate if all conditions are complied with. Renewals do not require neighbor and newspaper notices. 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 **food vendor** is a self-contained unit or food cart with an area not exceeding 100 square feet located on private property selling food to the public. A **food vendor** is required to obtain a permit from the city and a business license prior to starting the business.

A **vendor** is a commercial use located within a temporary or semi-permanent building or structure that is less than 100 square feet. A **vendor** permit is not required for the Farmers' Market, the various summertime art festivals or other special events held throughout the year, however, other permissions are required for those.

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 license if business is being conducted in the city limits.

**510 Railway
PO Box 158
Whitefish, MT 59937**

**Phone: 406-863-2410
Fax: 406-863-2409**



Food Vendor Permits



Standards for 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 employees

Hours of Operation

- ✓ No more than 7 hours per day
- ✓ The vendor shall be on the site no later than 3 AM

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 seating or other customer service shall be provided on site
- ✓ 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 at the end of each shift.
- ✓ Vendor must have building/cart physically inspected and approved by the City of Whitefish Building Official 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.



is used.

- ✓ 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

Signage

- ✓ Signs shall comply with Section 11-5-6, and must be attached to cart and in no case shall exceed 20 square feet
- ✓ No sidewalk ('A' frame) or banners are permitted
- ✓ A separate sign permit is not required, but will be approved along with the Vendor Permit

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

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