

**THESE ARE THE STATE AND COUNTY LAWS, RULES AND REGULATIONS FOR  
ANY EVENT BEING HELD IN HARRIS COUNTY TEXAS**

**Temporary or POP UP Vendors**

If you are a vendor who does not own a store in Old Town Spring, you must meet certain requirements in order to sell food, beverages, goods or other items. Below are the requirements for the different types of events and what item(s) are being sold by the vendor. Please keep in mind that even if you have the permission of the landowner to sell, distribute or sample any product including food and beverages, you must acquire certain permits in order to operate within the laws of Texas and Harris County.

**I. All Vendor Requirements**

For all vendors, make sure to register for a State Permit and Tax Registration through the [Comptroller Office](#). This permit will register the vendor for sales and use tax, 911 surcharge fees and sales tax surcharge on diesel equipment. If you are a non-profit organization, you will still need to get a permit, however a fee for a permit may not be charged depending on the qualification. For information regarding exemptions for sales and use tax please visit [Nonprofit and Exempt Organizations – Purchases and Sales \(texas.gov\)](#).

For all vendors who are participating in a temporary or special event, you will need to get a permit through the Harris County Fire Marshall if the special event, or temporary event is with an estimated number of participants and spectators of 100 or more people set up outdoors in a parking lot, side of the road, open land, or any outdoor venue not generally used for an assembly or using a building for an event with an anticipated occupancy load of 50 or more if the building is not permitted and constructed as an assembly occupancy. These operational permits are unique in nature and usually operate for a short period of time. Special Event permits are for a single use and cannot be renewed unless approved under the original application. Each new event shall require a new application and permit. **If you are a temporary or special event vendor in Old Town Spring and operating within the regular business hours of the shops in Old Town Spring, then you MUST complete this permit, as Old Town Spring has more than 100 people come through the town during shop hours on a daily basis. A failure to turn in a special event application 30 or 90 days prior to the anticipated start of the event could result in a denial of permit or double permit fees. An event at an outdoor assembly venue that temporarily changes the reported daily operations and activity falls within this category.** For more information on obtaining a permit please go to the [Harris County Fire Marshall Special Events Site](#).

**II. Different Food Permits in Harris County**

- A. Food Vendor:** According to the Texas Food Establishment Rules, a mobile food unit (such as a food truck) is a vehicle-mounted, self-contained food service operation, designed to be readily moveable and used to store, prepare, display, serve, or sell food. Harris County

Public Health states that a Mobile Food Unit (MFU) is a self-contained, movable food establishment that serves or sells food to a person and can be either a trailer, truck, or **pushcart**. MFU permits are only issued at the Harris County Environmental Health (EPH) office to observe mobility and functionality of the unit. To minimize wait time, applications for new MFU should be made in advance either online or in person.

Steps to Take:

1. **Submit to the EPH in office or online:**

- [Complete the Application here.](#)
  - Once the application is filled out, an email will be sent to you with your establishment number and a link to pay the Plan Review fee.
- Plan Review fee
  - Plan Review fees are non-refundable. Please ensure Harris County Public Health is your regulatory jurisdiction before the fee is paid. [Harris County Public Health's regulatory map can be found here.](#) Keep in mind, city jurisdictions may not allow MFU to operate inside their limits.
  - After the Plan Review fee is paid, EPH will call within five business days to schedule the permitting inspection appointment.

2. **Document Submittal** - All documents must be submitted together and include the establishment number on all correspondence. To streamline the process, email all documents to [ephmfu@phs.hctx.net](mailto:ephmfu@phs.hctx.net) no less than 3 business days before the appointment. Failure to provide current copies of all documents will result in a re-inspection fee, failed inspection, and re-scheduled appointment.

- The owner's current Texas Driver's License (TXDL) or US identification (Military ID, Texas, ID, US Passport, or Work Visa)
- If the owner does not have a TXDL provide:
  - A current/valid TXDL for the driver of the MFU and
  - [Notarized Mobile Food Unit Operating Contract](#)
- A Certified Food Manager certificate for an employee of the establishment
- A State of Texas Sales Tax Permit Taxpayer ID. Contact the Texas Comptroller at [www.window.state.tx.us](http://www.window.state.tx.us) or **1-800-252-5555**
- Valid vehicle registration for truck or tow vehicle and trailer (*if applicable*)
- Valid vehicle insurance for truck or tow vehicle
- Copy of the menu
- If the MFU will operate at a location for more than 2 hours:

- [Notarized letter to allow use of a restroom](#) located within 300 feet of the MFU operation address
  - [Notarized letter to allow property](#) use from the property owner
3. **Mobile Unit Inspection Appointment** - After the Plan Review fee is paid, EPH will call within five business days to schedule the permitting inspection appointment. During the appointment, the MFU will be inspected by EPH staff and a Harris County Fire Marshall. All equipment on the unit must be functioning at the time of the inspection. If a generator is needed to operate the equipment, it must be brought to the inspection. The owner must be present with his/her current/valid TXDL. If the owner does not have a TXDL, the owner must bring current photographic identification issued by the State of Texas or United States agency and the driver must be present with his/her TXDL.
- [Mobile Unit Requirements](#)
  - [MFU Pushcart Requirements](#)
4. **Permit Payment** – Once the application is received, the operator must purchase the permit and affix the mobile unit medallion to the unit. Current commissary receipts must be kept on the unit during all hours of operation.
- [Commissary List](#)

**B. Food Sample Distribution:** A Food Sample permit is an annual permit that allows cottage food businesses and licensed food manufacturers to provide customers with a sample of the pre-packaged foods the vendor is offering for sale and allows food manufacturers to sell pre-packaged temperature-controlled foods at Temporary Events in Harris County. The sample of food must be prepared at the temporary event following the [Food Sample Operational Requirements](#).

To obtain a Food Sample permit, the vendor must follow these Plan Review steps:

1. **Submit to the EPH office:**
  - [Complete the Application here.](#)
  - Plan Review fee - Plan Review fees are non-refundable. Please ensure Harris County Public Health is your regulatory jurisdiction before the fee is paid. [Harris County Public Health's regulatory map can be found here.](#)
2. **Plan Review Conference Appointment** - EPH will call within five (5) business days to schedule the plan review appointment. This appointment is held over the phone. The application and operational statement will be reviewed to determine compliance with applicable laws, rules, and regulations. During the call, the plan reviewer will discuss the

documents that need to be submitted to EPH before the pre-opening inspection can be scheduled. *This step can be expedited\**.

3. **Document Submittal** - All documents (if required) must be submitted together and include the establishment number on all correspondence.
4. **Pre-Opening Inspection** - A request must be made to EPH for a pre-opening inspection to occur at the next event in Harris County the sampler will operate at. The request must be made five (5) days prior to the desired inspection date. A re-inspection fee will be charged if the sampler does not pass the pre-opening inspection.

**C. Temporary Food Establishment for Events:** A temporary food establishment is a food booth at a temporary event that operates for no more than 14 consecutive days in conjunction with a single event or celebration. Temporary Food Establishments must follow [Temporary Food Establishment Operational Requirements](#) during operation at the event.

To get a [temporary food establishment permit](#), the event coordinator must register the event with Harris County [online](#).

Temporary Food Establishments must complete the application [online](#) or at the EPH office kiosk. Once approved, the link for permit payment will be emailed to the temporary food establishment operator. Permits are considered late if paid less than three business days in advance or onsite at the event. View the [Food Establishment Permit Fee Schedule](#) for fees related to Temporary Food Establishment Permits.

Please see the handout for [Non-Profit Organization Permits](#) if event is held to raise money for a non-profit organization.

**D. Farmers Market Vendor:** A Farmers' Market Vendor (FMV) permit is an annual permit for a farmer or producer who operates a food establishment at Farmers' Markets. Farmers that sell only whole uncut produce, local honey, or packaged non-perishable foods do not need a permit. Farmers and food producers selling temperature-controlled foods, such as eggs or meats, or preparing food at the market, must obtain an annual FMV permit from EPH. Vendors that operate under a Farmers Market permit must meet the [Farmers Market Requirements](#) and follow the [Temporary Food Establishment Operational Requirements](#).

To obtain a new FMV permit the FMV must follow these Plan Review steps:

1. **Submit to the EPH office:**
  - [Complete the Application here.](#)

- **Plan Review fee** - Plan Review fees are non-refundable. Please ensure Harris County Public Health is your regulatory jurisdiction before the fee is paid. [Harris County Public Health's regulatory map can be found here.](#)
2. **Plan Review Conference Appointment** - EPH will call within five (5) business days to schedule the plan review appointment. This appointment is held over the phone. The application and operational statement will be reviewed to determine compliance with applicable laws, rules, and regulations. During the call, the plan reviewer will discuss the documents that need to be submitted to EPH before the pre-opening inspection can be scheduled. This step can be expedited\*.
  3. **Document Submittal** - All documents (if required) must be submitted together and include the establishment number on all correspondence.
  4. **Pre-Opening Inspection** - A request must be made to EPH for a pre-opening inspection to occur at the next event in Harris County the vendor will operate at. The request must be made five (5) days prior to the desired inspection date. A re-inspection fee will be charged if the FMV does not pass the pre-opening inspection.

\*\*\*\*\*For more information on whether your goods of service require such permits, please contact the Texas Comptroller's Office, Harris County Public Health Department, or the Harris County Fire Marshall's Office.