



# Boston Food Trucks

## A Guide to Food Truck Regulations In Boston

*Prepared by the Harvard Food Law and Policy Clinic and the Community Enterprise Project*



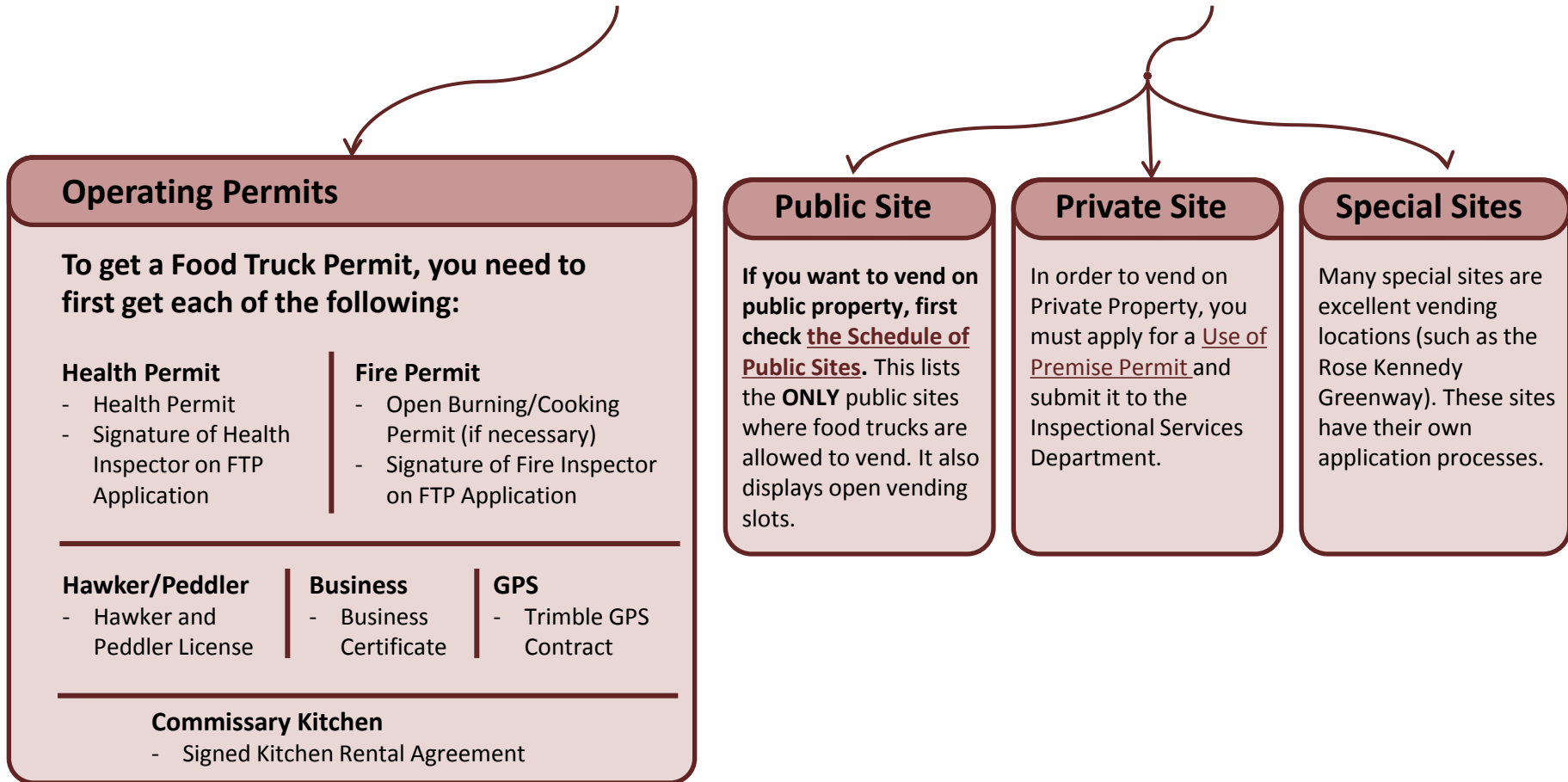
## WHAT IS A FOOD TRUCK?

- *A walk-on vehicle where food is cooked, prepared and served in individual portions*
- *No larger than 30 ft x 8 ft (for public site vending)*

To run a food truck in the City of Boston,  
you need a **Food Truck Permit** from the Department of Public Works

# What do I need to get a Food Truck Permit?

You need **Operating Permits** and **Site Approval**



## To get a food truck permit, you need...

### Health Permit from ISD

## Page Checklist

- Health Permit
- Signature of a Health Inspector on FTP Application

### Reviewing your plan before you build your truck

The City encourages vendors to review their construction and operation plans with a Health Inspector before building their trucks. To schedule a plan review, call Tom McAdams at 617-961-3293.

Bring the following to the review:

- 1) Equipment plans and specifications (including [Plan Review Form](#))
- 2) Completed [Health Permit Application](#) (contains relevant information about the type of cooking you will do)
- 3) Sample Menu (this influences the layout of the kitchen)

**Cost:** \$100 (includes cost of a one-year health permit after successful inspection)

### Getting a Health Permit after you've built your truck

Call Tom McAdams at 617-961-3293 to make an inspection appointment. Food truck inspections are available from 8:00 to 9:30 am Monday to Friday at 1010 Massachusetts Avenue. If your truck passes the inspection, you will receive a **Health Permit** and **the signature of the Health Inspector** on your FTP Application.

Make sure to bring the following to the inspection:

- 1) Sample Menu
- 2) Proof of Commissary Kitchen (e.g. lease agreement)
- 3) Proof that at least one person working on your truck is a [Certified Food Protection Manager](#)
- 4) [Use of Premise Permit](#) (*Only required if vending on a private site – see [Vending on a private site](#) for more information on acquiring a Use of Premise Permit*)
- 5) Completed [Health Permit Application](#)
- 6) In-Progress [Food Truck Permit Application](#)

Your food truck must meet the health standards set out in [105 CMR 590.000](#) (esp. pages 3583-84) and the [1999 Federal Food Code](#), which is enforced in Massachusetts.

**Cost:** \$100 for a one-year health permit (no charge if you already paid during a plan review)

You must renew your health permit every year or whenever you modify your truck.

### Modifying your truck

If you plan to modify your truck, get in touch with ISD. Contact Tom McAdams at 617-961-3293 to determine if a plan review is necessary.

Bring the following to the review:

- 1) Equipment plans and specifications (Including [Form](#))
- 2) Sample Menu

## To get a food truck permit, you need (continued)...

### Checklist from this page

- Open Burning/Cooking Permit (if applicable)
- Signature of a Fire Inspector on FTP Application
- Hawker and Peddler License for one person working on the truck

## Fire Permit

### Getting your truck fire inspected

The Boston Fire Department will inspect your truck for fire hazards during your health inspection. All you have to do is schedule the health inspection. You will receive an **Open Burning/Cooking Permit** (if applicable) and **the signature of a Fire Inspector** on your FTP Application.

Bring the following to the inspection:

- 1) If applicable, a completed [Application for Open Burning/Cooking Operations](#)
- 2) In-Progress [Food Truck Permit Application](#)

**Cost:** \$110 (annual fee)

You must renew your Open Burning/Cooking Permit every year.

### When you need an Open Burning/Cooking Permit

If using propane or an open flame, you must have:

- 1) Fire Suppression System installed
- 2) Fire Extinguisher 40bc (K if deep frying)

You need an **Open Burning/Cooking Permit** if you use *anything but* an inline generator to cook your food and power your truck.

## Hawker/Peddler

### Getting Hawker and Peddler Licenses

Everyone who handles money on your food truck needs a **Hawker and Peddler License**. Each money-handler must fill out a [Hawker and Peddler License Application](#) and have his or her local Police Chief sign the Certificate of Character.

**However, you need only present one Hawker and Peddler License** (belonging to yourself or an employee who will work on your truck) **to apply for a Food Truck Permit**. Submit applications to the Director of Standards, One Ashburton Place, Room 1115.

**Cost:** \$62 per license (annual fee)

Every person handling money on your food truck must renew his or her Hawker and Peddler License every year.

## To get a food truck permit, you need (continued)...

## Checklist from this page

- Trimble GPS Contract

### Trimble GPS Contract

- GPS will allow people to check on the City of Boston's website to see when and where your truck is open
- The public will not have access to your whereabouts at all times; only at the times you are vending

To get a **Trimble GPS Contract**, complete

1. [Trimble GPS Contract](#)
2. Trimble Credit Application Form
3. [Trimble Shipping and Billing Form](#)
4. First page of [Food Truck Permit Application](#) (needs your signature but does not need any of the other signatures)

Send all completed documents to Brock Zylstra  
Brock\_Zylstra@trimble.com or FAX 408-954-6743.

An installer will contact you to arrange installation of the GPS device on your food truck. **Do not** take the GPS out of its box – the installer will do this.

5. After contracting with Trimble, complete the [Sprint New Vendor Account form](#) and send it to Barry Madsen [Barry.Madsen@sprint.com](mailto:Barry.Madsen@sprint.com) or FAX 617-507-6336
  - Where account form asks for driver's license number, you may place your business tax ID #

After contracting with Trimble, complete the [Sprint New Vendor Account form](#) and send it to Barry Madsen [Barry.Madsen@sprint.com](mailto:Barry.Madsen@sprint.com) or FAX 617-507-6336

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### Estimated Cost of GPS Equipment:

**\$299 Trimble GPS Equipment Fee**  
**\$89 Trimble Installation Fee (one time fee)**  
**\$35/month Sprint Data Plan**

## To get a food truck permit, you need (continued)...

## Checklist from this page

- Business Certificate
- Commissary Kitchen Agreement

### Business Certificate

#### Getting a Business Certificate

**If your permanent business location is *in* Boston:** Complete a [City of Boston Business Certificate Application](#) to get a **Business Certificate**. Enter the address of your commissary, office or other permanent location as your business address and list your vending locations on a separate sheet of paper. Submit the application and the list of vending locations to Boston City Hall, One City Hall Square, Room 601.

**Cost (Boston): \$65**

**If your permanent business location is *outside* of Boston:** Apply for a business permit in the town of your permanent business location (commissary, office, or other location). Business certificate costs vary by city (between \$20-\$100)

[Cambridge Business Certificate](#)  
[Somerville Business Certificate](#)  
[Framingham Business Certificate](#)  
[Newton Business Certificate](#)  
[Peabody Business Certificate](#)  
[Waltham Business Certificate](#)

You must renew your Business Certificate every four years.

If your city is not listed above you can find the business certificate application for your area by contacting your local City Clerk's Office.

### Commissary Kitchen

A **commissary kitchen** is a licensed commercial kitchen facility.

Possible locations:

- Community Kitchen
- Church Kitchen
- Restaurant (during off hours)
- Catering business

You will need to provide the city with a signed agreement proving that you have retained the services of a commissary kitchen.

# Public Site Licenses

The City of Boston has designated 20 locations on public property as public sites. These 20 sites are the only locations on public property where vendors may vend. You can find a full list of the public sites [here](#), along with their vending slots and current occupants. Many of these are “cluster sites”, with more than one food truck operating during each meal time.

To vend on a public site, you must acquire a site license (the site license application process is detailed on the next page). All site licenses last for three months. The process by which you may acquire a slot that is occupied by another vendor depends on the type of site.

*Prime sites:* You must apply for prime site slots in the mid-January annual prime site lottery. All new sites are prime sites for their first year. Occupants of prime sites may only renew their site licenses until the next prime site lottery. If an occupant releases their permit before the next prime site lottery, a mini lottery is held. The mini lottery takes place as needed and eligible vendors are notified. To participate in the lottery, you must plan to have a fully permitted and licensed truck ready by April 1<sup>st</sup> of the same year. Apply for the lottery at Boston City Hall, Room 603.

*Non-prime sites:* If you want an occupied slot on a non-prime site, you must wait for the current occupant of the slot to give up the slot. The occupant of a non-prime site may renew his or her site license as many times as she wishes. Open non-prime sites are distributed on a first-come, first-served basis.

Vendors must pay the total cost of the license at the beginning of the three month license period. For example, a vendor who will operate during the breakfast slot Monday to Friday on a Tier One site must pay \$812.50 to get a three-month site license.

**Site costs per slot per day by meal**

	Breakfast (6:00 – 10:00 AM)	Lunch (10:00 AM - 3:00 PM)	Dinner (3:00 – 9:00/11:00 PM)
<b>City Hall Plaza</b>	\$50.00/slot/day	\$50.00/slot/day	xx
<b>Tier One</b>	\$12.50/slot/day	\$25.00/slot/day	\$12.50/slot/day
<b>Tier Two</b>	\$8.25/slot/day	\$16.50/slot/day	\$8.25/slot/day
<b>Tier Three</b>	\$4.25/slot/day	\$8.50/slot/day	\$4.25/slot/day

# Public Site Licenses

## Vending on an existing public site in an open slot

Submit a [Food Truck Site License Application](#) to Public Works, Permitting Office, Boston City Hall, Room 715. Include the following documents:

- 1) Completed first page of [Food Truck Permit Application](#)
- 2) Completed [Pre-Approved Site Locations Worksheet](#)
- 3) [Business Plan](#): A short description of your business, including:
  - a) Concept and sample menu (with at least one healthy option)
  - b) Statement on uniqueness of your product
  - c) Choice of participation in Rethink Your Drink campaign
  - d) Agreement not to compete with businesses within 100 feet of the site
  - e) Operations: timing (arrival, set up, business hours, departure), staffing, customer queuing, trash/area cleaning, staff restroom, strategy to keep 20 feet in front of and behind your vehicle clear of other vehicles
- 4) Proof of Commissary Kitchen (e.g. lease agreement)
- 5) Statement on Community Engagement
- 6) Statement on Environmental Sustainability

## Proposing a new public site

Submit a [Food Truck Proposed Site Application](#) to Public Works, Permitting Office, Boston City Hall, Room 715. Include the following documents:

- 1) Completed first page of [Food Truck Permit Application](#)
- 2) Completed [Proposed Site Locations Worksheet](#) and a [Proposed Site Evaluation Form](#)
- 3) [Business Plan](#) (see box to the left for an explanation of the Business Plan)
- 4) Proof of Commissary Kitchen (e.g. lease agreement)
- 5) Statement on Community Engagement
- 6) Statement on Environmental Sustainability
- 7) Google Map printout indicating parking location
- 8) 360 degree photos of the proposed site

Note: If your proposed public site is approved, you are not guaranteed that spot. The site will be put into the lottery.

## **If your public site application is approved (for either an existing or new public site)...**

- 1) Provide a certificate of insurance listing each approved location and including “City of Boston” as additionally insured for \$1,000,000 for each event triggering coverage
- 2) Provide proof that a registered letter was sent to the building management/property owners within 100 feet of each approved site to notify those businesses of the approval to vend
- 3) Provide proof that a registered letter was sent to the business owner(s) fronting the approved site
- 4) Contact other businesses and residences in the area to let them know about the new food truck (flyering)

Submit all documents to Boston City Hall, Room 603.

Ten days after mailing the registered letters, call Public Works. If Public Works has not received any complaints, give a check to Public Works to pay for your slots for the next three months and you will receive your public site license.



# Special and Private Site Licenses

## Vending on a special site

Click [here](#) for the list of special sites and the application rules for each one

Each site has its own application procedure. Some special sites require vendors to complete the [public site application process](#).

Special sites include property owned by:

- The Rose Fitzgerald Kennedy Greenway Conservancy
- The Boys and Girls Club of Boston
- The MBTA
- The BRA/EDIC and others.

If you are approved for a special site, you must submit a copy of the lease and/or letter of agreement from the property owner as part of your Food Truck Permit Application

## Vending on a private site

If you will vend on a private site, you must submit the following documents as part of your Food Truck Permit Application:

- 1)Completed [Food Truck Permit Application](#)
- 2)A copy of the lease and/or letter of agreement from the property owner
- 3)A photo of the site
- 4)A scaled drawing of the site, noting truck location and service plan
- 5)A copy of the [Use of Premise permit](#).
  - a) Most private property in Boston will require a conditional use permit in order to host a Food Truck.
  - b) In order to obtain a conditional use permit, fill out the Use of Premise permit application (link above) and submit it electronically or to the Inspectional Services Department (ISD) at 1010 Massachusetts Ave.
  - c) ISD will review your Use of Premise Permit Application and approve or deny it.
  - d) If ISD denies the Use of Premise permit application you may [appeal that decision](#) to the Zoning Board of Appeals by filing an [Appeal Application](#) with ISD at 1010 Massachusetts Avenue (filing instructions [here](#))
    - i. Cost of Appeal \$150
    - ii. The vendor must attend a hearing and tell the Board why the vendor should be permitted to operate in the vendor's chosen location. The Board will assess the appeal under [Article 6 of the Boston Zoning Code](#), based on the appropriateness of the location for food truck vending and the chance of adverse effect, hazard or nuisance.
    - iii. If the Board approves the location for food truck vending, the ISD will issue a Use of Premise permit to the vendor.

## Checklist for Food Truck Permit

- Health Permit
- Signature of a Health Inspector on FTP Application
- Open Burning/Cooking Permit (if applicable)
- Signature of a Fire Inspector on FTP Application
- Hawker and Peddler License for one person working on the truck
- Trimble GPS Contract
- Business Certificate
- Commissary Kitchen Agreement
- Public Site License or Private/Special Site materials

**... once you have everything above,  
you can apply for a Food Truck Permit!**

### Food Truck Permit (FTP)

Once you have **ALL** the above materials, you must submit them along with a completed [Food Truck Permit Application Form](#) to Public Works, Boston City Hall, Room 714 or fax the documents to 617-635-7499.

**Cost:** \$500 (Annual Fee)

**Questions?** Contact the City of Boston's Food Truck Coordinator at 617-635-3717 or [Foodtruckchallenge@cityofboston.gov](mailto:Foodtruckchallenge@cityofboston.gov)