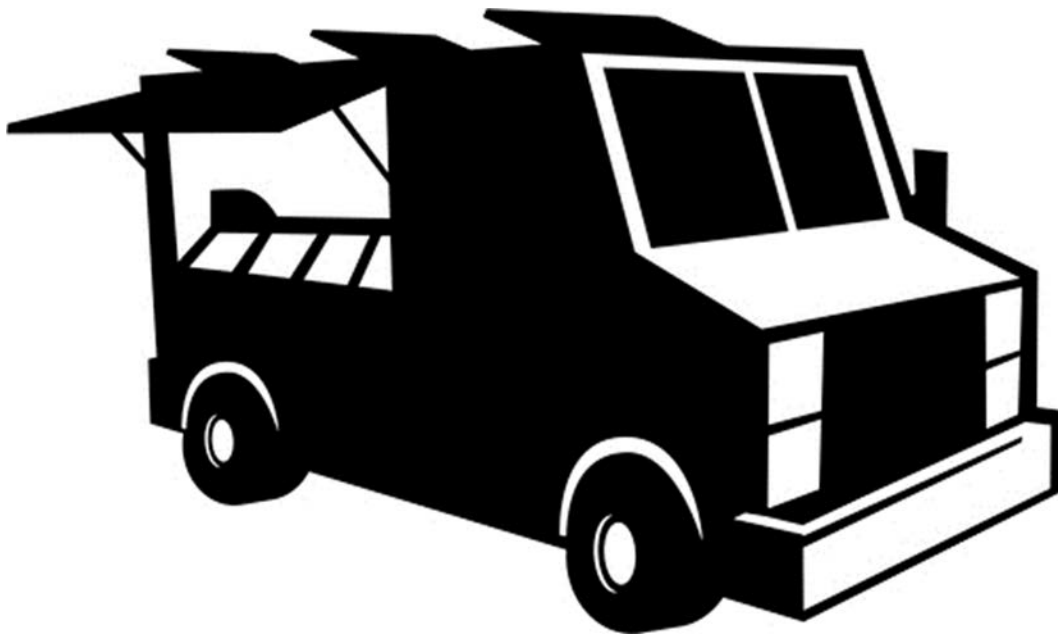




city of

**PUEBLO**

colorado



# **Pueblo Mobile Food Unit Handbook**

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# MOBILE FOOD UNIT

## Handbook of Operations & Procedures

June 29, 2017

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## Purpose and Intent

The City Council of the City of Pueblo, Colorado (referred to in this booklet as the “City”) is determined to accommodate Mobile Food Units with an ability to move freely in certain areas of the City on the condition that the units operate in compliance with all applicable state and local laws. The City Council has revised the Pueblo Municipal Code as it relates to the licensing and conditional uses of Mobile Food Units; specifically, Chapter 4 (Food Dealers) of Title IX (Licensing and Permits), and Chapter 2 (Definitions) and Chapter 4 (Zone Districts, Regulations, Use Index) of Title XVII (Zoning).

The purpose of this handbook is to establish specific standards and procedures for Mobile Food Units, commonly called “food trucks,” and to protect the health, safety, and welfare of the residents and consumers of the City by prescribing the way Mobile Food Unit operations can be conducted in the City.

A list of defined terms is included at the end of this booklet. Those who are involved with Mobile Food Units will find the terms helpful in understanding how to successfully conduct their business operation.

## Application Procedure

The Downtown Association, Chamber of Commerce, and Latino Chamber of Commerce have members who are willing to help Mobile Food Unit vendors with doing business in the City.

A first-time applicant should follow these steps:

1. Contact the Pueblo Department of Public Health and Environment to obtain a Colorado Retail Food Establishment License. <http://county.pueblo.org/government/county/pueblo-city-county-health-department> The address is 101 West 9th Street, Pueblo, CO 81003. Phone: (719) 583- 4307. Hours: Monday – Friday, 8 a.m. – 5 p.m. (Procedures outlined in the section for Public Health Requirements.)
2. Contact the Pueblo Fire Department to obtain, fill out, and return a Mobile Food Unit Plan Review Packet. A minimum of two (2) weeks will be necessary for review by Fire Inspectors. <https://pueblo.us/93/Fire-Department> The address is 1551 Bonforte Boulevard, Pueblo CO 81001. Phone: (719) 553-2830. Hours: Monday – Friday, 8 a.m. – 5 p.m. (Procedures outlined in the section for Fire Department Requirements.)
3. Contact the Planning & Community Development Department (Land Use Administration) for questions about where Mobile Food Units are allowed. Use the online Zoning Map for confirming zone district by address: <https://pueblo.us/1757/Zoning-District-Map> The office is 211 East D Street, Pueblo CO 81003. Phone: (719) 553-2259. Hours: Monday – Friday, 8 a.m. – 5 p.m. (Procedures outlined in the section for Zoning and Land Use Requirements.)

4. Visit the Pueblo Sales Tax Division to begin the licensing process. The address is 1 City Hall Place, Pueblo, CO, 81003. Phone: (719) 553-2659. Hours: Monday – Friday, 8 a.m. – 4:30 p.m. Receive and fill out the following forms available online at <https://pueblo.us/180/Sales-Tax-Division>
  - Sales and Use Tax
  - Business License Application Routing Sheet (for signatures of review agencies)
  - Mobile Food Unit, Conditions of Approval (for understanding land use rules)
  - Mobile Food Unit, Private Property Authorization (only for each location operating on private property)
  - Home Based Business, Conditional Use Permit (only if the mobile food business address is based in the owner or licensee’s home)
5. Receive a city-issued Global Positioning Satellite (GPS) device from the Sales Tax Division.
  - The GPS device installation instructions are available on YouTube<sup>1</sup> <https://youtu.be/ZGfV80HScXI> and an installation guide (PDF). If an applicant needs assistance, professional installation is available for hire through the vendor, Colorado Fleet Solutions, ATTN: Ron Pauls, (303) 761-4771, [RPauls@ColoradoFleetSolutions.com](mailto:RPauls@ColoradoFleetSolutions.com)
  - If the Mobile Food Unit is trailer-pulled, install the GPS device in the hauling vehicle and park the vehicle near the trailer during the mobile food operation.
  - Please be advised that from July, 2017, until the end of 2017, the initial GPS data plan will be for six (6) months. Licenses renewed for 2018 will be for a full year.
6. Application forms will be e-mailed by the Sales Tax Division to the City Planning & Community Development Department (Land Use Administration) and Fire Department for their review and signature.

## Inspection Procedure

Inspections will take place at the Pueblo Department of Public Health and Environment office located at 101 West 9th Street, Pueblo, CO 81003.

Both the Health Department and the Fire Department will inspect the Mobile Food Unit prior to the

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<sup>1</sup> If watching the YouTube, please be advised that you *don't* need to call Traxxis GPS to verify installation. This video is only for reference as an example for to how to install the GPS device.

issuance of the license.

The Health Department and Fire Department will also require annual re-inspections of Mobile Food Units as part of the license renewal process.

If violations of Health Department or Fire Department requirements are found during the initial inspection, a follow-up inspection will be required within thirty (30) days to ensure compliance. It is the responsibility of the licensee/applicant to contact the Health or Fire Departments to schedule a re-inspection. Violations that pose a significant fire and life safety or public health hazard will be required to be corrected immediately, prior to operating in the City.

Once all violations have been corrected and/or the Mobile Food Unit passes the Fire and Health inspection, the Business License routing sheet will be signed, and the Sales Tax Division will contact the applicant.

Locations of licensed Mobile Food Units transmitted from the GPS device may be seen by the Sales Tax Division, Health Department, Fire Department, and Land Use Administration.

Complaints are filed through the City's online portal, Civic Plus. The appropriate authority will be assigned to handle the complaint.

## **Renewal Procedure**

Licenses must be renewed yearly through the Sales Tax Division. The GPS device tracking plan will be turned off unless the license is renewed by January 15.

Applicable Codes and Standards are as follows:

- Pueblo Municipal Code Title IX Licenses and Permits, Chapter 4 Food Dealers, and Title XVII Zoning, Chapter 4 Zone Districts; Regulations; Use Index, Section 17-4-51.
- The Colorado Department of Health and Environment (CDPHE), 6 CCR 1010-2 effective 05/13/2013.
- International Fire Code (IFC), edition 2015.
- International Building Code (IBC), edition 2015.
- International Mechanical Code (IMC), editions 2006 and 2015.
- National Fire Protection Association (NFA), standard 96, edition 2014.

Please be advised that a Mobile Food Unit requires a revocable permit only when it provides additional site features in the public right-of-way, such as table and chairs, pop-up cafes, and sidewalk cafes, (as an exception to Title IX Licenses and Permits, Section 9-10-83 and 84.)

## Licensing Requirements

Unless otherwise specified, the following requirements apply to all Mobile Food Units licensed within the City.

### Licenses

**Required License.** It is unlawful for any person to operate a Mobile Food Unit in the City without obtaining a local license to operate. The Sales Tax Division, located in the garden level of City Hall, handles Licensing. Applications are routed for review by the Department of Planning & Community Development, Pueblo Department of Public Health and Environment, and the Fire Department.

**Term of License.** Every license will be valid for the entire calendar year in which it is issued. The required GPS service discussed below is available in either six (6) months or one (1) year term, depending upon the month the license is issued. In every instance, the GPS service must cover the term of the license.

### Fees

The following fees will apply to all Mobile Food Unit licenses and must be paid to the City. Each separate vehicle or trailer requires a separate license.

Additional fees will apply for the Pueblo Department of Public Health and Environment.

#### Initial and Annual Operating Fees

Sales/Use Tax License	\$50.00
Food Handling License	\$5.00
Fire Department Inspection	\$50.00

#### Administrative Operating Fees

GPS Device Fee	\$100.00
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GPS Data Plan

\$170.00 (one year) OR  
\$85.00 (six months)

## Advertising

All Mobile Food Unit signs are subject to the requirements specified in Chapter 10, Title XVII of the Pueblo Municipal Code. These requirements limit the number and area of signs allowed, including signs mounted on vehicles, temporary signs, sandwich boards, or hand-held or other portable signs. All signs must be maintained in a state of good repair, including structural supports and any paint or lighting. Prior to installation of any permanent sign, a sign permit must be obtained from the Pueblo Regional Building Department through a licensed sign contractor.

Further questions about permanent signs may be directed to <http://PRBD.com> or (719) 543-0002.

## Books and Records

Every person engaged in a licensed business in the City is required to keep and preserve suitable records of all sales made by him or her and such other books or accounts as may be necessary to determine the amount of tax to be collected for which he or she is liable. The person is also required to keep and preserve for a period of three (3) years all invoices of goods and merchandise purchased for resale. All such books, invoices, and other records must be open for examination at any time by the Director of Finance of the City or his or her duly authorized agent.

## Documents to Be Displayed

The general business license, along with the Mobile Food Unit license from the Pueblo Department of Public Health and Environment, must be posted inside the Mobile Food Unit near the main service area in a manner that is visible to customers.

## Trash

Each Mobile Food Unit is required to keep the sidewalks, roadways, and other spaces adjacent to the unit clean and free of paper, peelings, and other refuse of any kind generated from the operation of the Mobile Food Unit. All trash or debris accumulating within twenty-five (25) feet of any Mobile Food Unit must be collected by the operator of the unit and deposited in a trash container. The trash container must be maintained by the operator in good condition. The trash container must be constructed of non-corrodible and watertight material, sufficient to hold the refuse generated by the



business. The container must be removed by the operator whenever the Mobile Food Unit moves to another location or at the close of business.

## **Public Health Requirements**

All new Mobile Food Units must contact the Pueblo Department of Public Health and Environment to meet the following requirements:

1. Submit a Mobile Plan Review Packet prior to licensing;
2. Comply with the Colorado Retail Food Regulations, obtain a Colorado Retail Food Establishment License, and submit a current commissary agreement (if Mobile Food Unit is not self-contained);
3. Display the current Food License at all times of operation;
4. Schedule a routine food inspection prior to licensing for that calendar year;
5. Obtain a written and approved agreement for restroom use, signed by the property owner or authorized manager, for employee use of restrooms;
6. Obtain a written and approved agreement for restroom use, signed by the property owner or authorized manager, for restroom use by customers if a seating area or pop-up café is provided for customers; and,
7. Have the State Health Department retail food establishment license renewed by the end of December.

## **Fire Department Requirements**

The Fire Department reserves the right to amend current safety regulations. In all cases, Mobile Food Unit licensees and employees should confer with Fire Department Inspectors or their designees for current regulations and interpretation.

## **Plan Review Checklist**

A minimum of two (2) weeks will be necessary for review of the Mobile Plan Review Packet. Plans will not be reviewed until all items are submitted.

The Mobile Food Unit Business License application will be submitted electronically from the Sales

Tax Division.

The Mobile Food Unit plan must include a drawing of the unit floor plan to scale. The drawing must identify all equipment and fixtures. Photos can be provided in addition to the floor plan.

## Permits

It is unlawful and a violation of the Pueblo Municipal Code to operate a Mobile Food Unit without a business license (which is authorized by a conditional use permit).

Any Mobile Food Unit left onsite for more than twenty-four (24) hours at a carnival, fair, festival, or similar public event will be subject to additional Food Booth permit requirements, inspections, and fees, separate from Mobile Food Unit licensing, rules, and regulations. Contact the Sales Tax Division for questions on this type of permit.

## Fire Extinguishers

All Mobile Food Units are required to have at a minimum one 2A:10BC portable fire extinguisher mounted in a conspicuous place within the food preparation area.

In addition to any other fire extinguishers, all Mobile Food Units with portable generators are required to have at a minimum one 3A:40BC portable fire extinguisher.

In addition to any other fire extinguishers, all Mobile Food Units with any cooking equipment that produces grease-laden vapors are required to have at a minimum one Class “K” portable fire extinguisher.

One Class “K” portable fire extinguisher is required for up to four (4) fryers having a maximum cooking medium capacity of eighty (80) pounds each. For every additional group of four fryers, an additional Class “K” extinguisher is required. For individual fryers exceeding six (6) square feet in surface area, Class “K” extinguishers must be installed in accordance with the manufacturer’s recommendations.



All portable fire extinguishers must be serviced, inspected, and tagged annually by a professional individual approved by the Fire Department.

## Liquefied Petroleum Gas (LPG)

Only U.S. Department of Transportation (DOT) approved models of LPG containers (49CFR 178)

can be used on Mobile Food Units.

No more than two (2) one-hundred (100) pound LPG containers are permitted to be transported for each Mobile Food Unit. That is a total of two-hundred (200) pounds.

LPG containers must not be located within a minimum of five (5) feet from the primary means of entering the Mobile Food Unit. One exception is if the LPG containers are at least semi-enclosed within a protective compartment. LPG containers cannot extend beyond the manufactured rear bumper of the Mobile Food Unit and must be protected from vehicle impact.

LPG containers must be located and secured in an upright position, outside the exterior walls of the Mobile Food Unit, and open to the atmosphere. Or the LPG containers must be kept in a compartment separate from the interior food preparation area that is accessible from the exterior of the unit and the compartment floor and exterior door must be vented low to the atmosphere.

LPG “belly tanks” are required to be installed according to DOT standards and located within the body frame of the Mobile Food Unit for additional structural protection. Documentation of this type of installation is required.

Any hose used to pipe LPG to a device or appliance will be Underwriter Laboratory (UL) or (Factory Mutual) FM listed specifically for LPG service. See the List of Defined Terms.

All couplings, fittings, regulators, and similar devices must meet the requirements for LPG service as outlined in the International Fuel Gas Code (IFGC), NFPA 58 and 54. Otherwise, the LPG container will be deemed unapproved and removed from service. All LPG piping must be professionally installed. See the List of Defined Terms.

LPG pressure relief devices must be positioned so that vented vapors are directed away from personnel, ignition sources, enclosed spaces, as well as structures and containers to prevent injury and property damage.

A LPG main shut-off valve is required to be easily accessible and clearly marked. A sign or label that is visible to the public must be displayed with a minimum two (2) inch red lettering on a white background.

All Mobile Food Units using LPG must post both a “NO SMOKING/NO FUMAR” sign and a “PROPANE/PROPANO” warning or danger sign or placard (in English and Spanish) next to or directly above the LPG containers that is visible to the public. These signs must have a minimum of four (4) inch lettering.



A record of inspection must be maintained onboard for each LPG container. The record of inspection must document the original manufacture/test date, requalification/retesting dates, and periodic leak

tests. Requalification/retesting must be performed to meet DOT standards by a certified individual approved by the Fire Department.

## Commercial Hood Ventilation Systems

A commercial hood of appropriate type is required to be installed above:

1. All commercial and domestic cooking appliances that produce vapors;
2. Dishwashers and other appliances that produce heat or moisture; and
3. Appliances that produce products of combustion, but which do not produce grease or smoke.

A commercial hood system includes the hood, ducts, exhaust equipment, and makeup air system which must be designed and installed by a professional individual.

A commercial hood system that has an automatic fire extinguishing system must meet the following requirements:

1. It must be designed and installed specifically for the commercial cooking appliances beneath the hood system by a professional individual;
2. It must have a record of installation onboard for review;
3. It is required to be inspected and maintained every six (6) months by a licensed contractor; and,
4. It must have an inspection tag attached to the system and a record of inspection maintained onboard for review;

All violations or deficiencies noted during the periodic inspection must be corrected within thirty (30) days.

All deep-fat fryers must have a steel baffle of at least eight (8) inches in height between the fryer and surface flames of an adjacent appliance.

A positive closing lid is required on the fryer with latching mechanisms that secure it in the open and closed positions. The lid must be secured to prevent spillage of cooking oil during transit.

All cooking appliances must be listed by UL or National Sanitation Foundation (NSF) International for mobile applications for the appropriate fuel and be clearly marked with the appropriate rating sticker. See List of Defined Terms.

## Detection Equipment

All Mobile Food Units are required to be equipped with a working carbon monoxide (CO) detector that meets the standards set forth in NFPA 1192-6.4.6. This device is to be listed and marked as suitable for use in recreational vehicles under the requirement of ANSUL/UL 2034 or CSA 6.19 and installed according to the terms of its listing.

All Mobile Food Units using both LPG and electrical equipment are required to be equipped with a working LPG leak indicator that meets the standards set forth in NFPA 1192-6.4.8. This device is to be listed and marked as being suitable for use in recreational vehicles under the requirements of ANSUL/UL 1484 and installed according to the terms of its listing.

## Emergency Egress

All Mobile Food Units must have a clear, unobstructed height over the aisle-way portion of the unit of at least seventy-four (74) inches from floor to ceiling, and a minimum of thirty (30) inches on unobstructed horizontal aisle space.

Should travel distance from any portion of the interior exceed ten (10) feet, the unit must have a minimum of two (2) exits located away from each other and arranged so as to provide a means of unobstructed travel to the outside of the vehicle.

A secondary means of leaving the unit must be located away from the main exit door, with an unobstructed minimum passage to the outside of twenty-four (24) inches by twenty-four (24) inches. The bottom of this secondary egress will be no more than four (4) feet above the vehicle floor or a readily accessible horizontal surface capable of supporting a weight of three hundred (300) pounds minimum.

The secondary exit must be labelled with the word “EXIT” with two (2) inch minimum letters on a contrasting background.

The latch mechanism of any exit facility must be operable by hand. The mechanism must not require the use of a key or special knowledge for operation from the inside.

## Generators

Generators are required to be stored separately from the passenger and food preparation area.

Exhaust must be directed away from the interior of the Mobile Food Unit.

Generators are required to have a Ground Fault Circuit Interrupter (GFCI) installed and grounded in

an approved manner. See the List of Defined Terms.

Refueling of generators must meet these requirements:

1. Refueling must not be performed until the generators are turned off and cool to the touch.
2. Refueling must not be performed within twenty (20) feet of the Mobile Food Unit.
3. Fuel must be stored in a UL or FM approved flammable liquid safety container in an approved location.
4. Generators must not be refueled in areas occupied by the public.

### **Mobile Food Unit Positioning**

Mobile Food Units are required to be positioned at least ten (10) feet from buildings, other vehicles, or combustible or flammable materials.

### **Land Use and Zoning Requirements**

Please see Title XVII, Zoning Code, of the Pueblo Municipal Code for specific requirements.

### **Zoning Limitations**

The operation of a Mobile Food Unit is only permitted within the R-5, B-1, B-2, B-3, B-4, B-P, CCN, I-1, I-2, I-3, S-1 and S-5 Zone Districts upon issuance of a Conditional Use Permit. The operation of a Mobile Food Unit is permitted within the H-B, and HARP Zone Districts upon issuance of a Special Use Permit.

The Department of Planning and Community Development will verify all requirements of a Conditional Use Permit have been met and will continue to be met, prior to the issuance of the Conditional Use Permit. Periodic review of the Conditional Use Permit will be required to verify compliance with all requirements of the permit. Periodic review includes tracking the location of the GPS device mounted in the Mobile Food Unit. Failure to comply with all requirements of the permit, as well as any zoning violations, will be grounds for revocation of the permit.

Use by Review for the Historic Business District and the Historic Arkansas Riverwalk of Pueblo (HARP) District will be approved by the Zoning Board of Appeals in coordination with the HARP authority, as necessary. Application for this review will occur at the office of the Department of Planning & Community Development, 211 East D St., Pueblo, CO, 81003.

Operation both inside a park or within one-hundred (100) feet of a park boundary requires authorization by the Director of the City’s Department of Parks & Recreation. Application will occur at the office of the Parks & Recreation Department, 800 Goodnight Ave., Pueblo, CO, 81005.

## Conditions Required for Mobile Food Units

Mobile Food Unit conditions, with clarifications, are as follows:

1. Operators of Mobile Food Units will comply with all requirements of local, state, and federal laws including without limitation City business license and permit requirements, state and local requirements related to retail food establishments, state and local prohibitions on the sale or service of marijuana or alcohol, noise restrictions, signage restrictions, traffic and parking requirements, and all requirements and limitations.
  - On-site consumption is allowed only if the Mobile Food Unit has provided lavatory and hand washing facilities per Public Health Requirements noted above.
  - Mobile Food Unit vehicles parked overnight are subject to traffic laws, including but not limited to parking restrictions. Vehicles are also subject to zoning laws, including but not limited to large vehicle storage, which cannot be parked on public streets, nor at residences. Leaving Mobile Food Unit vehicles unattended at any location is at the risk of the vehicle owner.
2. Operators of Mobile Food Units will install, maintain, and have functioning, during all periods of business operations of the Mobile Food Unit, a City issued GPS device and a City data service plan. The GPS device and data service plan will be issued by the City upon payment of the following fees, which might be subsequently amended by resolution of the City Council:
  - \$100.00 with respect to the GPS device fee; and
  - \$170.00 with respect to the twelve (12) month data service plan fee or \$85.00 with respect to the six (6) month data service plan fee.
  - The GPS device facilitates compliance with health and fire regulations through on-site inspections.
3. Operators of the Mobile Food Units will keep the sidewalks, roadways, and other spaces adjacent to the Mobile Food Unit clean and free of paper, peelings, and other refuse of any kind generated from the operation of the Mobile Food Unit. All trash or debris accumulating within twenty-five (25) feet of any Mobile Food Unit will be collected by the operator of

the Mobile Food Unit and deposited in a trash container maintained by the operator in good condition and constructed of non-corrodible and watertight material, sufficient to hold the refuse generated by the business. This container will be removed by the operator whenever the Mobile Food Unit moves to another location or at the close of business.

4. Only pedestrian service will be allowed, and no vehicle or drive-thru service will be permitted.
5. The Mobile Food Unit will not be located in a park or within one-hundred (100) feet of a park, as determined by direct measurement from the property line of the park to the closest point of the Mobile Food Unit, unless authorized in writing by the Director of the City's Department of Parks & Recreation. The operator of the Mobile Food Unit will have such written authorization available for inspection at all times.
6. Mobile Food Units may operate on private property within the districts in which the use is approved provided they comply with the following requirements and limitations:
  - The operator of the Mobile Food Unit will obtain prior written permission from the owner of the private property and will have said written permission available for inspection at all times; and
  - The Mobile Food Unit will be parked on a paved or suitable maintained surface outside any designated Fire Lane and outside the sight distance triangle as that term is defined in Title XVII of the Pueblo Municipal Code.
  - More than one Mobile Food Unit vehicle may operate at the same parcel property. In these cases, the City Department of Transportation may require additional access, traffic visibility, and off-street parking.
7. Mobile Food Units may operate within the public right-of-way abutting or within the districts in which the use is approved provided they comply with the following requirements and limitations:
  - The Mobile Food Unit will be parked in a legal parking space and will comply with all City and state parking restrictions.
  - The Mobile Food Unit will only serve customers from an adjacent sidewalk or the curbside of the vehicle. In the absence of a sidewalk or curbside, customers will only be served from the side of the Mobile Food Unit that is furthest from the area of right-of-way customarily used for motor vehicle travel.
  - No Mobile Food Unit will be authorized under this Subsection 17-4-51(c) (27) to operate within the public right-of-way where such right-of-way has been closed



pursuant to a validly issued revocable permit or procession permit.

- No Mobile Food Unit will be located within one-hundred (100) feet of a restaurant, as determined by direct measurement from the front property line of the restaurant to the closest point of the Mobile Food Unit.
- Not all streets are public. Most private streets are on private property. If in doubt, check the County Assessor online map and see if the private street is within a parcel property. If so, then it is private and requires property owner permission.

### **Buffering Requirements**

Prior to issuing a Conditional Use Permit, the Office of Planning & Community Development will confirm that the Mobile Food Unit licensee understands and can meet the buffering requirements listed above.

### **No Fixed Location Required**

A Mobile Food Unit may operate by moving freely throughout the City within permitted zone districts as described above, remaining in a permissible location for any period of time.

### **Defined Terms**

In addition to the defined terms listed below, other definitions found in the Pueblo Municipal Code apply.

*Adjacent grounds* means all areas that the licensee has a right to possess by virtue of his or her ownership or lease of the Mobile Food Unit. These grounds are outside the enclosed Mobile Food Unit, but are adjacent and contiguous to the Mobile Food Unit, including but not limited to porches, patios, decks, entryways, lawns, parking lots, and similar areas and all fixed and portable objects in those areas, including but not limited to lights, signs, speakers, and security devices.

*Complaint* means a document filed with the Sales Tax Division by the City, any of its Departments or the Sales Tax Division itself, seeking sanctions against a licensed Mobile Food Unit owner or licensee.

*Commissary* means a facility that is approved by the City/County Health Department as a base of operation for a temporary retail food establishment, pushcart, or licensed mobile food unit where food, containers, or supplies are kept, handled, prepared, packaged, or stored. The facility is to be constructed and operated in compliance with applicable local and state laws.

*Employee* means the licensee's or proposed licensee's employees.

*Egress* means the action of going out or leaving someplace, such as employees leaving the Mobile Food Unit.

*FM* means Factory Mutual, an insurance company. The company tests products to ensure they are safe and operate effectively.

*Drive-thru* means a way in which occupants of a motor vehicle receive or obtain a product or service and is generally an accessory use to restaurants, banks, etc., but not to licensed Mobile Food Units.

*GFCI* means a Ground Fault Circuit Interrupter. It is a device that shuts off electric power when the electricity is flowing the wrong way. Its main benefit is to avoid persons having electric shocks.

*GPS device* means a portable electronic device installed in a licensed Mobile Food Unit that tracks its location using a Global Positioning Satellite (GPS) system.

*Harm or harmful to public health, safety, or welfare* means any matter that adversely affects the health, safety, or welfare of any person or group of persons within the City or any adjacent community, including but not limited to matters related to crime, lighting, security, traffic, graffiti, loitering, litter, parking, and noise. A showing of actual harm will not be required and a showing of potential or threatened harm will be sufficient. Any violation of any criminal statute or ordinance is per se substantially harmful to public health, safety, and welfare, without any showing of actual or threatened harm.

*HARP* means the Historic Arkansas Riverwalk of Pueblo Authority. The Authority is a board of the City that supervises and promotes the Historic Arkansas Riverwalk Project.

*In public* means any area that the public may generally enter, including any business open to the public. The term includes the Mobile Food Unit and the adjacent grounds. The term includes persons in motor vehicles located in a public place.

*Issue a license* means to finalize the license after a previous approval of the license, and may or may not occur after approval of the license, depending on any completions, inspections, approvals, or conditions that the Sales Tax Division may require to be satisfied before issuance. Issuance gives the licensee the right to operate a licensed Mobile Food Unit.

*Licensee* means the person or entity holding a Mobile Food Unit license under Chapter 4, Title IX, of the Pueblo Municipal Code.

*Licensed Mobile Food Unit* means the area inside a vehicle or trailer or a push cart in which the preparation and sale of food products is licensed under Chapter 4, Title IX, of the Pueblo Municipal Code.

*Mobile Food Unit* means a retail food establishment that is not intended to be permanent and is a motorized wheeled vehicle, or a trailer that is licensed for use on public roadways, designed and equipped to serve food and beverages, operating in either a static or transitory location, and serving the public. The sale and distribution of frozen milk, frozen dairy or ice confection products, candy, gum, or other confection products will be permitted for Mobile Food Units.

*NFPA* means the National Fire Protection Association. It is a non-government organization that is concerned with fires that damage buildings and other structures. The organization publishes codes and standards and provides training and public education.

*NSF* means the National Sanitation Foundation. It is non-government organization that promotes food safety. It publishes standards for food safety and tests products to ensure they meet those standards.

*Pop-up café* means a restaurant, characterized by tables, chairs, and/or shade structures, which opens for a short time in a temporary location in the public right-of-way and with a revocable permit.

*Push cart* means a human-propelled, non-motorized unit designed so that foods are served from the exterior of the unit, and which is intended to physically report to and operate from a commissary location. Pushcarts typically sell prepackaged ice cream or hotdogs.

*Sensitive use* means an unauthorized land use area or location within a distance buffer requiring approval from a property owner.

*Sidewalk café* means an outdoor commercial patio that is an accessory to a restaurant, characterized by tables, chairs, and/or shade structures, placed in the storefront or amenity areas, and often in the public right-of-way.

*Temporary retail food establishment* means a food establishment that is limited to operating at temporary and/or special events only. Temporary events do not include a regularly scheduled series of events at venues such as sporting arenas, concert halls, or farmer's markets.

*UL* means Underwriters Laboratories. It is a company that supports the insurance industry. It tests various products for safety and certifies them as being safe to use.