



Environmental & Consumer Health Unit
Austin-Travis County Health & Human Services Department
www.ci.austin.tx.us.us/health/echu_consumer.htm

RBJ Health Center
 15 Waller ST, 4th Floor
 Austin, TX 78702

Starting A Food Business

1/10/2008

This guide is for prospective operators of food enterprises (food establishments, retail food stores, food warehouses, and food processors) operating within the jurisdiction of the City of Austin and Travis County. These establishments fall under the regulatory responsibility of the Austin/Travis County Health and Human Services Department (ATCHHSD). The guidelines for Temporary Food Events & Mobile Vendors are found at the RBJ Health Center, 15 Waller ST, 4th Floor or at: http://www.ci.austin.tx.us/health/ech_consumer.htm

Some incorporated cities within Travis County also have contracts for food establishment inspections with ATCHHSD. The city offices in these cities can advise you if this is the case where you are operating. Almost all categories of food establishments require the approval of ATCHHSD.

Operating Permits - Food Enterprises

The Food Enterprise application is available at **1)** City of Austin “One Stop Shop” located at One Texas Center, 505 Barton Springs Rd. Austin, TX 78704, **2)** RBJ Health Center, 4th floor, 15 Waller St, Austin TX 78702 or **3)** our website, http://www.ci.austin.tx.us/health/ech_consumer.htm. We recommend you submit the *fully completed* application and fees one month prior to your anticipated opening date. This gives our staff the needed lead time to process it and schedule any needed pre-opening inspections. Our staff thoroughly reviews each form to ensure accuracy of info provided. Incomplete applications will delay your approval.

Food permits are in effect for one year from the date of issue, and are renewable each year, thereafter, when the appropriate fee is paid and the establishment remains in compliance with Health Dept regulations.

City of Austin

Food Service, Retail Food, Food Processing Plant or Warehouse	FEES
1 to 9 employees	\$310
10 to 25 employees	\$435
26 to 50 employees	\$620
51 to 100 employees	\$805
Over 100 employees	\$990
Mobile Vendor	
Unrestricted/unit	\$210
Restricted/unit	\$ 90
Temporary Food Establishments	
2 calendar days or less	\$35/booth
3-5 calendar days	\$70/booth
6-14 calendar days	\$90/booth
Vending Machines	
1 st ten machines	\$110
Additional machines	\$ 1 each

Travis County and other municipalities

Food Service, Retail Food	FEES
1 to 15 employees	\$150
16 to 30 employees	\$250
Over 30 employees	\$300
Food Processing Plant or Warehouse	n/a
Mobile Vendor	\$60
Temporary Food Establishments	
2 calendar days or less	\$20/booth
3-5 calendar days	\$30/booth
6-14 calendar days	\$40/booth

Home Preparation

Home preparation of food for public consumption is prohibited. All food that is to be consumed by the public, whether free or for sale, must be prepared at a permitted establishment that is inspected by a federal, state, or local Health Authority.

Food Enterprise Pre-Opening Processes

When starting a Food Enterprise business you are required to go either thru A) a change of ownership inspection or B) the plan review process. Read through option A & B below to determine which best fits your situation. Contact the Health Dept. if you need help in making that determination (972-5600). Before starting either of these processes call 311 to obtain Zoning approval and a copy of the Certificate of Occupancy for your location.

A) Change of Ownership Inspection Process-

Processed at RBJ Health Center, 15 Waller ST 4th Floor, 78702, phone: (512) 972-5600 fax: 972-5630

Before opening for business you may be required to go through a change of ownership inspection. This inspection verifies your establishment complies with current regulations and has a clear *Certificate of Occupancy*. **(Contact Development & Review Department (9749781) to request a copy)**. The fee for this inspection is required to be paid before the inspector conducts the inspection. There is no change of ownership fee for those establishments located in Travis County outside of Austin City limits. The Request for a Change of Ownership application is available online at http://www.ci.austin.tx.us/health/ech_consumer.htm or at RBJ Health Center. The *fully completed* application may be 1) faxed and paid for by credit card - 972-5600, 2) dropped off at RBJ Health Center with the fee or 3) mailed in with the fee. After submitting the application; call to schedule the inspection with your inspector at 972-5600. If the establishment doesn't comply with current regulations you will be required to bring it up to code before your operating permit is approved. Many times prospective business owners will request a change of ownership inspection before finalizing the sale. This gives the prospective business owner a heads up on any items that may be required for the establishment to be in compliance with city codes. ***Under no circumstances begin operations without approval from the Health Dept. Legal charges may be filed against you if you do.***

B) Health Department Plan Review Process-

(Newly built business or Extensive remodel of existing business)

City of Austin Health Plan Review Office: Establishments under jurisdiction of the City of Austin
"One Stop Shop", One Texas Center, 505 Barton Springs RD, 78704

Office hours: 8:00AM - 3:00PM M-TH and 8:00AM-1:00PM Fridays, phone: (512) 974-3325 fax: 974-6372

Travis County Health Plan Review Office: Establishments located in Travis County outside of City of Austin
RBJ Health Center 15 Waller ST 4th Floor, 78702

Office hours: 7:45 AM-4:45 PM M-F, phone: (512) 972-5600 fax: 972-5630

A Health Department Plan Review is required whenever a building is constructed or substantially remodeled to be a food enterprise, whenever a substantial change is made to an existing food facility or if a plumbing permit, building permit, or other construction permit is required by the City of Austin.

The Plan Review Application, including proposed menu, Fees, and 2 Sets of building plans are to be submitted as a package, not separately. Our staff thoroughly reviews each form to ensure accuracy of information provided. Incomplete applications will delay your plan review. The Health Dept Plan Review Application is available online at http://www.ci.austin.tx.us/health/ech_consumer.htm, at "One Stop Shop", or the RBJ Health Center. Upon approval, the plans are stamped by the Health Dept and the person submitting the plans will be called to pick them up.

Submit building plans after the type of food operation and menu has been determined and after receiving Zoning approval if located in the City of Austin. The 2 sets of building plans are to be in a scale of 1/4" = 1Ft. and detail the layout of the kitchen, dining area, restrooms, storage areas, break room, wait stations and bar. The plans are to include a materials list of specifications for all floors, walls, and ceilings.

Health Plan Review Fees (Fees subject to change)

City of Austin

New Food Enterprise	\$185.00
Remodel > 10,000 sq. ft.	\$185.00
Remodel 2,500 to 10,000 sq. ft.	\$125.00
Remodel < 2,500 sq. ft.	\$ 65.00

Travis County

\$10.00 for all Reviews

Certificate of Occupancy

All City of Austin Food Enterprises are required to have a Certificate of Occupancy (CO). A CO is issued after the Building and Health Officials inspect the building and find no violations of the Building or Health Codes during new construction and/or a remodel. The CO will also state the use for which the building will be used. The CO Inspection is the final inspection received before your Operating Permit is approved. The fee for the CO must be paid before your Health Inspector will schedule and conduct your inspection. Call 972-5600 for payment & scheduling.

Permit Approval

Once you have completed the pre-opening processes and your Health Inspector has approved your operating permit, you may open for business. ***Under no circumstances begin operations without approval from the Health Dept. Legal charges may be filed against you if you do.***

Other City of Austin Approvals

Building Permits: Plans must also be submitted to the Commercial Plan Review Dept. for further review. Call 311.

Industrial Waste: If you are taking over a previous business and changing the type of operation, ensure the grease trap meets the requirements for your new operation. For example, when a “sandwich shop” becomes a “fried chicken” location, the existing grease trap may need to be modified. Call 311.

Fire Inspections: Fire department representatives are concerned with grease-laden vapors and proper hood protection in food facilities. All **gas equipment** must be installed under proper ventilation. In addition, establishments in excess of 5,000 sq. ft. are required to provide a sprinkler system. Establishments with an occupancy load in excess of 50 people are required to provide fire alarms. Call 311.

Include and Identify the following on your Building Plans

● ***Major pieces of equipment***

Refrig/freezer Units	Vent-hood	Ice machines/ bins/dispensers
Steamers	Microwaves	Warming Drawers
Stoves	Prep tables	Ice Cream Dispenser
Ovens	Dish machine	Beverage Station/dispenser
Grills	Mixers	Blender Station
Fryers	Food Processors	Salad/Food Buffets

● ***Sinks***

Hand sinks (food prep areas • ware-washing area • restrooms)	Ware washing sinks
Service Sink/Mop sink/curbed floor sink	Food Prep Sink

- Dumpster
- Grease Barrel
- Chemical Storage area
- Mop drying area
- Employee area for belongings
- Dry Food Storage area
- Doors
- Mechanical ventilation in restrooms
- Outdoor food prep area (bars/wait station/BBQ)
- Water Well
- Underground and overhead sewer and waste lines
- On Site Sewage Facility

Health Department Building Plan Notes

- 1) **Refrigeration** All refrigerated units are to hold foods at or below 41°F.
- 2) **Restrooms** (two are normally required). If the establishment has only carry-out or seating for less than 20 people, and less than 10 employees, then only one employee restroom is required by the Health Dept. Two restrooms are required if alcohol is served on the premises or more than 20 seats are provided. Each restroom must have a hand sink with hot (at least 100°) and cold water, mechanical air ventilation to the outside, and a solid, self-closing door. Restrooms may not open directly into a kitchen. The total number of restrooms for a Childcare facility is dependent on the “minimum standards” of the Texas. Dept. of Family and Protective Services (834-3195) as it relates to Childcare.

3) **Sinks**

A. Service Sink/Mop Sink/Curbed Floor sink: At least one of these must be available for mop washing and disposal of mop water in an approved waste water disposal system. A drying rack required for mops to air dry. This sink must be provided with a backflow preventer on any threaded hose bib to protect the water supply. Note: the mop sink may be located in a different area of the building than the kitchen.

B. Hand washing sinks: Shall be located to allow convenient use by employees in food preparation, food dispensing, ware wash areas, and any wait station where ice is dispensed, bar area or in a walk-in where meat is cut or trimmed. At least one hand sink will be required; additional, separate hand sinks may also be required. Small kitchens with food prep and ware washing in close proximity may be allowed to use one hand sink to serve both activities. Other hand sinks must be associated with restrooms. Provide at least 12” tall splashguards if a hand sink is located near food prep, open food, ice, or clean food contact surfaces. Otherwise, the hand sink must have at least 18” lateral separation from these. A sign or poster that notifies food employees to wash their hands shall be provided to all hand washing sinks and be clearly visible. A small, swinging door (as in a bar area) could separate a hand sink from a work area, otherwise no doors separating hand sink from work areas.

Each sink must be supplied with hot (100°) and cold water, soap and disposable towels. Childcare facilities must have hot water in the diaper changing area and kitchen. If plans do not provide sufficient hand sinks to meet the requirements of the establishment you will be asked to provide a revised plan with additional hand sinks.

C. Ware Wash Area: A commercial dishwasher or 3 compartment sink is required in most cases. Dish machines must be able to effectively sanitize all equipment and utensils. They must dispense a chemical sanitizer or provide a final rinse of at least 180° F. (single, stationary rack machines are required to reach 165° in the sanitize cycle). Test strips are required. Above-the-counter dish machines are required to have Type II vent-hood.

Ware washing sinks shall be of sufficient size to immerse the largest piece of equipment. Cold and hot (100° minimum) water under pressure delivered through a mixing valve shall be provided. Provide at least 2 integral drain boards or 1 integral drain board and a mobile dish cart. Drying racks or shelves will aid in adequately air drying all wares. Facilities with very limited ware washing and using disposable containers may request a variance to install a 2 compartment sink (example: convenience store). These sinks are required to have a drain board. The sinks must have an indirect connection to the sanitary sewer (at least a one inch air gap). This includes all food prep sinks and ware wash sinks.

- 4) **Ceiling Construction:** Ceilings over open food, ice, soda fountains, ware washing, restrooms and bars must meet construction criteria and be smooth, durable, nonabsorbent, and cleanable. Open rafters, trusses or grid work and exposed duct work, pipes or utility lines are prohibited. No open structure permitted. If drop down acoustic tiles are used, they must be properly constructed. These tiles are washable and have a smooth surface without pinholes. Painted dry wall or boards are acceptable.

- 5) **Walls/Floors:** Must be constructed of approved materials. Cleanable water-based enamel paint is acceptable for most wall surfaces. Areas that are subject to regular cleaning and splash may be covered with FRP, stainless, or galvanized metal. Floor/wall junctures shall provide no greater than 1/32" gap. Baseboards are required. Caulk wall/floor junctures to prevent the collection of food particles and water. Masonry (brick/concrete) wall/floor junctures DO NOT require baseboards since a masonry juncture provides no gap. Raw brick and concrete in the kitchen area requires sealing. The sand grout of all tiles needs to be sealed. Epoxy grout does not require sealing. VCT floor tiles require a coat of wax to seal out liquids.
- 6) **Solid Waste:** Dumpster and grease barrels shall rest on a machine laid asphalt or concrete pad. These containers must have tight fitting lids and drain plugs in place.
- 7) **Outdoor Cooking facilities:** Barbeque pits or smokers shall be enclosed, and if screened in, at least a 1/16" mesh screen is required. They shall rest on a concrete or asphalt pad. The meat may only be placed on the smoker; no food prep allowed in this enclosure. Any seasoning, cutting, etc. must take place inside the establishment. Outdoor bars and wait stations will be approved on a case by case basis by the dept.
- 8) **Water and Sewage Systems:** All private on site sewage facilities and wells serving a new food enterprise, an extensively remodeled food enterprise, or a food enterprise coming under new ownership must meet current standards. These systems are required to be evaluated with respect to whether the system (a) meets current standards and (b) is adequate for the proposed use.

Contact the following agencies to ensure your system is adequate.

Austin Water Utility (972-0101) systems in the City of Austin

Industrial Waste (grease Traps) 972-1060

Travis County Transportation & Natural Resources Dept. (854-9383), systems in the county

Lower Colorado River Authority (473-3216) systems within 2,000 ft of Lake Travis

TX Commission on Environmental Quality (TCEQ) Water Utilities (239-6020), Private Wells

A food service facility or Childcare facility using a well for more than 59 days/yr. and serving more than 24 people is considered a public water supply.

- 9) **Protecting the Water Supply:** Threaded hose bibs are required to have a backflow prevention device attached. Spray hoses and fill hoses shall hang at least 1 inch above the maximum flood rim of a basin or the hoses shall be provided with an atmospheric vacuum breaker or backflow prevention device.
- 10) **Indirect Connections:** Jockey boxes, ice bins, ice machines and sinks (as identified above in # 3) must be provided with indirect connections to the sewer. Floor sinks are required on new construction.
- 11) **Lighting:** Adequate amount of light shall be provided to all areas. At least 20 foot candles is required where food is provided for customer self-service such as buffet and salad bars or where fresh produce or packaged foods are sold. At least 50 foot candles is required at surfaces where employees are working with food using utensils or knives, slicers, grinders, saws, or where employee safety is a factor.
- 12) **Outer Openings:** All windows, vents and exterior doors shall be tight fitting. If needed, use weather stripping to provide a tight fit. All exterior doors shall have a self-closure. Screens on windows and doors shall be at least 1/16" mesh. Roll up doors to be screened or the proposed food service area provided with physical doors to create a separate walled room. Exhaust fans must be screened, or if they are louvered, must automatically close when the fan is disengaged.

- 13) **Food Contact Surfaces:** Stainless steel, Formica, polished marble, Corian, machined stone, approved ceramics or plastics may be used for food contact surfaces.
- 14) **Counters:** All raw wood must be painted in areas that come in contact with food, liquid or food containers of any kind. Included is the underside of the bar above the ware wash and/or hand sink (and the splash area).
- 15) **Toxic Materials:** Specify an area where chemicals are to be stored. A well-labeled, separate shelf or cabinet is best.

City of Austin Food Enterprise Certified Food Manager

Food Manager Certification: The Austin City Code requires the majority of all food enterprises in Austin to have at least one employee that is a Certified Food Manager (CFM). Travis County does not have this requirement. A food manager's certificate is recognition that a manager has received training in food sanitation. The Austin-Travis County Health Dept. offers training and testing for this certification in English and Spanish. The cost is \$110. For detailed information on this program including a class schedule, an application to take a class or to request a certificate of reciprocity contact 972-5673 or visit our website www.ci.austin.tx.us/health/ech_training.htm.

Exemptions: Please call us for clarification 972-5600

- 1) a food establishment that provides only beverages or pre-packaged food that is not a potentially hazardous food
- 2) a nonprofit organization that serves food only to members of the organization
- 3) a food processing plant that is inspected at least once each week by a state or federal food sanitation inspector or that only stores prepackaged food that is not potentially hazardous
- 4) a vending machine or a mobile food establishment that offers only prepackaged food, if a certified food manager is in charge at the central preparation facility that supplies the products for the vending machine or mobile food establishment. Note: **Unrestricted** mobile units are required to have a CFM.

APPLICATIONS & FORMS

Austin/Travis County HHSD, Environmental and Consumer Health Unit- -Website:
http://www.ci.austin.tx.us/health/ech_consumer.htm

REGULATIONS

Texas Food Establishment Rules – Website:

<http://www.dshs.state.tx.us/foodestablishments/pdf/TFERFIMSeptember282006.pdf>

City of Austin Food Code Chapter 10-3, Website:

http://www.amlegal.com/austin_nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:austin_tx

Chapter 47, Travis County Food Order (food enterprises not under the jurisdiction of the City of Austin)

http://www.ci.austin.tx.us/health/ech_tc_environ.htm

Chapter 437, Texas Health and Safety Code, under Statutes and Rules – Website:

<http://tlo2.tlc.state.tx.us/statutes/docs/HS/content/pdf/hs.006.00.000437.00.pdf>

Chapter 431, Texas Food, Drug and Cosmetic Act, Texas Health and Safety Code – Website:

<http://tlo2.tlc.state.tx.us/statutes/docs/HS/content/pdf/hs.006.00.000431.00.pdf>

City of Austin Smoking Ordinance Chapter 10-6, Website:

http://www.ci.austin.tx.us/health/ech_smokingord.htm

Staff is available to assist with questions on Food Manager Certification or application & inspection payments. Both Austin and Travis County are divided into districts, each one having a designated Health Inspector. Your Health Inspector will be able to assist you with questions on pre-opening processes for

food enterprises. Call us at (512) 972-5600 to contact your designated Health Inspector or our administrative staff.

Phone Numbers

Austin/Travis County Health & Human Services Dept (ATCHHSD) Consumer Health Program – 972-5600

Child Care Licensing - Texas Department of Family and Protective Services – 834-3195

City of Austin Information line – 311

City of Austin, Building Inspections -974-2027, Automated Inspection Request Line 480--0623

City of Austin, Coordinator of Early Childhood Development, AHHSD – 972-5028

City of Austin, Development Review & Inspection Department - 974-2380

City of Austin, Fire Department, Code Enforcement – 974-0160

City of Austin, Plan Review, Commercial - 974-2949 or 974-3469

City of Austin, Plan Review, Food Establishments- 974-3325

City of Austin, Utility Customer Service- 494-9400

City of Austin Water and Waste Water- 972-0000, WWW Inspection Recorder 972-0002

City of Austin, Water and Wastewater - 972-1060 (grease trap)

Lower Colorado River Authority - 473-3216

Texas Alcohol and Beverage Commission – 206-3333

Texas Comptroller Office -463-4600

Texas Department of Health, Environmental & Consumer Safety – 834-6770

Texas Department of Family and Protective Services - 834-3195

Texas Environmental Quality Commission, Water Utilities Division - 239-6020

Travis County On-site Sewage Facility Licenses – 854-9383

NOTES