



# TOWN OF RAYNHAM

Selectman and Board of Health

558 South Main Street  
 Raynham, MA 02767  
 Phone: 508-824-2707  
 Phone: 508-824-2766  
 Fax: 508-824-1540

### OFFICE USE ONLY:

- Complete Application
- \$125.00 Yearly or \$65.00 Seasonal Permit Fee
- \$50.00 Initial Plan Review Fee
- Hawker's License
- Workers' Comp Form
- Food Permit-Base of Operation
- Copy of Commissary (agreement if separate ownership)
- Food Protection Manager Cert.
- Allergen Awareness Certificate
- Compliance with Ice Cream Vendor Regulation

## MOBILE FOOD VEHICLE PERMIT APPLICATION

Date: \_\_\_\_\_

BUSINESS INFORMATION	
Name of Owner/Applicant:	Phone:
Name of Person in Charge:	
Business Address:	
Mailing Address (if different):	
Email Address:	

MOBILE FOOD VEHICLE INFORMATION	
Name of Mobile Food Vehicle:	Registration/ Plate Number:
Make, Model & Year of Vehicle:	
Name of Vehicle Operator:	Operator Cell Phone:
Days and Hours of Operation:	
Provide Route and/or Locations of Food Service in Raynham:	
<input type="checkbox"/> Provide a copy Base of Operations/Commissary Food Service Permit	
<input type="checkbox"/> Provide copy of commissary agreement (if separate ownership)	
Name of Base of Operations (Commissary Name):	
Address of Base of Operations (Commissary Address):	
Mobile Food Operations:	<input type="checkbox"/> Retail sale of commercially pre-packaged foods (i.e. bottled soda, candy, chips, packaged ice cream products, etc.) <input type="checkbox"/> Preparation and retail sale of non-potentially hazardous foods (i.e. coffee and hot dogs) <input type="checkbox"/> Preparation and retail sale of potentially hazardous foods (i.e. sandwiches, cooked rice, salads, hamburgers, soup, chili, cooked, pasta, cooked vegetables, etc.)

**TURN OVER APPLICATION TO COMPLETE**

Raynham Health Department  
 Mobile Food Vehicle Permit Application

<b>PERMIT FEE</b>	
<input type="checkbox"/> Yearly Mobile Food Truck Permit Expires Dec. 31 <sup>st</sup> .	\$ 125.00
<input type="checkbox"/> Seasonal Mobile Food Truck, (6 months)	\$ 65.00
<input type="checkbox"/> Temporary Mobile Food Permit (per day), minimum notice of 2 weeks	\$ 50.00
<input type="checkbox"/> Frozen Dessert Machine (additional)	\$ 25.00

<b>MANUFACTURE FROZEN DESSERT OR SOFT SERVE ICE CREAM</b>	
Complete the following if you manufacture frozen dessert or soft serve ice cream:	
Provide name of company where frozen dessert/ice cream mix is purchased.	
Is frozen dessert/ice cream mix pasteurized? <input type="checkbox"/> Yes <input type="checkbox"/> No	
In accordance with 105 CMR 561.000, I understand that I am required to submit monthly bacteriological lab reports from a certified lab for the frozen dessert or soft serve ice cream products that I manufacture.	
	_____ Initials

<b>ICE CREAM VENDOR TRUCK REQUIREMENT</b>
If Ice Cream is listed on your menu, then compliance must be achieved with the Department of Public Safety requirements of M.G.L. c. 270 § 25 and 520 CMR 15.00, Permitting of Ice Cream Truck Vendor Regulations.

<b>FOOD SOURCE</b>	
According to Food Code, FC 8-201.12, the applicant is required to provide the intended list of food to be prepared or distributed in or from the Mobile Food Establishment. Indicate the source of the food or the location where the food items were purchased. Submit additional documents if necessary.	
List Food Items, note if any served raw or cooked-	Where was the food purchased?

<b>PLUMBING, HAND WASH, WAREWASH, AND WATER FACILITIES</b>	
Is a separate handwashing facility provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is handwash facility stocked with soap, paper towels, and handwash signage?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is running potable hot and cold water provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Combination faucets/ mixing valve (110°F)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Size of holding tank for potable water	
Tank made of safe/ food grade materials	<input type="checkbox"/> Yes <input type="checkbox"/> No
Size of waste holding tank	
Drain provided for waste tank	<input type="checkbox"/> Yes <input type="checkbox"/> No
Separate food preparation sink provided	<input type="checkbox"/> Yes <input type="checkbox"/> No
Separate three compartment sink with drain boards provided	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>PHYSICAL FACILITIES</b>	
Name, Address, Phone # on Mobile Food Vehicle (Min. 3" Lettering)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are windows and doors screened?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are sneeze guards and overhead protection provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are light fixtures shielded in food preparation area?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Exhaust and ventilation system approved by Fire Department?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Check off type of finish floor material provided in food preparation area: <input type="checkbox"/> Quarry Tile <input type="checkbox"/> Ceramic Tile <input type="checkbox"/> VCT Tile <input type="checkbox"/> Other, please describe: _____	
Check off type of finish wall material provided in food preparation area: <input type="checkbox"/> Stainless Steel <input type="checkbox"/> Ceramic Tile <input type="checkbox"/> FRP <input type="checkbox"/> Other, please describe: _____	
Check off type of finish ceiling material provided in food preparation area: <input type="checkbox"/> Sheetrock <input type="checkbox"/> Vinyl faced <input type="checkbox"/> FRP <input type="checkbox"/> Stainless steel <input type="checkbox"/> Other, please describe: _____	

<b>KITCHEN FACILITIES/ EQUIPMENT</b>	
Is equipment National Sanitation Foundation (NSF) Approved?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is mechanical refrigeration provided that holds food product temperature at 41°F and below? How many provided? _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is a freezer unit provided and how many? _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are secondary thermometers in refrigerators and freezers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Check off type of cooking equipment provided: <input type="checkbox"/> Stove <input type="checkbox"/> Grill <input type="checkbox"/> Convection oven <input type="checkbox"/> Fryer <input type="checkbox"/> Pizza oven <input type="checkbox"/> Microwave oven <input type="checkbox"/> Broiler <input type="checkbox"/> Rice cooker <input type="checkbox"/> Rotisserie <input type="checkbox"/> Steam kettles <input type="checkbox"/> Other, please describe: _____	
Are steam tables provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>FOOD HANDLING DESCRIPTION</b>	
Check which operations apply to your mobile food vehicle operations: <input type="checkbox"/> Cook & Serve <input type="checkbox"/> Cook, Hot Hold, Serve <input type="checkbox"/> Cook, Hot Hold, Cool, Reheat, Serve <input type="checkbox"/> N/A	
Provide number of Food Handlers	
Are uniforms and hair restraints provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provide location of toilet facilities for employee use:	
What type of disposable gloves are used:	
Describe employee education on critical risk factors, food handling which included proper food temperature for cooking and storage, cooking, cooling and re-heating procedures, handwashing, employee health and hygiene, and glove use	
Do you have an employee Reporting Agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>CRITICAL RISK FACTORS</b>	
Describe how is food prepared at base of operation:	
Method of separation of raw and ready-to-eat food:	
How are food temperatures determined?	

Raynham Health Department  
 Mobile Food Vehicle Permit Application

Are foods labeled and dated?	<input type="checkbox"/> Yes <input type="checkbox"/> No
------------------------------	--

<b>REQUIRED ACTIONS TO OBTAIN A MOBILE FOOD VEHICLE PERMIT</b>	
<input type="checkbox"/>	Provide a <b>menu</b> with consumer advisory language for raw/undercooked food and food allergen language
<input type="checkbox"/>	Schedule a pre-operational inspection with the Health Department, (508) 824-2766
<input type="checkbox"/>	Pay annual permit fee
<input type="checkbox"/>	Provide completed Workers' Compensation Affidavit form
<input type="checkbox"/>	Provide a copy of the Massachusetts Hawkers & Peddlers License
<input type="checkbox"/>	A copy of the Base of Operations/Commissary Food Service Permit
<input type="checkbox"/>	Provide a copy of Raynham Fire approval (if propane is used)
<input type="checkbox"/>	Contact Raynham Police Department for Ice Cream Truck Permit (please see town by-law)
<input type="checkbox"/>	If you prepare and distribute/retail food, provide a copy of: <ul style="list-style-type: none"> <li>- Certified Food Protection Manager Certificate or ServSafe Certificate</li> <li>- Food Allergen Training Certificate</li> </ul>
<input type="checkbox"/>	Review the Mobile Food Permit Requirements, 105 CMR 590.009 (Attached)

Pursuant to MGL Chapter 62C, § 49A, I certify under the penalties of perjury that to the best of my knowledge and belief have filed all State tax returns and paid all State taxes required under law. I certify that the above information is correct and understand that if any changes are made to the plans or the above information without permission from the Health Department may nullify this approval.

I have reviewed the Mobile Food Permit Requirements, 105 CMR 590.009: Special Requirements as outlined below and agree to comply with requirements.

\_\_\_\_\_  
 Federal ID Number  
 OR

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Social Security Number

\_\_\_\_\_  
 Corporate Officer (if applicable)

\_\_\_\_\_  
 Date

**Mobile Food Permit Requirements, 105 CMR 590.009: Special Requirements**

**(B) Mobile Food Operations.**

- (1) Mobile food operations shall comply with the requirements of the Federal 2017 Food Code and other applicable provisions of 105 CMR 590.000 except as otherwise provided in 105 CMR 590.009(B). The board of health may impose additional requirements and restrictions to protect against health hazards related to the conduct of the mobile food operation and may prohibit the sale of some or all potentially hazardous foods.
- (2) Mobile food operations not equipped with an adequate water and waste system to facilitate handwashing and the cleaning and sanitizing of utensils shall be limited to the preparation and service of frankfurters and non-potentially hazardous foods and to the sale of pre-packaged food prepared at a food processing establishment licensed in accordance with 105 CMR 500.000, except that pre-packaged food may be prepared by the mobile food operator at a licensed food establishment for which he or she holds a permit in accordance with 105 CMR 590.000.
- (3) Mobile food operations equipped with an adequate water and waste system to facilitate handwashing and the cleaning and sanitizing of utensils may prepare potentially hazardous foods requiring limited preparation for immediate service, provided that any advanced food preparation, if necessary, is conducted by the mobile operator in a licensed food establishment.
- (4) Mobile food operations shall provide only single-service articles for use by the consumer.
- (5) Condiments, cream and sugar shall be served only from a sanitary dispenser or in individually wrapped servings.
- (6) Mechanical refrigeration or insulated containers with ice or gel packs must be used to maintain product temperature for pre-packaged, ready-to-eat foods which are required to be held at or below 45° F (7° C) or 41° F (5° C). The storage of packaged food in contact with water or undrained ice is prohibited. Wrapped ready-to-eat foods such as sandwiches shall not be stored in direct contact with ice. Effective July 1, 2005, all mobile food operations selling or distributing ready-to-eat PHFs must be equipped with mechanical refrigeration that can maintain PHFs at or below 41° F (5° C).
- (7) Bulk food shall not be used unless purchased from an approved source. Bulk PHFs, with the exception of frozen desserts, must be sold or served on the same day as purchased. All hot food shall be discarded if not used or sold by the end of the day.
- (8) A convenient hand-washing facility must be available on site for employee hand-washing whenever handling unpackaged foods. This facility shall consist of at least sufficient warm running water, soap and individual paper towels. The Board of Health may approve the use of chemically treated towelettes in lieu of hand-washing facilities if only frankfurters, non-potentially hazardous foods and non-perishable

- foods are served and there is no bare-hand contact. Chemically treated towelettes must be made available for use by customers in self-service operations.
- (9)** A sign shall be provided at consumer self-service operations, which states that the use of bare hands by consumers for self-service is prohibited by state law.
- (10) Equipment.**
- (a)** Equipment shall be located and installed in a way that prevents food contamination and that also facilitates cleaning the equipment and establishment.
  - (b)** Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Effective shields for such equipment shall be provided, as necessary, to prevent contamination. Mobile food operations, which cook or reheat unpackaged food for hot holding shall be fully enclosed unless equipped with air curtains to prevent the contamination of food and food contact surfaces with environmental contaminants.
  - (c)** Ware-washing facilities, when required, shall be available in accordance with the FC for cleaning in-use utensils and food contact surfaces.
- (11)** Operators of mobile food operations shall obtain the use of adequate and suitable toilet facilities where handwashing facilities are available.
- (12)** Mobile food operations shall operate from a fixed, licensed food establishment or food processing plant and shall report at least daily to such locations for all food, water and supplies and for all cleaning and servicing operations. Mobile food operators shall retain the list of ingredients and the receipt for all bulk foods, which must indicate the name of the food item, the date purchased and the name of the approved food source licensed in accordance with 105 CMR500.000.
- (13)** Servicing areas shall be provided with overhead protection except that areas used only for the loading of water, packaged food or the discharge of sewage and other liquid waste, through the use of a closed system of hoses, need not be provided with overhead protection.
- (14)** Mobile food operations shall have identification, i.e., person's name and/or business name, city and telephone number in letters not smaller than three inches, on the left and right door panels of the vehicle or on the left and right sides of the trailer or pushcart.

***Department of Public Safety requirements of M.G.L. c. 270 §25 and 520 CMR 15.00, Ice Cream Vending. Ice Cream Truck Vendor Regulations Frequently Asked Questions.***

**Q: What am I required to do under the Ice Cream Truck vendor regulation?**

**A:** If you engage in Ice Cream truck vending or operation, this regulation requires that you obtain a permit from the Permitting Authority within the municipality where you live or plans to operate the Ice Cream Truck.

**Q: How do I know if the Ice Cream Truck regulation applies to me?**

**A:** Every person who intends to engage in Ice Cream Truck vending must obtain a valid permit issued by the Permitting Authority. Ice Cream Truck vending is defined as the selling, displaying or offering to sell ice cream or any other prepackaged food product from an ice cream truck.

**Q: I operate a Food Truck that does not serve Ice Cream products. Will I be required to obtain a permit?**

**A:** No. The regulation provides that every person who intends to engage in ice cream truck vending must obtain a permit and defines an ice cream truck as any motor vehicle used for selling, displaying, or offering to sell ice cream. If your truck does not carry ice cream products, then you will not be required to obtain a permit.

**Q: My service areas include a number of municipalities. Will I be required to apply for permits from each city or town in which I operate?**

**A:** There are two ways to obtain a permit: either by applying to the municipality where the applicant lives or by applying to the municipality where the applicant plans to operate the Ice Cream Truck. An applicant who obtains a permit in the municipality where he or she lives may operate without restriction in any other municipality. However, an applicant who obtains a permit in a particular municipality where he or she intends to operate is restricted to operating in that municipality.

**Q: What is a Permitting Authority?**

**A:** The Permitting Authority is the chief of police or the board or officer having control of the police in a city or town. The Permitting Authority may also be a person authorized by the Chief of Police, the Board or officer.

**Q: Will the information contained in my criminal record become public record?**

**A:** No, the information contained in an applicant's criminal record will be used solely for the purpose of determining the applicant's eligibility for a permit.

**Q: I own an Ice Cream Truck vending business and employ Ice Cream Truck operators. Is each individual required to obtain a permit?**

**A:** Yes, every person who intends to engage in ice cream truck vending is required to obtain a permit.

**Q: Do I have to have my permit with me at all times?**

**A:** Yes, a validly issued permit must be conspicuously displayed and clearly visible on the windshield of the Ice Cream Truck.

## **Raynham Town By-Law**

### Article II Ice Cream Vendors

§ 251-3 Purpose. The Massachusetts Department of Public Safety requires, pursuant to 520 CMR 15.00, each municipality to issue permits to person engaging in ice cream vending.

§ 251-4 Definitions. For the purpose of this bylaw, the following definitions shall apply: ICE CREAM Any frozen dairy or frozen water-based food product.

### ICE CREAM TRUCK

Any motor vehicle used for selling, displaying, or offering to sell ice cream.

### ICE CREAM TRUCK VENDING

The selling, displaying, or offering to sell ice cream or any prepackaged food product from an ice cream truck.

### ICE CREAM TRUCK VENDOR/OPERATOR

Any person who owns, sells, displays, or offers to sell ice cream from an ice cream truck or any person who drives or operates such a vehicle.

§ 251-5 Permit required. No person shall engage in ice cream truck vending within the Town of Raynham unless the applicant has been issued a valid permit to do so by the Chief of Police or his designee. Said permit shall only be valid for use within the Town limits. A separate permit is required for every person who engages in ice cream truck vending/operation.

§ 251-6 Application for permit.

A. Only the Department of Public Safety's uniform application and permit form will be utilized. The permit shall include a current color photograph of the applicant, encased in plastic. Permits shall be numbered, sequentially, as granted and will also be encased in plastic.

B. In order to obtain an initial permit, or to renew a permit, each applicant shall submit the following to the permitting authority:

- (1) A completed uniform application;
- (2) A copy of his/her fingerprints;
- (3) Two current color photographs (1.5 inches by two inches); and
- (4) A valid driver's license.

C. Upon receipt of the permit application or application for renewal, the Chief of Police or his/her designee shall conduct an investigation into the criminal history of the applicant to determine eligibility. The investigation shall include performing a state and national criminal history records check as authorized by MGL c. 6, § 172B 1/2. As part of this investigation, the Chief of Police or his/her designee shall ensure that the identity of the applicant is true and accurate and, in the case of a renewal, that the applicant is linked to the original permit number.

### § 251-7 Administrative fee.

The Police Department shall collect an administrative fee of \$25 upon issuance of each permit.

### § 251-8 Term of permit.

Both initial and renewal permits shall expire annually on January 1.

§ 251-9 Hours of operation; use of sound devices.

An ice cream vendor holding a permit under this bylaw may sell or offer for sale any ice cream products from his/her vehicle in Town between the hours of 8:00 a.m. and 9:00 p.m., provided that he/she shall not use any sounding devices in his/her business between the hours of 8:00 p.m. and 9:00 p.m.

§ 251-10 Display of permit; revocation; violations and penalties.

A. All permits issued shall be conspicuously displayed and clearly visible on the windshield dash of any ice cream truck operated or from which ice cream or any prepackaged food product is sold.

B. The Chief of Police or his/her designee may deny issuance of a permit or revoke a permit for just cause. Pursuant to 520 CMR 15.05, no permit shall be issued to any person who is a sex offender, as defined by MGL c. 6, § 178C. Upon denial of the issuance or revocation of a permit, an applicant shall have the right of appeal to the Board of Selectmen. All such appeals must be made in writing and addressed to the Board of Selectmen. Appeals may be heard in accordance with the scheduling of the Board. The decision of the Board of Selectmen shall be final and binding. No such right of appeal shall attach to the denial of a permit of an applicant who is a sex offender.

C. Whoever conducts himself/herself as an ice cream vendor/operator with a valid Town of Raynham issued permit or with an expired permit, or whoever improperly displays a permit, shall be subject to a fine of no more than \$100 for the first offense, \$200 for the second offense, and \$300 for a third or subsequent offense.

D. Every ice cream vendor/operator shall comply with all state motor vehicle laws, regulations specific to the operation of ice cream trucks, Town Bylaws, and health codes, as well as any zoning or Department of Public Works regulations that may restrict or prohibit vending in certain areas. Violation of any such law, regulation, bylaw, or health code shall be grounds for the revocation of the vendor's permit



The Commonwealth of Massachusetts  
Department of Industrial Accidents  
Office of Investigations  
1 Congress Street, Suite 100  
Boston, MA 02114-2017  
www.mass.gov/dia

**Workers' Compensation Insurance Affidavit: General Businesses**

**Applicant Information**

**Please Print Legibly**

Business/Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone #: \_\_\_\_\_

<p><b>Are you an employer? Check the appropriate box:</b></p> <p>1. <input type="checkbox"/> I am an employer with _____ employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]</p> <p>3. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**</p> <p>4. <input type="checkbox"/> We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]</p>	<p><b>Business Type (required):</b></p> <p>5. <input type="checkbox"/> Retail</p> <p>6. <input type="checkbox"/> Restaurant/Bar/Eating Establishment</p> <p>7. <input type="checkbox"/> Office and/or Sales (incl. real estate, auto, etc.)</p> <p>8. <input type="checkbox"/> Non-profit</p> <p>9. <input type="checkbox"/> Entertainment</p> <p>10. <input type="checkbox"/> Manufacturing</p> <p>11. <input type="checkbox"/> Health Care</p> <p>12. <input type="checkbox"/> Other _____</p>
---	--

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

*I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.*

Insurance Company Name: \_\_\_\_\_

Insurer's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Policy # or Self-ins. Lic. # \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

*I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone #: \_\_\_\_\_

<p><i>Official use only. Do not write in this area, to be completed by city or town official.</i></p> <p>City or Town: _____ Permit/License # _____</p> <p>Issuing Authority (circle one):  1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office  6. Other _____</p> <p>Contact Person: _____ Phone #: _____</p>
---