

# Building Code Considerations for Mobile Food Carts

(Valid for 2019, Check for Annual Updates)



Food Cart businesses contemplating moving into the City of Beaverton need to be aware of a number of things. City staff are available to meet informally or through a pre-application meeting prior to design/construction in order to offer feedback, etc.

**Business Assistance:** For assistance finding a location, starting your business, or learning about resources available to businesses in Beaverton, contact the Economic Development Division 503-526-2456.

[www.BeavertonOregon.gov/EconomicDevelopment](http://www.BeavertonOregon.gov/EconomicDevelopment)

**Land Use and Zoning:** The first thing a business owner needs to do is verify their specific business is compatible with the property zoning. Contact the Planning Division to verify the allowed business uses at the specific property. Food Cart Regulations for Land Use and Zoning are found in Section 40.32 and 60.11 of the Development Code

[www.BeavertonOregon.gov/dc](http://www.BeavertonOregon.gov/dc). For more information, please call 503-526-2420. [www.BeavertonOregon.gov/Planning](http://www.BeavertonOregon.gov/Planning)

**Contact County Health Department:** Health regulations for food services are handled by the Washington County Health Department. Contact the county for information, please call 503-846-8722.

[www.co.washington.or.us/HHS/EnvironmentalHealth/FoodSafety/index.cfm#](http://www.co.washington.or.us/HHS/EnvironmentalHealth/FoodSafety/index.cfm#)

**City Business License:** Each business is required to have a valid City Business License. Business licenses can be obtained through the City Finance Department. For more information, please call 503-536-2255. [www.BeavertonOregon.gov/BLicense](http://www.BeavertonOregon.gov/BLicense)

**Building Plan Review and Permits:** For information on building permit applications, plan review requirements and fees, etc., please call 503-526-2403. [www.BeavertonOregon.gov/Building](http://www.BeavertonOregon.gov/Building)

**State Building Code (SBC):** The current SBC includes: The 2014 edition of the Oregon Structural Specialty Code (OSSC); the 2014 Oregon Mechanical Specialty Code (OMSC); the 2014 Oregon Plumbing Specialty Code (OPSC); the 2014 Oregon Electrical Specialty Code (OESC). To review these codes online, please go to: [www.cbs.state.or.us/external/bcd/programs/online\\_codes.html](http://www.cbs.state.or.us/external/bcd/programs/online_codes.html)

**Permanent Prefabricated Food Carts:** A Food Cart to be permanently anchored to a foundation must bear the State of Oregon Prefabricated Structures approval label for use as a Group B Occupancy. For information on the permit and approval process for prefabricated trailers, please contact State of Oregon Prefabricated Structures at 503-378-4133.

[www.oregon.gov/bcd/permit-services/Pages/prefab-services.aspx](http://www.oregon.gov/bcd/permit-services/Pages/prefab-services.aspx)



## BUILDING CODE INFORMATION

The information listed below is specific State Building Code (SBC) Requirements. For more information about how these requirements apply to a Food Cart business, please contact the Building Division, 503-526-2403.

**Semi-Permanent Structures:** Prefabricated trailers for coffee/food service or similar uses intended to be placed on a site and not be moved on a regular basis (moved off-site on a daily basis), must comply with the requirements for a Mobile Food Unit. The Food Cart must maintain its portability, which includes keeping the wheels and towing tongue on the unit. Skirting is allowed to be placed to cover the wheels and tongue.

**Building Permit Required:** A building permit is required for permanent Food Carts. Scaled drawings are required that indicates: the location of unit on the property (including distances from property lines and other food carts, buildings or structures); the size of the Food Cart (and the size of any other food carts on the property); details for the set-up/support of the unit; details for the skirting; details for how steps, landings, decks providing access to the unit are to be constructed; location of non-permanent electrical, water and if applicable, sanitary sewer connections. Food Carts shall be located on a hard surface (such as asphalt or concrete) that drains storm water to an approved location (i.e., storm water catch basin), or the plans shall show how storm water runoff from the roofed or other impervious surface areas will be discharged to an approved location.

**Location on Property:** Food Carts shall be located not less than 10 feet from a property line (6 feet from a property line abutting a public right-of-way). Food Carts shall be set back from other buildings on the same property as required by the State Building Code. Where a group of two or more Food Carts (Pod) are located on the same property, the total floor area of the Food Carts in the Pod, including canopies, awnings, and roofed areas cannot exceed 9,000 square feet. Where more than one cart is located on a site, carts shall be separated by a minimum of 6 feet (including permanent roof structures, canopies or similar).

**Canopies, Awnings:** Construction of canopies, awnings, and other structures greater than 120 square feet in area require a building permit. This includes fabric covered canopies that are in place for more than six-months.

**Electrical Connection:** The Food Cart shall be connected to an underground electrical system in an approved manner (see note below). The City Development Code Section 60.11 requires utilities serving a food cart to be installed

underground. This is to mean that an approved electrical connection point adjacent to each food cart is required, so the connecting electrical cord does not cross driveways, walkways, access points or create a tripping hazard. Generators are prohibited.

No permanent connection to an electrical, water or sewer system is allowed. Electrical service to the Food Cart must be by an approved electrical cord/plug without use of extension cords, connecting to a circuit with the correct amperage to serve the trailer/vehicle. The electrical cord must be protected from physical damage. An electrical permit is required for installing an outlet.

**Water Supply:** The Food Cart may be connected to an potable water system in an approved manner (see next paragraph), or the cart must connect to approved above ground or in-cart potable water tanks to supply fresh water to the cart, consistent with Section 5-3 of the Oregon Health Authority's 2012 Food Sanitation Rules. This means that an approved potable water connection point or tank adjacent to each food cart must be available, so the connecting piping does not cross driveways, walkways, access points or create a tripping hazard. Holding tanks shall be screened from view of the right-of-way by fully sight obscuring fencing.

The potable water supply shall be by an approved fixture (such as a yard hydrant or hose bib) with an approved backflow device. A plumbing permit is required for installing a fixture and/or backflow device. The water supply shall be by an approved potable water hose with a 'quick disconnect' type connection and protected from physical damage and freezing weather by an approved heat tape and insulation. If any additional plumbing fixtures outside of the food cart are connected to the potable water supply, they need to be identified and may require individual backflow devices.

**Sewage Disposal:** The Food Cart shall **either** be connected to an underground sanitary sewer system in an approved manner (see next paragraph), or the cart shall connect to individual or community wastewater holding tanks. Tanks shall be owned and serviced by an Oregon Department of Environmental Quality licensed pumper. A copy of the contract shall be provided to the City before any food carts are located on site. Holding tanks shall be screened from view of the right-of-way by fully sight obscuring fencing. Indirect discharge or leakage draining into the storm water system is prohibited.

Disposal cannot be to a storm catch basin or sewer cleanout. The connecting piping must be located so they do not cross driveways, walkways, access points or create a tripping hazard.

The connection of the food cart sanitary sewer outlet to the approved sanitary sewer system may be by a flexible or solid pipe that is approved for conveying sanitary waste. The connection to an approved sanitary sewer receptor must be in a non-permanent manner. The sewer pipe must be protected from physical damage. A plumbing permit is required for installing the sewer pipe and an approved sanitary sewer receptor.

**Grease Interceptors:** Food service areas are required to provide a method to collect fats, oils and grease from entering into the public sewer system. This is in the form of a grease interceptor as required by the State Plumbing Code. This requires a Plumbing Permit that is obtained through the Building Division. Food Carts connected to the sanitary sewer must be provided with an approved grease interceptor.

**Utility Screening:** All utilities shall be placed or otherwise screened, covered, or hidden from view from the right-of-way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.

**Number of Restrooms:** The carts shall be provided with access to a toilet and hand wash facilities on the same property where the Food Cart is located. If access to a toilet and hand wash facilities is in an adjacent building, proof of access from the property owner for use by employees and customers during the Food Cart business hours is required. The size of the food service business dictates how many toilets and lavatory sinks are required. Chapter 29 of the SBC allows a single (unisex) toilet and lavatory if the total occupant load of both customers and employees is 30 or less. Separate toilet facilities are required for male and female if over 30 total occupants (employees and customers). The occupant load is determined by the square foot area of the spaces (kitchen, offices, seating area, etc.) divided by the occupant load factor from Chapter 10 of the SBC. The minimum number of toilets and lavatories is also based on the occupant load. New fixtures may have System Development Charges (SDC Fees). See also 'Fees' for sanitary sewer fees.

**Plumbing Fixtures:** Every business must have access to a minimum number of plumbing fixtures (toilets and sinks). Chapter 29 of the SBC is used to determine the minimum number necessary. Depending on the nature of the business, additional fixtures may need to be added.

**Propane/Fuels:** Location and use of propane tanks or other fuels shall be determined as required by the Tualatin Valley Fire and Rescue Fire Marshal. For more information contact 503-649-8577.

**Accessibility (Americans with Disabilities Act (ADA)):** Any alterations to a building or space (new walls, rooms, doors, bathroom, etc.) will need to meet the accessibility code requirements from Chapter 11 of the SBC. In addition, Chapter 34 of the SBC requires any ADA barriers that exist elsewhere in the building to be removed at a cost not to exceed 25% of the value of the overall project. For example: if a project has a cost of \$20,000 for the new work, up to an additional \$5,000 must be spent in removing ADA barriers. If it only costs \$1,000 to eliminate all the remaining barriers, the whole \$5,000 would not need to be spent. If there are no remaining ADA barriers, then no additional money needs to be spent.

**Fees:** Aside from the various permit fees that will be required, new businesses must pay system impact fees or SDC Fees. Each Food Cart is required to pay: a CleanWater Services sanitary sewer (SDC) fee (if connected to the sanitary sewer) of \$2,825; a Transportation Development Tax (TDT) of \$5,680; and a Park SDC of \$270. Storm SDC fees and Water SDC fees may apply if additional impervious surface is created and/or a water meter is needed.

The information provided is not all inclusive. The details provided serve as an overview of common issues related to the proposed business type. For more information, please contact the appropriate entity noted above.

**Accessibility Information:** This information can be made available in alternative formats such as large print or audio tape. To request alternative formats, please call 503-526-2493 or email [cddmail@BeavertonOregon.gov](mailto:cddmail@BeavertonOregon.gov) and reference Building Division, Code Considerations for Food Carts.