



Mobile Frozen Desserts Dispenser Licensing in Chicago

Facts about operating as a Mobile Frozen Desserts Dispenser (4-8 & 7-38). **Effective August 27, 2011.**

Who is a Mobile Frozen Desserts Dispenser?

Any person who, by traveling from place to place upon the public ways, serves from a two or three-wheeled motorized or non-motorized vehicle, pushcart, or handcart individual portions of frozen desserts, *for human consumption*, that are totally enclosed in a wrapper or container and which have been manufactured, prepared or wrapped (*prepackaged*) in a licensed food establishment.

What are Frozen Desserts?

Any frozen or partially frozen combination of two or more of the following ingredients, which is intended for human consumption:

- ♦ Milk and milk products
- ♦ Water
- ♦ Citric acid or other types of harmless organic acids
- ♦ Approved non-glycogenic substances
- ♦ Egg or egg products
- ♦ Sweeteners
- ♦ Nut meats or other wholesome food products
- ♦ Natural and harmless artificial flavors
- ♦ Fruit and fruit juices
- ♦ Candy
- ♦ Approved stabilizers and food emulsifiers
- ♦ Certified colors

Examples of Frozen Desserts

- ♦ Milk and cream based (ice cream)
- ♦ Flavored water based (sorbet)
- ♦ Custard based (frozen custard)
- ♦ Fruit purée based (frozen fruit purée)
- ♦ Mousse based (frozen mousse)
- ♦ Frozen dessert mix, sundaes, etc.

NOTE: No other food besides prepackaged frozen desserts for human consumption may be sold or served from or by a mobile frozen desserts dispenser.

APPLICATION & LICENSE FEE: \$275.00 per Mobile Frozen Desserts Dispenser (renewable every two years).

Application Requirements

The applicant must provide:

- the name and address of the owner of the mobile frozen desserts-dispensing vehicle, and if the operator of the vehicle is other than the owner, the name of the operator must also appear on the application.
- the address of the licensed commissary where the mobile frozen desserts-dispensing vehicle will be cleaned and stored when not in use.

Documentation Requirements

- Sole Proprietors must provide a government-issued photo ID; other business entity types must also provide business registration documents (i.e. Articles of Incorporation for Corporations, Articles of Organization for LLCs, etc.).
- Federal Employer Identification Number (EIN) or Social Security Number for Sole Proprietors; an Illinois Department of Revenue Account ID (formerly known as an Illinois Business Tax (IBT) Number); and a completed Business Information Sheet (BIS).
- Motorized Mobile Frozen Desserts Dispensers must also provide the following:
 - Vehicle information - proof of ownership, the vehicle identification number (VIN), license plate number, year, make, model;
 - Specification sheet or photo of the 2-3 wheeled vehicle.
- Any City debt must be resolved prior to the issuance or renewal of, or changes to, any business license.

Inspections

The Department of Health will conduct an onsite inspection of the Mobile Frozen Desserts Dispenser at the licensed commissary after payment of the application fee.

Restricted Areas

Dispensing food from a wheeled vehicle within the following designated areas is prohibited:

- Beginning at the intersection of Laflin Street and Monroe Street; then south on Laflin Street to Jackson Boulevard, then west on Jackson Boulevard to Paulina Street; then north on Paulina Street to Monroe Street; then east on Monroe Street to Laflin Street.
- The “medical center district” bounded by Ashland Avenue on the east, Congress Parkway on the north, Oakley Street on the west, and a line co-incident with the north line of the property at or near 14th Street and 15th Street, owned or used by the Baltimore and Ohio Chicago Terminal Railroad Company for railroad purposes, on the south.

Information Requirement on Wrappers

- All individually wrapped portions of frozen desserts must be plainly marked by the manufacturer on the wrapper or container in such a manner as to plainly identify the day and the month of which such individual portion was prepared and wrapped in an establishment approved by the Department of Health. The name and address of the establishment processing or manufacturing and wrapping portions of perishable food products must appear on each individual portion.
- No person shall keep or offer for sale individual portions of frozen desserts which have been rewrapped or repackaged or portions of which the identifying date on the wrapper has been altered, disfigured or changed in any manner.



Operational Requirements

- **Mobile frozen desserts-dispensing vehicles must move from place to place upon the public ways and may not be operated at a fixed location except as otherwise provided in the City ordinance.**
- **Stops may be made only to service customers and may not exceed a total of two hours in any one block.**
- No mobile frozen desserts-dispensing vehicle may be equipped with any electronic sound-amplifying device. Permitted advertising devices shall be limited to bells, whistles, horns or other musical or noise-making devices which do not employ any electronic sound-amplifying device. Mobile frozen desserts-dispensing vehicles employing musical or noise-making devices may only sound said devices when traversing the public way and may be prohibited from sounding said devices while parked.
- No mobile frozen desserts-dispensing vehicle equipped with a musical or noise-making device may sound any such device at any location between the hours of 7:00 p.m. and 9:00 a.m., or at any time within 200 feet of a hospital, nursing home or while traversing any zone of quiet established under Chapter 10-8 of the Municipal Code.
- No sales from such vehicle may be made between the hours of 10:00 p.m. and 10:00 a.m.
- No operator of such vehicle may park or stand such vehicle within 200 feet of a church, a school or school playground while school is in session.
- No operator of such vehicle may park or stand such vehicle within 200 feet of any principal customer entrance to a restaurant which is located on the street level. Restaurant, for purposes of this section, means any public place at a fixed location kept, used, maintained, advertised and held out to the public as a place where food and drink is prepared and served for the public for consumption on or off the premises pursuant to the required licenses. Such establishments include, but are not limited to, restaurants, coffee shops, cafeterias, dining rooms, eating houses, short order cafes, luncheonettes, grills, tearooms and sandwich shops.
- Any person who violates or resists the enforcement of the City ordinance may be fined \$500 for each violation.
- **Frozen dessert-making equipment and machines are not allowed on mobile frozen desserts dispensers. Examples of prohibited frozen dessert-making equipment/machines include, but are not limited to, ice shavers, snow cone maker, and frozen yogurt or custard machines.**
- Must comply with all City ordinances, and Rules and Regulations promulgated by the Board of Health, that apply to the license.

Display Requirements

- **Every Mobile Frozen Desserts Dispenser licensee must post their license in a conspicuous place in that part of the vehicle to which the public has access by sight.**
- **The name and address of the licensee must appear plainly, distinctly and legibly in letters and figures at least two inches in height in a conspicuous place on the outside of each side of every Mobile Frozen Desserts Dispenser.**

Vehicle Sanitation Requirements

Vehicles used by mobile frozen desserts vendors must comply with the following:

- Each vehicle must be constructed so that the portions of the vehicle which contain food must be covered so that no dust or dirt will settle on the food; and such portions of the vehicles which are designed to contain food must be at least 18 inches above the surface of the public way while the vehicle is being used for the conveyance of food;
- Each vehicle must be kept in a clean and sanitary condition, and protected from contamination;
- Each vehicle must be kept in good operating-condition and comply with all safety and pollution standards set forth for comparable vehicles by the United States, the State of Illinois and the City;
- Refrigeration equipment in such vehicles where required by any federal or state statute or regulation or by the City's Municipal Code must conform to all standards for refrigerated vehicles set forth by the United States, the State of Illinois and the City;
- The food storage areas of each vehicle must be kept free from rats, mice, flies and other insects and vermin. No domestic animal, birds or fowl may be permitted in any area where food is stored;
- Hazardous non-food items such as detergents, insecticides, rodenticides, plants, paint and paint products that are poisonous or toxic in nature may not be stored in the food area of the vehicle;
- Packaged frozen desserts may not be stored in contact with undrained ice;
- The interior floor, walls and ceiling of each vehicle must be of smooth, not readily corrodible, impervious material capable of withstanding repeated washing and scrubbing and must be finished in a light color;
- **The vehicle must not be used for any purpose other than a mobile frozen desserts dispenser;** and
- All food service equipment utilized in the mobile frozen desserts dispenser must be of easily cleanable construction and must be maintained in good repair and clean.

How do I apply?

You may apply in-person at BACP's Business Assistance Center, in City Hall, 121 North LaSalle Street, Room 800. Application intake hours are from 8:30 AM through 3:30 PM, Monday through Friday. An appointment is recommended, and may be made online @ www.cityofchicago.org/bacp > Schedule An Appointment With A Business Consultant, or by calling (312) 74-GOBIZ / 744-6249.

