

A Temporary Foodservice Permit through the Virginia Department of Health (VDH) is Required for the following uses:

<i>Type of Business</i>	<i>Example of Business Model</i>	<i>Health Department Categorization</i>	<i>Dept. of Finance Summary</i>	<i>Planning/Zoning Summary</i>	<i>Additional Notes</i>
Temporary Food Service at Approved Special Event	Applicant intends to sell food at a special event such as a NASCAR race, Innsbrook After Hours, or similar event with prior formal approval by the County.	Meets VDH definition of temporary foodservice, requires permit prior to preparation and service of food. Can be tent or vehicle mounted.	This would require an Itinerant Merchants' license.	Vendors are allowed in designated areas on the same property and at the same time as an event that has received prior approval via Provisional Use Permit, temporary event CUP or other applicable process.	Also see Mobile Food Vendor below for distinctions regarding Health permitting.
Temporary Food Service at Miscellaneous one-time Event	Applicant intends to sell food at a fundraiser, open house, or other tent event of a community-wide nature.	Meets VDH definition of temporary foodservice, requires permit prior to preparation and service of food. Can be tent or vehicle mounted.	Would need to be reviewed on a case-by-case basis to determine if a license is required, and if so, the classification.	Special "one-time" events on commercial/office property as an accessory use to the property tenants are approvable on case-by-case basis.	Larger events or those that include live music, alcohol sales or paid admission will be handled as in the above category.

The following use is defined by VDH as a Mobile Food Unit:

<i>Type of Business</i>	<i>Example of Business Model</i>	<i>Health Department Categorization</i>	<i>Dept. of Finance Summary</i>	<i>Planning/Zoning Summary</i>	<i>Additional Notes</i>
Mobile Food Vendor – (also includes Food Cart/Lunch Truck as listed above but Non-Fixed Location)	A vehicle-mounted foodservice facility designed and operated to frequently move. Such units operate from a commissary or base of operations for re-supply and cleaning.	Meets VDH definition of mobile food unit, requires permit for both commissary and mobile food unit issued by local health department where commissary is located.	Assuming the vendor does not move within 30 minutes (which would be a peddler), an Itinerant Merchants' license is needed.	They may be considered "temporary outdoor sales lots and stands". Allowed in B-3 or above, with property owner permission, 200 feet from any R district and with location demonstrating five additional parking spaces over what is required.	Valid mobile food unit permit with Health authorizes operation throughout the state. May attend/serve at temporary events without additional temporary food permit.

A VDH Foodservice Permit for a Restaurant is Required for the following uses:

<i>Type of Business</i>	<i>Example of Business Model</i>	<i>Health Department Categorization</i>	<i>Dept. of Finance Summary</i>	<i>Planning/Zoning Summary</i>	<i>Additional Notes</i>
Food Cart/Lunch Truck – Fixed Location	Applicant sets up in a location selling made to order sandwiches, tacos, ice cream cones, or other prepared foods for a "lunchtime" type clientele.	Meets VDH definition of restaurant, requires restaurant permit to legally operate.	An Itinerant Merchants' license is needed—unless the location is within a mall or similar structure and the vendor has a lease for more than 1 year; then a Retail Merchants' license is needed.	Limited to semi-permanent vendors with approved Plan of Development, including connection to water/sewer, designated parking, etc.	
Restaurant	Applicant operates in a permanent location as a restaurant use.	Meets VDH definition of restaurant, requires restaurant permit to legally operate.	This would require a Retail Merchants' license.	Restaurants are allowed in commercial, office, and industrial districts as restricted by Code.	

Other types of uses:					
Type of Business	Example of Business Model	Health Department Categorization	Dept. of Finance Summary	Planning/Zoning Summary	Additional Notes
Roadside Stand	Applicant sets up a stand to sell perishable food items.	N/A (see notes at right)	If the vendor is selling agricultural produce that he grew, or seafood that he caught, then no license is needed. Otherwise, typically an Itinerant Merchants' license is needed.	Temporary outdoor sales stands are regulated as described in Mobile Food Vendor above. Roadside farm stands are also permitted in R and A districts selling only farm-products on the premises where they are produced , with restrictions.	True farm stands are not regulated by VDH if no food preparation is involved. Preparing food (such as crab steaming) meets VDH definition of restaurant, requires restaurant permit to legally operate, and typically not able to comply with food regulation facility requirements.
Home baking or preserving	Applicant will make items such as cookies, breads, jams, or sauces which will be packaged, labeled, and sold at farmers' markets, trade shows, or by mail.	N/A (see notes at right)	Would need to be reviewed on a case-by-case basis to determine if a license is required, and if so, the classification.	Zoning Code allows preserving or home cooking in Residential zoning districts with restrictions. VA Dept. of Agriculture requires a zoning clearance letter which we can provide along with approval of Business License.	Not regulated by Health Dept. (VDH); VA Dept. of Agriculture (VDACS) provides licensing and regulatory authority and conducts inspections.
Catering	Applicant will provide anything from a cake to a full-service meal per client request to serve weddings, corporate events, parties, etc.	VDH requires commercial grade equipment among other requirements for the commissary location.	This would require a Personal Service license.	Catering is allowed in commercial and retail districts but is limited in residential districts to churches and other non-resident uses. Commercial grade equipment is not allowed to be used for a home-based business .	Some cakes and other products may meet the above definitions
Personal Chef	Applicant will visit someone's home on a daily or weekly basis to prepare meals for residents, typically elderly, using only their equipment.	N/A (see notes at right)	This would require a Personal Service license.	Zoning can approve as an accessory use in a residence, similarly to other persons employed on the premises.	Not regulated by VDH or VDACS
Ice Cream Truck	Applicant sells pre-packaged items from a vehicle that stops only intermittently.	N/A (see notes at right)	This activity would require a Peddlers' license.	A continuously moving vehicle is not restricted by zoning.	Not regulated by VDH or VDACS