



Mobile Food Units

Mobile food units, when parked, constitute a structure and may be located in temporary locations difficult for fire department access. Because cooking operations remain one of the leading causes of fires in North Dakota, the following information is provided to assist mobile food unit operators. This information was developed in coordination with local public health units, local fire departments, the Food and Lodging Unit of North Dakota Health and Human Services (HHS), and the State Fire Marshals Office as guidance to ensure a consistent and safe approach to mobile food unit licensing and inspection across the State.

Mobile Food Unit License Requirements

- Mobile food units operating in North Dakota are licensed and inspected by HHS or by the local public health agency, where recognized under North Dakota Century Code (N.D.C.C.) 23-09.
- HHS and some local public health agencies offer reciprocity for licensing mobile food units whose base of operation is located in North Dakota. This means those agencies have an agreement and recognize and accept each other's licenses. For more information, visit hhs.nd.gov/mobile-food.
- Mobile food units whose base of operation is located out-of-state are not offered reciprocity for licensing by HHS or any local public health unit.
- Temporary food stands such as tents, booths, or pushcarts are not considered mobile food units as defined in law and are not offered reciprocity by HHS or any local public health agency.
- All state and local health departments provide similar Food Code requirements throughout the state to regulate mobile food units.
- Part of the requirement for licensing is to meet the minimum fire code requirements under N.D.C.C. 23-09 and North Dakota Administrative Code 33-33-04.1 by undergoing a plan review and preoperational inspection before operating and routine inspections during hours of operation.

Mobile Food Unit Fire Code Requirements

The Fire Code of North Dakota (firemarshal.nd.gov/codes) includes some important fire safety requirements for mobile food units including the following: (Please note, this is not an all-encompassing list, just some of the items specific to mobile food units.)

- **319.3 & 319.4.** If cooking produces grease laden vapor in amounts that accumulate on surfaces, a type 1 kitchen hood ventilation and fire suppression system is required.
 - Kitchen hood fire suppression systems shall be supported by a Class K fire extinguisher.
 - Kitchen hood fire suppression systems shall be serviced and maintained annually for seasonal operation.
- **319.5.** Gas cooking appliances shall be secured in place and connected to the fuel supply piping in an acceptable manner.

- **319.6 & 319.7.** Cooking oil shall be stored in a manner compliant with the fire code.
- **319.8.** LP Tanks and systems shall not exceed 200 lbs. and shall be securely mounted to prevent movement.
 - Containers shall and system piping shall comply with NFPA 58 “LP-Gas Code” ... and maintained in a manner to prevent tampering or damage.
 - A listed LP-gas alarm shall be installed within the vehicle.
 - Contact your local fire department for requirements of compressed natural gas systems (CNG).
 - Gas containers shall be inspected annually by an approved inspection company that is registered with the U.S. Department of Transportation to requalify.
- **319.10.** Kitchen hood exhaust system shall be cleaned at an interval that prevents unacceptable levels of grease laden vapors.
- **906.4.** 2A:10BC fire extinguisher shall be installed within the vehicle and serviced annually.

Fire Code - Plan of Correction

If a violation of the fire code cannot be corrected immediately, a written plan of correction may be considered if accepted by the state and local agencies responsible for conducting the inspections and licensing of the mobile food unit. The plan of correction shall outline fire code deficiencies, include dates of correction, and the final date when compliance with fire codes will be met. A plan of correction, if acceptable by all parties, may allow the mobile food unit to continue operating for the agreed-upon time. Typical plans of correction are met within one year of inspection unless special circumstances are encountered, documented and accepted. Also, please note that local fire authorities may have sunset dates or clauses in place.

Please contact your local public health unit, fire department, HHS, or the State Fire Marshal with any questions and concerns related to fire code requirements for mobile food units in North Dakota.