

How to Apply for a Permit to Open a Restaurant or Food Retail Store

First—If you plan to move into an existing building where a restaurant or grocery has recently closed, contact your Local County Health Department to find out if what you are proposing can be done in the existing structure without a lot of costly renovations. If you plan to move into a building that has never or not recently been a restaurant or grocery, contact your Local Health Department to see if what you are proposing could be done in the structure.

Second—Put your plans (a scaled drawing of your structural proposal) on paper, showing your kitchen layout, equipment and structural specifications, water and waste sources, plumbing additions and changes, etc., and provide these plans to your Local Health Department, food safety specialist (environmentalist). The food safety specialist will review your plans along with the local plumbing inspector to see if your proposal meets all applicable laws and requirements. If there are any changes to be recommended, it is easier and less costly for you to change on paper than once your facility is constructed. Once your plans are approved, you may begin construction of your restaurant or grocery.

Third—You would need to apply for a permit to operate, providing pertinent information and paying the applicable fees. Again, this would be done through the Local Health Department.

Fourth—Provide the Local Health Department a listing of menu items and be ready and able to explain how these menu items will be prepared from scratch to finish, including approximate cooking times and temperatures, holding times and temperatures, leftover procedures, refrigeration temperatures and more. Your Food Safety Specialist with the Local Health Department will want to make sure you know how to safely prepare and serve all foods on your menu.

Fifth—Now you may be ready to request your opening inspection by the Food Safety Specialist, with the Local Health Department. The plumbing inspector will do the first inspection to make sure all plumbing changes and additions have been done by a licensed plumber, and have been installed correctly—and if ok, your food safety specialist will conduct your opening inspection. Once you pass the opening inspection you will receive your permit to operate. This permit will remain valid as long as your permit is renewed yearly, and your establishment operates in conjunction with applicable food safety laws and regulations.

Temporary Food Operations

Foods may be prepared and served in conjunction with gatherings or events such as fairs and festivals. Food items and methods of preparation may be restricted during these temporary events. All temporary food vendors must have a permit from the Local Health Department prior to commencing operations. These permits are valid if the establishment operates in accordance with the regulations, for up to 14 days at one location. The must also vacate the premises for 30 days. Each district/county may have its own rules and requirements for operating a temporary food service operation.

Restricted Food Concessions

These food establishments operate with restricted non-potentially hazardous menu items and ingredients considered to be low risk in relation to foodborne illness. Only non-potentially hazardous menu items may be provided with the exception of plain frankfurters with bread, commercially processed nacho cheese sauce and chips. Other potentially hazardous foods may not be provided by a restricted food concession. These concessions may operate with limited fixture requirements as defined in the Kentucky Food Establishment Act and State Retail Food Code.

Foods allowed under the “Restricted Foods” permit include the following: flavored ice, shaved ice, snow cones with commercially mixed and packaged flavorings, pork rinds, kettle corn, roasted nuts without the shell, nacho cheese and chips, cotton candy, and pre-cooked, commercially processed hot dogs, frankfurters, and similar meals (bratwurst and Italian sausage) that are either grilled, steamed or boiled on site. Any entity operating with a “Restricted Foods” permit may also market pre-packaged sandwiches, pre-packaged ice cream, popsicles, and shelf-stable pre-packaged baked goods, provided they are obtained from an approved source.

Statewide Mobile Food Unit Operations

A statewide mobile food unit is basically a food establishment on wheels, or mobile. These operations are permitted by the Local County Health Department and when meeting the requirements, pay one yearly fee and may operate statewide. These units are to contact the health department in each county where they operate for an inspection. These units are not able to remain at one location for longer than 14 consecutive days. They must also vacate the premises for 30 days. Plan submission is the same as for a regular permanent restaurant or food retail establishment (with exceptions based on type of food being cooked and served).

**The following low risk foods would not require permitting but would require hand washing facilities: plain popcorn popped in a heated, closed environment that is served with no bare-hand contact (you may provide dry commercially processed and packaged toppings after heated); plain roasted or steamed nuts in the shell; and carbonated beverages dispensed from protected equipment. Simple coffees made from a coffee maker and dispensed in single service cups along with pre-packaged sugar and creamers are also exempt from permitting.

Permitting Fees: (more information on permitting fees can be found through the Kentucky Food Safety Branch at www.chfs.ky.gov.)

Food Service: Annual is \$100 (+) number of seats provided

0 seats—\$0	1-25 seats—\$60
26-50—\$100	51-100 seats—\$125
101-200—\$150	201+ seats—\$175

(+) Drive through window—\$125

(+) Catering—\$110

Statewide Mobile Unit: Annual is \$160

Limited Food Concessions: Annual is \$100

Temporary Food Service:

1-3 Day Permit—\$50

4-7 Day Permit—\$75

8-14 Day Permit—\$100

Farmer's Market—\$50

Vending Companies and Machines:

Commissary—\$10 (+)

0-25 machines—\$50

26-50 machines—\$75

51-100 machines—\$100

101-150—\$125

151+—\$200

Retail Food Store:

0-1,000 sq feet—\$75

1,001-10,000 sq feet—\$125

10,001-20,000 sq feet—\$175

20,001-30,000 sq feet—\$200

≥30,001 sq feet—\$300

Mobile Retail food Store—\$50