



Missoula City-County Health Department

ENVIRONMENTAL HEALTH

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Plan Review Frequently Asked Questions

When do I need to license?

Anytime food or beverage is served to the public, with *or* without a charge, a state food purveyor's license, local permit, or cottage food registration must be obtained. The only exceptions to this rule are non-profits that serve less than 4 days per year, and people that serve items that are commercially prepackaged which do not require refrigeration like canned soda, bags of chips, wrapped candy, etcetera. If the items are open, or if they must be kept cold or hot for safety, a license must be obtained.

I want to serve food to the public. How do I get started?

Well! Welcome to the food service community. We are excited you'd like to join the ranks of the wonderful food purveyors cooking up delectable delights in Missoula. The first thing you need to do is find a kitchen space, figure out your equipment, menu and cooking process, and then put all of this information together in what's called a plan review application which you submit to the health department.

Where do I get a plan review application?

Many places! You can find any of our plan review applications on our website. You can also call 258-4755, or email envhealth@co.missoula.mt.us to have one sent to you. And of course, you can come visit us at 301 W. Alder, 2nd floor, and pick one up in person.

What are the basic requirements for a commercial kitchen?

Wow... this is a really tough question to answer. Reason being, there is no one size fits all kitchen. The kitchen requirements can vary significantly depending on menu, operation, and volume of food. Think about it... different foods and cooking processes require different kinds of equipment. Different kinds of equipment require different types of plumbing, ventilation, and different amounts of space. Also, different processes may require less equipment, space, sinks than another. However—don't despair! We can give you the most basic spring board from which to launch.

All kitchens need the following:

- Hand sinks in all food preparation, service, and dishwashing areas.
- An air gapped three-compartment sink.
- Adequate mechanical refrigeration or freezer space.
- Commercial cooking and preparation equipment to support the menu proposed.
- Adequate ventilation for heat producing pieces of equipment.
- Floors, walls, ceilings, and food prep surfaces that are smooth, cleanable, durable and non-absorbent.
- An air gapped food prep sink if fruits and vegetables need to be washed, or food needs to be rinsed, drained, or thawed or cooled using cool water.

Why commercial equipment? Does it have to be NSF?

Using residential equipment in a commercial facility is like using a knife blade to tighten a screw; while it may work initially, sooner or later you'll get to the point where it doesn't, or it becomes unsafe. The commercial equipment requirement is to make sure that the units you pick are designed to hold up under your intended use and be easily cleanable. Usually the NSF certification gives you, and us, assurance that equipment can meet those conditions; however, equipment does not have to be NSF certified. There are many other agencies that evaluate commercial equipment, and sometimes, manufacturers will back the equipment to those standards without them being evaluated. Bottom line is: you provide us the spec sheet on the equipment that tells us it meets requirements and your intended use, and we can approve it.

Why is plan review required?

Plan review is really just what it sounds—a plan. It's you going through the motions to make sure that you have everything you need to operate safely, to make sure nothing has been forgotten, and make yourself look at logistics.

For us, it's a tool and a service we provide to you. When you turn in your application, we look at whether or not you have the equipment you need to make the menu items you want to offer. Then we look at how the equipment, sinks, hoods, and other spaces work in the facility. Is there ventilation where it needs to be? Are the hand sinks in the right places so that crucial hand washes aren't missed? Is there enough storage space? Have you located everything so that dirty tasks do not influence food prep areas of the kitchen? The plan review process allows us to interact with you early, develop a relationship, give you pointers, and make sure the facility supports what you are doing before you sink money into it and have make costly changes.

What does the review application require?

The entire submittal requires the MCCHD plan review application, a floor plan with the equipment layout, plumbing and ventilation information, spec sheets on all equipment, a finish schedule, and the proposed menu. Floor plans do not need to be professionally done, but they do need to be neatly drawn and clearly labeled. City building on the other hand does require professional plans, so if you need to submit plans to them for any reason, keep that in mind. Spec sheets are preferred, but model numbers are accepted. Bear in mind that model numbers may not give us the information we need to approve the equipment and it may result in delays or us being unable to approve the unit. The finish schedule can be listed on the plans or outlined in the application packet. Make sure all of the information is included and clear, otherwise resubmission fees may be assessed and your project delayed. If you have questions about the completeness of your packet, please contact the plan review coordinator at 258-4755.

Which review packet do I need?

Please see the descriptions next to each application on the website.

How does the process work?

You submit the plan to us and we match equipment, menu, and facility to the operational methods you plan to use. Such as: you are washing produce; where is that going to happen? You are frying from frozen... where's the freezer in the fryer area? After we have assessed your proposal, we ask you questions and tell you any required changes you will need to make in order to license out of the proposed space. At that time, you will receive an approval letter outlining those conditions. After you receive the letter, you can start constructing your facility. When it is all done, and the conditions met as stated in the letter, give the reviewer a call and set up your preopening, or licensing inspection. Have the facility setup at the time of licensing as though you were going to serve your first customer the moment the inspector left. If the inspection goes well, you will fill out the license application, pay the license fee, and be able to operate.

Do I turn in the application before or after I start construction?

Please turn it in before! That way we have a chance to let you know if changes need to be made before you have spent money on equipment, plumbing, etcetera that will not meet your needs. In the long run it will save you time and money.

What if I have questions during the process?

You have several avenues to get your questions addressed. You can always call 258-4755, and ask to speak to the plan review coordinator, or email envhealth@co.missoula.mt.us. You can also meet with our in food sanitarian available every day from 8am-5pm with the exception of the noon hour.

Do I need to submit to building before or after I submit to health?

You need to turn in a complete plan to the health department before submitting to building; however, you do not need to wait for an approval from us to submit to building. The process can be concurrent.

What other agencies do I need to contact?

It depends on what you are doing, but for the most part it is always good to touch base with the following to ensure that you don't have any surprises:

- City Development Services (Building, Zoning, Fire), 406-552-6630, 435 Ryman, Missoula, MT
- County Public Works Department, Building Inspection Division (Building,

Plumbing, Electrical, Mechanical), 406-258-3700, 6089 Training Dr, Missoula MT
- **Entire County except the corporate limits of the City**

- CAPS (County Planning and Zoning), 406-258-4657, 323 W. Alder, Missoula, MT
- City Engineering, Wastewater Division, 406-552-6606

Do I need a grease interceptor?

Good question. Answer is—I have no idea. Unless you plan to use a septic system, our department has no say on whether or not you need one. This decision on grease interceptors is made by City Wastewater. If you have questions about internal versus external grease interceptor requirements, or the variance process, please contact City Wastewater at 552-6606.

What the heck is an air gap?

It is a physical air space between the drain pipe coming out of the bottom of the sink and where the pipe goes into the ground or wall and into the sanitary sewer. Usually you will see the pipe extend down from the bottom of the sink and loosely drain into a square floor sink, but sometimes you will see a hub drain, or funnel looking device catching the water draining from the sink. Either method is fine with us as long as it is approved by City Building.

What type of license will I need? What do the different types mean?

There are two main types of licenses in food service and each has many different subtypes. The first license type is a retail license. This is the license you will need to serve open food and beverage to the public. This license type has subcategories or endorsements that describe the type of retail food service you provide. Please click here for a description of each of these license types.

The other license type is Wholesale Manufacturing. This is where you will be providing food to retailers to sell to the public. You do not have direct interface with the “end consumer” with this license type; if you do, depending on the type of products you sell, you may have to get a retail license in addition to the wholesale license. In the case of Wholesale licensing, the subtypes are determined by the type of product and process that you use.

I currently have a restaurant, but want to expand my menu, add new equipment, or remodel. What do I need to do?

If you currently have a licensed space, you can sometimes do a smaller review because most of the facility has been approved already. If you are just adding a few pieces of equipment, changing your menu, or expanding the kitchen space, you can generally do a facility review; however, if you are doing a larger-scale remodel, it will constitute a full review because we will have to look at your changes as though you are putting together an all new facility. If you expand or change your menu to items that are riskier than what you are currently approved to do, a menu review is required.

How long does the plan review process take?

Again, good question! The answer is that it depends. Our standard answer is 30-60 days; however, it rarely takes us that long to turn one over. The reason we give people this timeline is so they can budget their time accordingly in case our office is swamped with reviews (we attend to reviews on a first come, first served basis), or have a pressing matter to attend to like an illness investigation or outbreak. If you are concerned with getting a timely review, your best course of action is to turn in the most complete application that you can that is easy to read. The more work you put into it to begin with, the better off you are.

How much does the review cost?

It depends on the type of review and the type of establishment you have. Please see our plan review fee schedule.

Why are there two separate fees: one for licensing and one for the review?

For one, there are two different departments involved, and second, the fees are for different purposes. The reviewing agency is Missoula City-County Health. That is where the plan review fee goes. That fee is to cover our time and resources to complete your review and pay for the preopening inspection. The second fee is the fee required by the state in order for you to operate.

I am thinking about buying a facility in town. What upgrades will be required before I can license it?

Well, that is difficult to answer because it depends on the facility. In general, any residential equipment must be upgraded to commercial equipment; if sinks or equipment are missing air gaps, those would need to be addressed; and if there are any surfaces that are not to code, those would need to be repaired. There may be other requirements depending on the state of the facility. Your best bet would be to come to our office and look at the establishment file to see if there are any upgrades noted in the inspections. Another option to you is to hire an inspector for a special inspection and have them give you a list of things that would have to be fixed before a license could be issued.

Can you inspect a facility before I buy it or do a review?

We can inspect a facility prior to purchase or lease agreement. There is a fee, but it might just save you money in the long run if there are unforeseen costly upgrades. Note that we do not evaluate building concerns like ventilation, hoods, plumbing, or sewer.

What is the difference between wholesale and retail?

The difference between wholesale and retail comes down to distribution. If you are planning on serving food only to the end consumer, you are a retailer. If you are making products to sell to other businesses to sell for you, you are a wholesaler. If you are doing both, guess what... you need both licenses.

What if I want to sell to other retail businesses? How do I become a wholesale manufacturer?

If you want to sell to other retailers you need to get licensed for wholesale. This process could go several different ways depending on the product you are going to make. In any case it is a two part review. There is the review at the county level that focuses on facility and equipment, and then there is the state review that covers process and labels. If you are doing a high-risk product like acidified foods or reduced oxygen packaging, you must consult a process authority in addition to the state and county offices. To better understand facility requirements contact the plan review coordinator at 258-4755

What are the requirements for a mobile?

Again, another great question that is answered with “well... it depends”. And again, we are not trying to skirt the question, but mobiles can really be what you of make them. That being said, there are two types of mobile units: pushcarts, and honest to goodness, fully enclosed mobiles like trucks and trailers. With pushcarts, you must have a plumbed hand sink with hot and cold running water, and commercial equipment designed for the intended use. The menus on pushcarts, due to space, limited sinks and water, and limited equipment, must be... well... limited—as in quick cook and serve foods like hot dogs. Pushcarts must have a commissary for water, wastewater disposal, storage, and any prep that takes place prior to food being put on the cart. The minimum water capacity on a pushcart is 5 gallons. Pushcarts must also have adequate overhead cover, such as an umbrella.

Fully enclosed mobiles are a little different. What will be required in a mobile truck depends largely on menu and how much the applicant wants to be dependent on a commissary. The more that is done in a commissary kitchen, the less can be in the mobile. The simpler the menu, the less will be required on the mobile as well. At a minimum, with a simple menu and commissary for prep and storage, a mobile must meet all of the pushcart requirements with the exception of the umbrella—mobiles must be fully enclosed. Any other requirements such as a three-compartment sink, prep sink, and hoods are all dependent on menu, equipment, and commissary use. Water capacity also depends on the sinks and menu; however, they must have permanently mounted water and waste tanks, with connections that are compatible with hook ups at RV stations.

One thing to keep in mind is that mobiles can travel county to county with the other county’s approval if they are very self-contained and not dependent on a commissary. The more you put into your mobile, the more you can do with it.

Can I operate out of my house or on my property? Can I make any food at home?

Depending. Cottage food operations are limited home-based food services that only distribute low-risk items directly to the end consumer. So if you want to do baked goods and similar items, you may register as an at home business. If you are looking to cater from home or do higher-risk food items, you will need to get reviewed and licensed. To do this at home, you will need to be zoned commercially, have connections to an approved water supply and sewer system, and have a space that they can dedicate solely to their food operation that’s not their residential kitchen. If

you wish to discuss setting up a dedicated kitchen space on your property, please contact the plan review coordinator at 258-4755.

I want to start small. Can I use a kitchen owned by someone else to get started?

Absolutely. In fact there are several kitchens around town that are good about renting space to small operations. What we are most concerned about in these cases is if there is enough storage and refrigeration space to accommodate you, if there is the correct equipment there to support your operation, and if you can operate at a separate time than others who use the space. If you are curious about whether or not a space may work for you, call the plan review coordinator at 258-4755, and turn in a review for the facility based on your operation.

Are licenses transferable?

By law they are not. Licenses are specific to owners and locations. So—if an establishment changes ownership, or moves to a new location, a plan review must be submitted, and a new license obtained.

What do you look at during a preopening inspection?

We make sure that all of the conditions stated in the approval letter have been taken care of and then look to make sure that the facility is ready to support food service. Have everything on, at temperature, setup, and surfaces finished as though you could serve your first customer the moment the inspector leaves. There should be no equipment missing, not hooked up, or construction going on still. Use the preopening checklist to make sure you have everything in place.

What if I “fail” my preopening inspection?

Well, we don't call it “failure”, but a delay... with a follow up. Yes, you get another chance. In fact, you get as many chances as you need to get things in order, but there is a charge for each inspection after the first preopening. Needing a follow-up inspection is rare, and between the conditions in the approval letter and the preopening checklist, we give you all the tools and information you need to be successful on the first try.