



**Public Health**  
Prevent. Promote. Protect.

**Canton City Public Health**

<b>POLICY AND PROCEDURE</b>	
SUBJECT/TITLE:	Temporary FSO/RFE License Guidance
APPLICABILITY:	Environmental Health Division
CONTACT PERSON & DIVISION:	Director of Environmental Health
ORIGINAL DATE ADOPTED:	01/24/2019
LATEST EFFECTIVE DATE:	06/20/2023
REVIEW FREQUENCY:	Every 5 Years
BOARD APPROVAL DATE:	N/A
REFERENCE NUMBER:	500-005-P

**A. PURPOSE**

The intent of this document is to provide guidance for issuing a temporary license to operate a food service operation (FSO) or retail food establishment (RFE).

**B. POLICY**

All entities operating a food service operation or retail food establishment at a temporary event shall obtain a license from Canton City Public Health **prior** to the start of the event pursuant to Ohio law. Entities must be affiliated with a sanctioned event and receive approval from the event organizer in order to obtain a food license.

Any variance from this guidance must first be approved by the Food Services Supervisor, the Director of Environmental Health, or the Health Commissioner.

**C. BACKGROUND**

Canton City Public Health has often experienced individuals requesting a temporary FSO or RFE license to serve food during community events with which they are not properly affiliated or recognized. These individuals frequently do not have the knowledge, experience, or equipment to prepare and serve food in a safe manner in compliance with the Ohio Food Code. Additionally, some operations consistently apply for a temporary FSO or RFE less than ten (10) days prior to a scheduled event as required by the Ohio Administrative Code. In some cases, no license application has been submitted at all by the operator until they have been approached by one of our inspectors in the field after the operation is set up and operating.

**D. GLOSSARY OF TERMS**

“Temporary food service operation” means a food service operation that is operated at an event for no more than five (5) consecutive days, except when operated for more than five (5) consecutive days under division (E)(2) of section 3717.43 of the Ohio Revised Code.

“Temporary retail food establishment” means a retail food establishment that is operated at an event for no more than five (5) consecutive days, except when operated for more than five (5) consecutive days pursuant to division (E)(2) of section 3717.23 of the Ohio Revised Code.

“Public Event” means an activity at a ticketed function or other community-based activity that has an identified sponsoring organization. Examples of sponsoring organizations include Greater Canton Chamber of Commerce, City of Canton, Canton Development Partnership, Arts in Stark, Downtown Canton Special Improvement District, Professional Football Hall of Fame, Centennial Plaza, church, fraternal organization, or other similar organizations.



## E. STANDARD OPERATING PROCEDURE

Vendors must complete the steps in the following order to obtain a license for temporary FSO or RFE:

- 1) Obtain permission from the event sponsor/organizer to participate as a food vendor at the public event.
- 2) Complete a Temporary Food Permit Questionnaire within ten (10) calendar days prior to the event.  
**Questionnaires not received ten (10) calendar days before the event may be denied.**
- 3) Have the questionnaire reviewed and approved by Canton City Public Health.
- 4) Complete an Application for a License to conduct a Temporary FSO or RFE.
- 5) Pay the applicable license fee no later than two (2) calendar days prior to the event. Fees not paid within two (2) calendar days before the event may be denied.

Requirements:

- The Application for a License to Conduct a Temporary must be completed in its entirety and signed by the license holder or authorized representative.
- **Food is NOT permitted to be prepared at home.**

Additional Information:

- The temporary FSO or RFE license will be given to the applicant in the field upon completion of a satisfactory inspection.
- Unlicensed temporary FSO or RFE operations that are discovered in the process of event inspections will **NOT** be given the opportunity to be licensed in the field. They will be asked to dismantle their operation and leave the event site immediately. Fee payments will not be accepted in the field.

## F. STANDARD OPERATING GUIDELINES

- 1) Event Sponsor Requirements
  - a) Provide a copy of their approved City of Canton Public Event Application.
  - b) Submit a list of approved vendors to the Environmental Health Administrative Specialist.
    - i) List of approved vendors must include the following:
      - (1) Name of Business
      - (2) Name of Person in Charge
      - (3) Contact Information (Phone number and email address)
- 2) Food Code Reference
  - a. Section 3701-21-02 of the Ohio Administrative Code specifies that an application for any new FSO shall be filed not less than ten (10) calendar days before the food service operation is opened for business. This includes temporary operations.
- 3) Limited Activities per Licensing Period
  - b. A licensor may issue not more than ten (10) temporary FSO or RFE licenses per licensing period to the same person or government entity to operate at different events within the licensor's jurisdiction. For each event, a licensor may issue only one (1) temporary retail food establishment license to the same person or government entity. (3717.43 (E)(1) ORC)



**Public Health**  
Prevent. Promote. Protect.

**Canton City Public Health**

Canton City Public Health  
Environmental Health  
[FINAL]

- c. Limitations on the type of food offered for sale may be imposed based on the equipment available and other factors to ensure food safety. Any limitations will be listed on the back of the license.
  - d. **Food is NOT permitted to be prepared at home.**
- 4) Environmental Health Office Requirements
- a. A Temporary Food Permit Questionnaire must be date stamped when received.
  - b. All Temporary Food Permit Questionnaires accepted by an employee of Canton City Public Health must be received from a vendor approved by the Event Sponsor.
  - c. An application for a License to Conduct a Temporary shall not be processed unless approved by a Registered Environmental Health Specialist.

## G. CITATIONS & REFERENCES

Canton City Health Code, Section 251.02 (e)

Ohio Administrative Code, Section 901:3-4-03 (A)(3); Section 3701-21-02; Section 3701-21-02.1 (A)(3); and Section 3717-1-01 (B)(120) & (121)

Ohio Revised Code, Section 3717.23 (E)(1) & (2) and Section 3717.43 (E)(1) & (2)

City of Canton License Department - <http://cantonohio.gov/police/?pg=642>

Stark County Auditor Vendor Licenses - <https://www.starkcountyohio.gov/auditor/departments/vendor-licenses>

Ohio Department of Taxation - [https://www.tax.ohio.gov/sales\\_and\\_use/license.aspx](https://www.tax.ohio.gov/sales_and_use/license.aspx)

Ohio Department of Taxation Application for Transient Vendor's License, Form ST1T  
[https://wt1Tww.tax.ohio.gov/portals/0/sales\\_and\\_use/st\\_st1t12\\_09.pdf](https://wt1Tww.tax.ohio.gov/portals/0/sales_and_use/st_st1t12_09.pdf)

State of Ohio Dept of Taxation Application for Vendor's license to make taxable sales -  
[https://www.starkcountyohio.gov/StarkCounty/media/StarkCounty/StarkCountMain/Auditor/Documents/vend\\_orapplication-1.pdf](https://www.starkcountyohio.gov/StarkCounty/media/StarkCounty/StarkCountMain/Auditor/Documents/vend_orapplication-1.pdf)

Public Event Application General Instructions -  
<https://cantonohio.gov/forms/pdf/Public%20Event%20Request.pdf>

## H. CONTRIBUTORS

The following staff contributed to the authorship of this document:

1. Annmarie Butusov, Director of Environmental Health
2. Geli Ellsworth, Administrative Specialist III
3. Valerie Fletcher, Environmental Health Specialist in Training

## I. APPENDICIES & ATTACHMENTS

Application for a License to Conduct a Temporary

Temporary Food Permit Questionnaire



**Public Health**  
Prevent. Promote. Protect.

**Canton City Public Health**

Canton City Public Health  
Environmental Health  
[FINAL]

Temporary Foodborne Disease Reporting Agreement

Temporary Event Guidelines

Guidelines for Food Service Operations to Grill/Cook Outdoors

**J. REFERENCE FORMS**

- 500-005-01-F “Application for a License to conduct a Temporary”.
- 500-005-02-F “Temporary Food Permit Questionnaire”.

**K. REVISION & REVIEW HISTORY**

Revision Date	Review Date	Author	Notes
7/2/2021	7/2/2021	Annmarie Butusov	Added provision that application must be received at least two days before the event.
10/30/2021	4/15/2022	Annmarie Butusov	Rescinded provision allowing temporary food vendor to cook in licensed kitchen. Added provision to require temporary food vendor to cook on-site at event. Added temporary food vendors participating in events that take place on Saturdays or Sundays are required to pay by noon on the Friday before the event.
06/20/2023	06/20/2028	Valerie Fletcher	Removal of temporary late fee and licensing in the field. Update of language.

**L. APPROVAL**

This document has been approved in accordance with the “800-001-P Standards for Writing and Approving PPSOGFs” procedure as of the effective date listed above.