



Town of Brookhaven

Department of Public Safety

Division of Fire Prevention



John Meehan
Commissioner

Christopher J. Mehrman
Chief Fire Marshal

Requirements for Mobile Food Preparation Vehicles (MFPV) – 12/22/2021

Permit Requirements:

Pursuant to the Town of Brookhaven Fire Prevention Code Chapter 30 Article XXXII 30–190, paragraph A; No mobile food preparation vehicle shall be operated in the Town of Brookhaven until a permit has been issued by the Chief Fire Marshal.

Definition: Mobile Food Preparation Vehicles (MFPV) are vehicles, including trailers, that are equipped with appliances that, when in use, produce smoke or grease-laden vapors. Appliances including, but are not limited to, deep fryers and griddles, are examples of the type of appliances that produce smoke and grease-laden vapors.

Please note this permit requirement is in addition to any license, permit, or permission from the Town of Brookhaven Town Clerk, Suffolk County Health Department or any other authority have jurisdiction.

With the above in mind the Division of Fire Prevention has developed a process for the owner / operators to obtain a permit for a Mobile Food Preparation Vehicle to operate. It is important to note that an annual permit is required to operate within the boundaries of the Town of Brookhaven, including roadside sales, street fairs, festivals, carnivals, and similar events either open to the public or private.

- Submit the Division of Fire Prevention Mobile Food Preparation Vehicle Application (FP-14).
- Submit Applicable Fee (for the year the permit will be valid).
- Schedule an appointment by calling (631) 451-6262.
- Inspections will be conducted at Brookhaven Town Hall (south side, near the loading dock).
- Depending on the results of the inspection, either an annual Mobile Food Preparation Vehicle permit will be issued or a list of violations requiring immediate correction will be issued. If violations need to be corrected another inspection may be required.

- With the issuance of the annual Mobile Food Preparation Vehicle permit, a Fire Marshal will apply the annual permit decal to the vehicle, located conspicuously on the customer service side of the vehicle.
- Any Mobile Food Preparation Vehicle found not to have a valid Brookhaven Town Clerk's Mobile Vehicle Peddler's License must obtain said license within 30 days of the issuance of the Mobile Food Preparation Vehicle permit from the Division of Fire Prevention. Failure to obtain a Mobile Vehicle Peddler's License from the Brookhaven Town Clerk within the 30 days will result in the revocation of the annual Mobile Food Preparation Vehicle permit, which will prohibit operation until another permit is issued by the Division of Fire Prevention. An additional fee and inspection will be required.
- All Mobile Food Preparation Vehicle annual permits expire on December 31st of each year regardless of date of issuance.

Prior to inspection, please review the information below to ensure your Mobile Food Preparation Vehicle is in compliance with the Fire Code of New York State (2020).

This portion is intended to provide information regarding the requirements for Mobile Food Preparation Vehicles (MFPV) pursuant to Chapter 3, Section 319 of the Fire Code of New York State (2020). The content below is not all inclusive, owners and operators of MFPVs are encouraged to review the code in its entirety by clicking on this link, <https://codes.iccsafe.org/content/NYSFC2020P1/chapter-3-general-requirements>, you will be brought to the applicable chapter of the Fire Code of New York State (2020).

It is important to note that the Fire Code of New York State (2020) includes requirements that pertain specifically to Mobile Food Preparation Vehicles (MFPVs) that were constructed on or after May 12, 2020, as well as requirements that pertain to all MFPVs, regardless of the date of manufacture.

MFPVs manufactured, assembled, or altered, on or after May 12, 2020, to include appliances that when used produce smoke or grease-laden vapors, are required to have installed both an exhaust system and automatic extinguishing system over the cooking appliances that produce smoke or grease-laden vapors. Additionally, appliances attached to a fuel supply, either Liquified Petroleum Gas (Propane) or Compressed Natural Gas (CNG) have specific requirements for the appliance connections to the fuel system, as well as the appliances being secured to the vehicle.

MFPVs manufactured, assembled, or altered before May 12, 2020 to include appliances that when used produce smoke or grease-laden vapors, are not required to have an exhaust system and automatic extinguishing system over the cooking appliances that produce smoke or grease-laden vapors. However, all MFPVs are required to comply with the following requirements regardless of the date of manufacture, assembly, or alteration to include appliances that when used produce smoke or grease-laden vapors.

Any MFPV equipped with an automatic extinguishing system, regardless of date of manufacture, assembled, or alteration to include appliances that when used produce smoke or grease-laden vapors, shall be inspected, and serviced every six (6) months in compliance with Section 904.12.5.2 of the Fire Code of New York State (2020), by a qualified inspection firm located within New York State. A tag or other documentation bearing the vehicle identification number (VIN) is acceptable as proof of inspection and service and shall be available at the time of the Fire Marshal inspection.

Any MFPV, where an exhaust hood or exhaust system is installed, shall be inspected, serviced, and cleaned by qualified individuals in accordance with Section 607.3 of the Fire Code of New York State (2020), every six (6) months, or every 30 days for solid fuel burning appliances. Documentation shall be maintained with the MFPV and shall be available at the time of the Fire Marshal inspection. All documentation shall include the vehicle identification number (VIN).

All MFPVs shall be equipped with a Class-K portable fire extinguisher(s). The number and size of said extinguishers shall follow section 906.4 of the FCNYS. (Note: requirements for solid fuels and deep fryers).

All MFPVs shall be equipped with a multipurpose portable fire extinguisher with a minimum rating of 2A-40BC.

MFPVs utilizing Liquidified Petroleum Gas (Propane) to fuel cooking appliances.

LPG containers and systems shall have been inspected annually. The inspection shall have been conducted by an approved inspection agency or a company approved by the US DOT to conduct such inspections. Inspection tag / documentation shall be maintained in the MFPV and available at the time of the Fire Marshal inspection.

A listed LPG alarm shall be installed within the MFPV in the area of the LPG system components and in accordance with manufacturer's instructions.

The maximum aggregate capacity of LP-Gas transported on a vehicle and utilized to fuel cooking appliances only is 200-pound LPG capacity

LPG containers installed on the vehicle shall be securely mounted and restrained to prevent movement.

LPG System piping, including valves and fittings shall be protected from tampering, impact damage and damage from vibration.

MFPVs utilizing Compressed Natural Gas (CNG) to fuel cooking appliances.

MFPVs utilizing CNG to fuel cooking appliances shall contact the Division of Fire Prevention for specific requirements.

Requirements for the installation of new exhaust systems and extinguishing systems

No permits for the installation of the exhaust hoods and automatic extinguishing systems in “Mobile Food Preparation Vehicles” will be required from the Town of Brookhaven Division of Fire Prevention.

Plans shall be provided to the owner depicting the installation (exhaust hood and AES), including the appliances (make and model). Same as would be provided for a fixed restaurant commercial cooking submission. Said plans shall bear the stamp / seal of a New York State licensed design professional

The installing vendor will provide a letter to the MFPV owner / operator that the installation is in compliance with the Fire Code of New York State (2020) and the applicable portions of the National Fire Protection Association.

Both the plans and letter shall include the vehicle identification number. The AES system shall be tagged appropriately.

The vehicle identification number shall be indicated on the inspection tag.

Any changes to either system will require an updated plans and letter.

Should you require any additional guidance in complying with these requirements, please feel free to contact the Division of Fire Prevention at either fpquestions@brookhavenny.gov or (631) 451-6262. Additional information will be posted on the Town of Brookhaven Website on the Fire Prevention page at <https://www.brookhavenny.gov/315/General-Information-Safety-Bulletins-Adv>