

## About the Pop-Up Food Establishment Host Licenses

"Pop-up food establishment host" means the owner or lessee of any building, or any premises within a building, or any portion thereof, who rents, leases, or otherwise makes space available, for consideration, within such building or premises for use as a pop-up food establishment.

The Pop-Up Food Establishment Host licenses are divided into two tiers based on the type of food activity occurring on the premises identified in the license application. The holders of the following licenses are entitled to engage in the business of Pop-Up Food Establishment Host, and are subject to the following provisions:

- **Pop-Up Food Establishment Host - Tier II:**
  - The holder of a Tier II host license is authorized to allow Pop-Up Food Establishment User - Tier I and Tier II license holders to operate at the licensed location.
  - Persons holding a Tier II pop-up food establishment host license must equip the licensed premises, or ensure that the pop-up food establishment user equips the licensed premises, with:
    - A hand sink, which may be portable; and
    - Sufficient time/temperature control equipment to ensure the safety of heated or refrigerated foods.
    - Such equipment must conform to the Department of Health Food Code Rules governing hand sinks and time/temperature control equipment.
  - Must ensure that no Tier II pop-up food establishment user licensee operates at the licensed host location for a period in excess of 90 days within any 365-day period.
  
- **Pop-Up Food Establishment Host - Tier III:**
  - The holder of a Tier III host license is authorized to allow Pop-Up Food Establishment User - Tier I, Tier II, and Tier III license holders to operate at the licensed location.
  - Persons holding a Tier III host license must equip the licensed premises, or ensure that the pop-up food establishment user equips the licensed premises, with all equipment required in restaurants in conformity with the Department of Health Food Code Rules.
  - Must ensure that no Tier II or Tier III pop-up food establishment user licensee operates at the licensed host location for a period in excess of 90 days within any 365-day period.

## Pop-Up Food Establishment Host License – Exceptions

No person may engage in the business of pop-up food establishment host without first having obtained a Pop-Up Food Establishment Host license. However, a Pop-Up Food Establishment Host license is NOT required if:

1. The owner or lessee of the building or premises housing the pop-up food establishment holds either:
  - i. a valid Shared Kitchen (Operator) license; or
  - ii. a valid Retail Food establishment license and Shared Kitchen-Supplemental license; or
2. The owner or lessee of the building or premises housing the pop-up food establishment only allows Tier I pop-up food establishment users to operate in such building or premises; or
3. The premises are a private residence and the occupant hires a chef to prepare or serve food within that residence for the occupant's own consumption or for consumption by the occupant's invited guests.

## License Issuance is Prohibited When

The issuance of any Pop-Up Food Establishment Host license is prohibited if:

1. The operation of a Tier II or Tier III pop-up food establishment is not permitted under the Chicago Zoning Ordinance at the premises identified in the license application; or
2. The condition, use or occupancy type of the building or premises identified in the license application has been determined to be unsafe or unsuitable for use as a Tier II or Tier III pop-up food establishment; or
3. The premises identified in the license application are a private home or dwelling unit or is used as living or sleeping quarters.

## Pre-Application Checklist

The following activities must be completed **BEFORE** applying for any business license.

- ✓ [Register your business entity with ALL of the appropriate government agencies.](#)
- ✓ [Check state or federal laws and requirements.](#)

## How do I apply?

You may apply for a license in person at the Department of Business Affairs and Consumer Protection (BACP), **Small Business Center (SBC)**, in City Hall, 121 North LaSalle Street, Room 800. An appointment with an SBC Business Consultant is recommended and can be made by calling (312) 74-GOBIZ / (312) 744-6249.

### STEP 1: LICENSE APPLICATION

- A separate business license is required for each Pop-Up Host location.
- All business activities to be conducted by the Pop-Up Host must be described on the application.
- License term and application fee per Pop-Up Host location:
  - Pop-Up Food Establishment Host - Tier II:
    - 1-year license | \$150.00
  - Pop-Up Food Establishment Host - Tier III:
    - 1-year license | \$330.00
- License holders must apply to obtain the appropriate Pop-Up Food Establishment Host License Certificate.

Complete a [Business Information Sheet \(BIS\)](#) with the standard business license application information (i.e. business entity, activity, location, and ownership), and provide a valid driver's license, state ID card, or other government-issued photo ID. Detailed application and documentation requirements may be found in our [License Application Requirements Information](#) web page. Submit your completed BIS form to the SBC Business Consultant during your appointment.

### STEP 2: ZONING REVIEW

The business location address provided in the license application will require a review, and approval, from the Zoning Unit at the SBC for the Pop-Up Food Establishment Host license type. The review is conducted during your appointment.

The City of Chicago is divided into distinct zoning districts that reflect the diversity of business and neighborhood uses. Each zoning district has different regulations regarding the types of business activities that are permitted.

During a review, the Zoning representative looks at the following:

- Proper classification of the business activity/ies
- If the business activity/ies is/are allowed in a specific district

- Compliance with parking, landscape and building requirements
- Proper building permits have been applied for/issued

**STEP 3: INSPECTIONS**

A consultation with a CDPH Supervising Sanitarian, during your appointment at the SBC, is a required part of the license application process for Pop-Up Food Establishment Hosts.

BUSINESS ACTIVITY	HEALTH INSPECTION TYPES		
	CONSULTATION	ONSITE	PERIODIC
Pop-Up Food Establishment Host - Tier II	✓		✓
Pop-Up Food Establishment Host - Tier III	✓	✓	✓

- Pop-Up Food Establishment Host license applicants must provide a statement describing the proposed menu of the food items that the applicant intends to sell or serve at the pop-up food establishment.

The **Chicago Department of Public Health (CDPH) – Food Protection** – CDPH is the department which ensures food safety and sanitation to prevent the spread of food-borne disease.

- The Food Protection division educates food businesses, inspects food establishments, addresses food related emergencies, and otherwise acts in the public interest.

**Health Department Inspections**

- *Consultation* with Department of Health Supervising Sanitarian: Prior to the issuance of any Pop-Up Food Establishment business license, the license applicant must complete a consultation with the Department of Health to review equipment and food safety operations at any licensed Pop-Up Food Establishment Host.
- *Onsite Inspection: Pop-Up Food Establishment Host - Tier III* applicants must have the premises identified in the license application be inspected, and approved, by CDPH to ensure its suitability to host A Tier III Pop-Up Food Establishment.
- *Periodic Inspections:* All Pop-Up Food Establishment business licensees are subject to periodic inspections. In addition, the Department of Health may inspect a Pop-Up Food Establishment in response to any complaint.

**STEP 4: PAY APPLICATION FEE**

Upon completion of the application the license applicant will be provided with a payment coupon, which must be taken to the onsite cashier for payment. Cash, credit and debit cards, personal, business and cashier’s checks and money orders are accepted.

**STEP 5: RECEIVE POP-UP FOOD ESTABLISHMENT HOST LICENSE CERTIFICATE**

After payment, the license applicant will be provided with their Pop-Up Food Establishment Host license certificate. The licensee must have their license certificate at all times while conducting business operations.

**IF APPLICABLE: SIGNAGE AND USE OF THE PUBLIC WAY**

In addition to issuing business licenses, BACP, through its Public Way Use (PWU) unit, is the department which handles general Grants of Privilege for the use of the public way. These permit applications are necessary when a business owner wishes to hang a sign, awning, or anything above, on or below the public way.

- Prior to hanging or constructing any sign that hangs over the public way, the applicant must file a Sign Permit Application with BACP. This detailed process includes obtaining additional permits from DOB as well as approval



from the City Council. Because a sign contractor must be licensed with the City in order to obtain a sign construction permit, please see the [list of approved sign contractors](#).

- b. For temporary use of the public way (such as the temporary obstruction of a sidewalk or street for installation or construction work), contractors must obtain a Public Right of Way Use Permit from the Chicago Department of Transportation. Information about this permitting process is available at the [Regulations for Construction in the Public Way](#) web page.

For additional information, please go to our [Public Way Use](#) web page.

## Licensee Duties

### Ensuring that users are properly licensed.

The licensee must ensure that any person engaged in the business of Pop-Up Food Establishment User at the licensed host location:

- Holds a valid Pop-Up Food Establishment User license and is operating within the scope of such license, and
- Does not operate at the licensed host location for longer than the designated period of time indicated on the face of such person's user's license ID, or
- If the person engaged in business of pop-up food establishment user at the licensed host location holds a Tier II or Tier III Pop-Up Food Establishment User license, that person does not operate their pop-up food establishment at the licensed host location for a period in excess of 90 days within any 365-day period.

### Recordkeeping.

The licensee must keep and maintain written records containing the following information:

- i. A list of all Pop-Up Food Establishment Users operating at the licensed host location and their contact information;
- ii. For each User, a copy of the menu approved by the Department of Health for use by the User at the licensed location;
- iii. A list setting forth the date(s) and time(s) each User operated at the licensed location;
- iv. If a Tier III Pop-Up Food Establishment User operates at the licensed location, the name of the person(s) holding a **valid City of Chicago Food Service Sanitation Certificate**, issued by the Department of Health;
- v. A copy of all agreements entered into by the pop-up food establishment host with each Pop-Up Food Establishment User, including the effective date and termination date of each agreement;
- vi. If the Pop-Up Food Establishment User discontinues, ends, terminates, or otherwise withdraws from any contract or agreement with the pop-up food establishment host or otherwise indicates his or her intent to stop operating at the host's licensed location, a record of the date on which such act occurred.

The records required to be maintained by the pop-up food establishment host must be maintained by the licensee for a period of at least two years after the date of entry of the record.