

**ORDINANCE NO. 18-1010**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adding a new Chapter 5.55 to the SeaTac Municipal Code regarding mobile food vending.

**WHEREAS**, mobile food vendors (food trucks) have shown interest in conducting business within the city; and

**WHEREAS**, mobile food vending can provide more options to individuals seeking to purchase freshly prepared food products; and

**WHEREAS**, amendments to Title 15 (Zoning Code) of the SeaTac Municipal Code are under concurrent consideration to allow mobile food vending within non-residential zones in the city; and

**WHEREAS**, the addition of business licensing requirements as contained herein is exempt from environmental (SEPA) review pursuant to WAC 197-11-800 (13); and

**WHEREAS**, the proposed regulations been reviewed and recommended for adoption by the Administration and Finance Committee;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:**

**Section 1.** A new Chapter 5.55 of the SeaTac Municipal Code is added to read as follows:

**Chapter 5.55  
MOBILE FOOD VENDORS**

Sections:

- 5.55.010 Purpose.**
- 5.55.020 Definitions.**
- 5.55.030 Mobile Food Vending – Additional License Requirements.**
- 5.55.040 Display of City Business License.**
- 5.55.050 Restrictions applicable to all mobile food vendors.**
- 5.55.060 General regulations.**
- 5.55.070 Penalties**
- 5.55.080 Expiration**

**5.55.010 Purpose.**

The purpose of this Chapter is to allow mobile food vendors to conduct business within the City that will accommodate new businesses and support entrepreneurship.

**5.55.020 Definitions.**

A. "Mobile Food Preparation Vehicle" (aka "Food Trucks") means a commercially manufactured motorized vehicle or trailer vending unit in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for service, sale or distribution.

B. "Mobile Food Vendor" means a seller of food from a mobile food preparation van, truck or other vehicle or conveyance. Sales of only pre-packaged food products does not constitute mobile food vending.

**5.55.030 Mobile Food Vending – Additional License Requirements.**

A. A separate business license shall be required for each Mobile Food Preparation Vehicle.

B. A Mobile Food Vendor shall obtain and provide written proof of permission from the property owner for each location at which the Mobile Food Vendor conducts business, which shall include a diagram of the Mobile Food Vendor's location on the property. Written permission for the Mobile Food Vendor's staff to use the property owner's restrooms is also required. It is the responsibility of the Mobile Food Vendor to comply with all requirements of this Subsection prior to conducting any business at a particular location.

**5.55.040 Display of City Business License.**

A valid City Business License shall be prominently displayed upon all vehicles from which a mobile food vendor sells products.

**5.55.050 Restrictions applicable to all mobile food vendors.**

A. Mobile food vending on public streets and/or public rights-of-way within the City shall require issuance of any applicable right-of-way use permits pursuant to SMC 11.10.

B. A mobile food vendor shall not obstruct or cause to obstruct the passage of any pedestrian or vehicle on any sidewalk, street, fire lane, or any parking area, including obstructions caused by customer queues or customers consuming any food sold by the mobile food vendor at or near the place where the items are being offered for sale.

**5.55.060 General regulations.**

A. The Mobile Food Vendors shall leave the property in which they conduct business clean and vacant each day, including picking up trash and litter generated by the mobile food vendor's customers.

B. The owner of real property on which a mobile food vendor is located shall be responsible for overall site maintenance. The property owner shall be responsible for the mobile food vendor's compliance with the provisions of this chapter with respect to the mobile food vendor's operation on the owner's property.

C. All exterior trash receptacles not intended for customer use shall be screened from public view and securely covered.

D. The use of any portion of the vending unit as living or sleeping quarters is prohibited.

E. All attachments to the vending unit, including but not limited to signs, lights, overhangs, and awnings, shall be maintained in such a manner as to not create a hazard to pedestrians, customers or vehicles. Flashing lights and similar displays are prohibited.

F. One portable pop-up tent or umbrella, not to exceed 10 feet by 12 feet in size, or up to three tables with beach type umbrellas, may be used for cover for patrons. Cooking shall not take place under any tent. Umbrellas and canopies must be removed at the end of each day.

G. Grease and Wastewater.

1. A grease trap shall be installed and maintained on all Mobile Food Preparation Vehicles.
2. Grease and wastewater shall be properly disposed of per adopted State and local health regulations.

H. Except for special events or activities authorized by a temporary use permit, no portable restrooms for use in connection with a mobile food vendor shall be allowed on a site.

I. Mobile food vendors shall not sell or serve alcoholic beverages.

J. For any property in which the Mobile Food Vendor conducts business, Mobile Food Preparation Vehicles shall not occupy for more than 18 hours during any 24-hour period.

K. All Mobile Food Vendors shall comply with all laws, rules and regulations regarding food handling, and all Mobile Food Preparation Vehicles used by Mobile Food Vendors shall comply with all applicable laws, rules and regulations respecting such vehicles as established by Public Health – Seattle & King County, State and local traffic laws, and the provisions of the SeaTac Municipal Code.

L. The Fire Marshal review and issue any applicable permits when a Mobile Food Vendor utilizes an external propane tank that is not mounted on the Mobile Food Preparation Vehicle or external power connections and/or tent structures.

M. Mobile Food Vendors shall comply with the City Electrical Code (SMC 13.180), including any electrical service to a Mobile Food Preparation Vehicle. In no event shall a Mobile Food Vendor locate electrical lines or extension cords overhead or on the ground in any location in which the public has access.

#### **5.55.070 Penalties**

Any person or persons who violate or fail to comply with any of the provisions of this Chapter shall be subject to the provisions of SMC 5.05.200.

**5.55.080 Expiration**

The provisions of this chapter shall expire on March 31, 2020.

**Section 2.** If any provision of this Ordinance or its application to a person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

**Section 3.** This Ordinance shall be effective five (5) days after passage and publication as required by law.

ADOPTED this 27<sup>th</sup> day of March, 2018, and signed in authentication thereof on this 27<sup>th</sup> day of March, 2018.

CITY OF SEATAC



Michael Siefkes, Mayor

ATTEST:



Kristina Gregg, City Clerk

APPROVED AS TO FORM:



Mary Mirante Bartolo, City Attorney

Effective Date: 4/7/18

[Mobile Food Vending – Business Licenses]