

DRAFT Food Truck Code

14.08 Definitions

Mobile Food Vendor. A seller of prepackaged or prepared food from a food preparation van, truck, cart or other vehicle of conveyance, whether upon private property, the public right-of-way, or other public property.

Mobile Sales and Delivery.

Mobile Vending Unit. A mobile food preparation van, truck, trailer, cart, or other vehicle of conveyance used for the sale of food prepackaged or prepared food.

~~14.44.400 Sales of Food from Stationary Motor Vehicles on City Owned Property.~~

~~(a) This section applies to events which are wholly or partially located on City owned or public property.~~

~~(b) Sales of food from stationary motor vehicles on City owned property is prohibited except when part of an event for which an event permit has been issued.~~

~~(c) Management of vendors, such as vendor selection, booth location and products offered shall be the responsibility of the event sponsor, except that through the event permit process, the City may regulate the location of vendors if necessary to protect the health, safety and general welfare of the public and ensure that the event does not adversely affect the ability of the City to perform its duties and functions.~~

~~(d) The event sponsor shall be responsible to ensure that the vendors who prepare food or beverages on or off site, and who intend to sell or serve food or beverage items to the public, have the required insurance policy as recommended and required by the City's current insurance provider. Said insurance shall list the City of Lake Stevens as additional insured and will include the endorsement of said policy.~~

~~(e) The event sponsor shall be responsible to ensure that all food vendors have the necessary permits per the current Snohomish County Health District requirements or other applicable State or County regulatory agency. (Ord. 821, Sec. 8, 2009; Ord. 676, Sec. 40, 2003)~~

~~14.44.410 Sales of Food from Stationary Motor Vehicles on Property Not Owned by the City.~~

~~(a) This section applies to events which are wholly or partially located on property not owned by the City of Lake Stevens.~~

~~(b) Sales of food from stationary motor vehicles during events that are wholly or partially on property not owned by the City are prohibited except when a part of an event for which an event permit has been issued or as an accessory use pursuant to the provisions contained in Chapter [14.40](#). (Ord. 821, Sec. 9, 2009; Ord. 676, Sec. 41, 2003)~~

14.44.080 Mobile Sales and Delivery.

Mobile sales (excluding mobile food vendors) and delivery (Class 2.300 uses) is permitted in all zones. Review will occur annually in conjunction with a business license renewal.

TABLE 14.40-I: TABLE OF PERMISSIBLE USES BY ZONES¹⁶

USE DESCRIPTIONS	R4	WR	R6	R8-12	MFR	LB	MU	PBD	LI	GI	P/SP
00 Mobile Sales and Delivery (Vending Carts, (Ice Cream Trucks, Mobile Delivery, Peddlers, and Similar Uses) (See Section 14.44.080) ²	P	P	P	P	P	P	P	P	P	P	P
10 Mobile Food Vending Units (Food trucks or similar vehicles, Vending Carts)						P	P	P	P	P	P

14.44.085 Mobile Food Vendors

(a) Purpose. The purpose of this section is to support local entrepreneurs, stimulate economic vitality, and provide regulations that protect public health and safety associated with the operation of mobile food vendors.

(b) License Required. To operate a mobile food vendor unit a city business license and mobile food vending license are required. All licenses for mobile food vendors shall be valid for one calendar year.

(1) No licenses shall be required for mobile food vendors exempt from a business license under LMSC 4.04.040.

(2) All mobile food vendor licenses shall be prominently displayed upon all carts, vehicles or locations from which a mobile food vendor sells products.

(c) Application. The submittal requirements for mobile food vending-business license review shall include the following:

(1) Mobile Food Vendor Addendum Application

(2) A scaled site plan depicting the following:

(i) Vehicle ingress and egress;

(ii) Location of the mobile vending unit, signs, and accessory equipment such as tables and canopies, if any; and

(iii) Site conditions including property parcel lines, parking, and buildings.

(3) Photograph of the vending unit, proposed signs, and any accessory equipment.

(4) Proof of approval by the Copy of Snohomish Health District Permit;

(5) A written plan demonstrating appropriate disposal of wastewater and/or used cooking oil generated by the mobile vending unit. Grease shall be properly disposed of pursuant to the adopted Washington State health regulations;

(6) Evidence of current Washington vehicle registration.

(7) Proof of approval by the Washington State Department of Labor & Industries;

Commented [JN1]: According to the WA Food Truck Association, approval is different than permit.

Commented [JN2]: Redundant, Health District already requires this.

Commented [JN3]: Redundant, the Health District requires this.

(8) Written permission from the property owner for each proposed location the mobile food vendor proposed to conduct sales of food. This includes written permission from the property owner for employees of the vending unit to use the property owner's restroom.

(9) Certificate of public liability insurance in an amount not less than \$500,000 for injuries, including those resulting in death, resulting from any one occurrence, and on account of any one accident; property damage insurance of not less than \$25,000 for damages on account of any one accident or occurrence.

Commented [JN4]: City Attorney may want to increase to 1 million and/or add City as additionally insured when working on public property.

(d) General Regulations.

(1) No portion of the vending unit may be used as sleeping quarters.

(2) 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.

(3) Mobile Food Vendors shall not obstruct sidewalks, streets, access points, fire lanes, or parking lot circulation by either the location of the vending unit, its accessories, or by causing customers to congregate.

(4) The mobile vendor shall comply with the standards set forth by the Washington State Department of Labor & Industries for electrical service to the mobile unit. Electrical lines shall not be located overhead or on the ground service in any location in which the public has access.

(5) If a mobile food vendor will be utilizing an external propane tank (not mounted on the mobile food preparation van), wood/charcoal, external power connections and/or tent structures, the mobile food vendor will be subject to additional review by the Fire Marshal.

(6) Trash and other waste.

(i) The mobile food vendor shall leave the site clean and vacant each day, including picking up all trash and litter generated by the mobile food vendor's customers within 100-feet of the vending unit.

(ii) Trash receptacles not intended for customer use shall be screened from public view and

(iv) The mobile food vendor shall install and maintain an adequate grease trap in the vending unit.

(v) Grease shall be properly disposed of per adopted Washington State health regulations.

(vi) Wastewater generated by the vending unit shall be disposed of in a proper manner and documented.

(7) The hours of operation for mobile vending are limited to 7:00 a.m. to 11:00 p.m. Vendors operating along 20th ST NE and 20th ST SE shall not conduct sales between 4:00 p.m. to 6:00 p.m.

Commented [JN5]: Redundant. Health District already requires this.

(e) Permitted Locations.

(1) Mobile food vending units shall be prohibited in any residential zones and abutting rights-of-way.

(2) Mobile food vending units shall not be located within 150 feet of any restaurant without written permission from the restaurant owner. Distance shall be measured using the shortest

possible straight line from the closest edge of the mobile vending unit to the closest edge of the restaurant building on the same side of the street.

Commented [JN6]: Added distance measuring language.

(3) Mobile food vending units are allowed on private properties, in commercial and industrial areas pursuant to Table 14.40-I, and subject to written approval from the owner and the following requirements and restrictions:

- (i) One portable pop-up tent that does not exceed 120 square feet or up to three tables with beach type umbrellas may be permitted as an accessory to the mobile vending unit. No cooking shall take place under the tent. Umbrellas and canopies must be removed at the end of the day.
- (ii) Mobile food vendor must obtain restroom use permission for employees from the property owner. Portable restrooms are not permitted on site.
- (iii) Mobile food vending unit may not diminish required off-street parking for another use.
- (iv) Vending unit shall conform to the standard front setback for the zoning district.
- (v) All temporary signage associated with the mobile vending unit shall be limited to 10 square feet.

(4) Mobile food vending units are allowed on public properties, including parks and street rights-of-way subject to a concession agreement, in addition to the license requirements in this section, subject to the following requirements:

- (i) Customers shall not be served on the street side of the vending unit if parked in the public right of way;
- (ii) No vending unit, sign, canopy or accessory may be located in the sight distance triangle or project into the roadway as to cause a safety hazard; and

(iii) No vending unit may vend on any state or federal highway. (f) Special Events.

(1) Mobile food vendors may operate part on private and public properties as part of an approved event permit, subject to the following:

- (i) Management of vendors, such as vendor selection, booth location and products offered shall be the responsibility of the event sponsor. Through the event permit process, the City may regulate the location of vendors to protect the health, safety and general welfare of the public and ensure that the event does not adversely affect the ability of the City to perform its duties and functions.
- (ii) The event sponsor shall be responsible to ensure that the vendors who prepare food or beverages on or off site, and who intend to sell or serve food or beverage items to the public, have the required insurance policy as required by the City's current insurance provider. Said insurance shall list the City of Lake Stevens as additional insured and will include the endorsement of said policy.
- (iii) The event sponsor shall be responsible to ensure that all food vendors have the necessary permits per the current Snohomish County Health District requirements or other applicable State or County regulatory agency.

(g) Revocation of permit. A mobile food vendor, permitted pursuant to this section, may have its license revoked, suspended, or denied subject to LSMC 4.04.15 if the City finds:

(a) The vendor has violated or failed to meet the terms of this section and all other applicable sections of the municipal code or conditions of approval; or

(b) The mobile food unit operation is detrimental to the surrounding businesses or to the public due to either appearance or conditions of the stand.