



Mobile Food Vendor

Complete regulations located in [Spokane Municipal Code 10.51](#).

Guidesheet

Rev.20141022

Application Process –

1. Complete Mobile Food Vendor permit application.
2. Submit application and required items to City of Spokane Taxes & Licenses.
 - a. Proof of insurance
 - b. Proof of valid state and local business registrations, including registration numbers and date of issuance
 - c. Proof that the mobile food unit has been inspected and is currently registered by state and local agencies as required by law
 - d. Written consent from the property owner(s) for location(s) where vending will take place entirely on privately owned property
 - e. Maps of private property vending locations
 - f. Application Fee
 - g. Statement of the nature and type of goods or services to be sold

Standards and Operating Conditions –

Definitions

- Adjoining Private Property Owner means the owner of property, as reflected in the records of the Spokane County assessor, contiguous and immediately adjacent to the right of way as determined by extending the existing property lines to the centerline of the street as though such right of way were included in the property.
- Mobile Food Vendor means a person or persons owning, operating, or working in a mobile food vending unit and is the permit holder and person in charge of a mobile food vending unit under the provisions of the Washington state administrative code, WAC 246-215 and the rules of Spokane regional health district. A mobile food vendor as defined herein is not an itinerant vendor for the purposes of chapter 10.40 SMC, Itinerant Vendors.
- Mobile Food Vending Unit means a readily movable food service establishment such as a push cart, van, trailer, or a temporary/movable structure approved for mobile food vending by Spokane regional health district. It provides space for limited storage, handling, and/or dispensing of foods. The entire operation must be contained within/on the mobile unit, except that expansion of the operation will be allowed in conjunction with an approved temporary event as allowed under the rules of the Spokane regional health district.

Vending Entirely on Private Property

- Mobile food vendor's permit must contain approval to vend at that particular location(s). The approval is subject to the following requirements:
- Location must be within a zone permitting mobile food vending.
- Mobile food vending unit will be subject to the same land use and development standards applicable to the property as if the unit were a permanent structure, except that a mobile food vendor shall not be required to make any additional site improvements when:
 - The mobile food unit will be located on an existing paved parking area that will continue to provide sufficient space for required off street parking and circulation for any other existing uses on the property;
 - The mobile food unit is a licensed, wheeled vehicle and the wheels will not be removed;

- Any canopies, awnings or any other attachments are supported entirely by the mobile food unit and do not touch the ground;
- The mobile food unit is self-contained, with no plumbing connections; and,
- The mobile food unit will not be used for “drive thru” vending.
- Temporary seating, sandwich board signs, refuse collection containers and other temporary appurtenances may be allowed.
- The vendor shall submit a Property Owner Consent signed by the owner(s) of the private property or their designated property manager.

Vending On or Into the Public Right-of-Way

- Vending is limited to locations acceptable to the adjoining property owner or their designated agent
- Location must be within a zone that permits mobile food vending (see map SMC 17C.390)
- When vending is in the downtown Spokane Parking and Business Improvement Area (PBIA) the City of Spokane will require a signed Property Owner Consent from the adjoining property owner or their designated.
- All parking regulations apply to mobile food vending, except a vendor operating with a valid mobile food vendor permit at an approved location is exempt from the parking time limits and the restriction of feeding a parking meter beyond the maximum parking time. Full Spokane Municipal Code language here:
 - SMC Section 16A.61.5914 – Feeding Meter Beyond Maximum Parking Time
 - SMC Section 16A.61.561 – Parking Time Limited and Regulated
- Maintain a minimum five-foot clear pedestrian pathway, twenty feet in both directions from the food vending unit along the public sidewalk at all times;
- A valid mobile food vendor permit is not an exclusive right to any specific location, and all locations within the public right-of-way are based on a first come, first served basis.
- The Spokane Police Department, or any authorized representative thereof, may order the food vendor to leave a specific location when they have evidence of an imminent public safety hazard.
- A property owner may request any food vendor to move from a location adjacent to said property owner’s property. The vendor must move the unit, at least fifty feet walking distance from that property, to another vending location.
- When vending within fifty feet walking distance of the front entrance of an existing restaurant located on the same block face, a Property Owner Consent, signed by the restaurant owner or authorized representative is required.
- Comply with all terms and conditions of the mobile food vendor permit issued
- Maintain the sidewalk in a clean and safe condition for pedestrian travel
- Immediately clear the sidewalk area when ordered to do so by an appropriate City officer such as the chief of police, fire official or their authorized representatives.

Vending On or Adjoining a City Park

- Mobile food vending is approved only with written consent from the Director of the City of Spokane Parks Department or their designee when vending in a City park or on a street adjoining a City park, which must be included on the mobile food vendor’s permit.

Exceptions to Operating Under Provisions of SMC 10.51

- Limited special event vending.
 - Mobile food vending from a location in a zone not otherwise approved for mobile food vending, including residential zones, is allowed under the following conditions:
 - The owner of the property where an event such as a community event, special event approved by the City, a neighborhood block party, wedding, or birthday party will occur has invited the mobile food vendor to participate and mobile food vending is part of the event activities.

Exceptions to Operating Under Provisions of SMC 10.51

(continued)

- The mobile food vending unit may not remain at the location for longer than the duration of the special event and while there must be located so as to avoid creating conflicts with pedestrian or motor vehicle traffic or creating other public safety problems.
- Mobile food vendors who operate in accordance with this exception do not require additional permits or approvals but must have and maintain all other licenses and approvals necessary to lawfully operate as a mobile food vendor within the City of Spokane.
- Mobile food vendors who operate for not more than fourteen days annually within the City of Spokane are exempt from the permitting requirements of this section but must otherwise comply with all other standards.
- Mobile caterers who are engaged in the business of transporting, in motor vehicles, food and beverages to residential, business and industrial establishments pursuant to prearranged schedules and dispensing from the vehicles the items to and for the convenience of the personnel or occupants of such establishments are exempt from these provisions.
- Mobile food vendors who vend from very small pushcarts (twenty cubic feet of cart or less) on the public sidewalk may choose to operate in accordance with the provisions of the itinerant vendor permit, SMC 10.40.010, and are thus exempt from the requirements of Chapter 10.51.

Liquor Use and Sale Prohibited

- Liquor may not be used or sold by any mobile food vendor.

Insurance Required

- Prior to issuance of a mobile food vendor permit proposing to vend to or from any public property including public streets, sidewalks, plazas or parks, the applicant shall provide liability insurance coverage to cover potential claims which may arise from or be related to the use of the public property for mobile food vending purposes, naming the City as an additional insured. The liability limits must not be less than \$100,000 for any one personal injury, \$300,000 for all personal injury claims in any one accident and \$25,000 for property damage.

Indemnity-Permit Revocation

- The applicant for a mobile food vendor permit shall deliver to the City, on a form supplied by the City, signed and acknowledge agreement by the applicant to defend, indemnify, and hold the City harmless from any and all claims, actions or damages or liabilities of every kind and description which may accrue to, or be suffered by, any persons by reason of or related to the operation of such mobile food vending unit. In addition, the agreement shall contain a provision that the permit is wholly of a temporary nature, that it vests no permanent right whatsoever, that it may be suspended or revoked pursuant to the procedures set forth in SMC 4.04.080.

Requirements Not Cumulative

- The requirements of SMC 17G.010.210, obstruction of streets, and obstruction of sidewalks, shall not apply to a mobile food vendors validly licensed under this chapter, except as herein provided.

Violation

- This chapter is subject to the administrative provisions of chapter 4.04 SMC. In the event of an appeal, the hearing officer shall be the City of Spokane hearing examiner.
- Mobile food vendors must comply with all state and local laws.
- A violation of this chapter is a class 1 civil infraction. Each day upon which a violation occurs or is permitted to continue constitutes a separate violation.

